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Mo Moorman
Distributor, Inc.

August 20, 2003

Attn: TTB Notice No. 4
Chief Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, D.C. 2001-0221

Dear Sir or Madam:

As Vice President of Mo Moorman Distributor, Inc. I support the proposed rule issued by the Tax and Trade Bureau (TTB) in March, 2003 that will outline the alcohol content for flavored malt beverages to be classified as beer. The TTB proposes that flavored malt beverages to be classified as beer its alcohol content from distilled spirits cannot exceed 0.5%.

Beer and malt beverage products have been regulated and taxed completely different than other alcohol beverages in this country throughout its history. The proposed rule is consistent with the historical interpretation of what constitutes beer. The regulations pertaining to beer are based on its age old production process, and its definition in the Internal Revenue Code goes back to early last century when Congress first imposed the beer excise tax. To adopt the TTB 0.5% by volume standard would ensure the integrity of beer and the brewing process.

We must have consistent regulators policy as must states follow federal regulations. This rule would maintain an orderly market and avoid disruptions in states regulation policies which could devastate the beer wholesaler.

The distinction between beer and distilled spirits should not be compromised, these distinctions impact state and federal policies regarding the regulation and taxation of beer and other alcohol beverages. If this distinction is compromised other producers of alcohol beverages will categorize their products as beer.

Beer is a product of the brewing process and is not distilled, nor is it a fortified wine. The 0.5% Standard will ensure that the integrity of beer remains.

I encourage the TTB to give final approval to the proposed 0.5% standard on flavored malt Beverages.

Sincerely,

Todd Moorman
Vice President
Mo Moorman Distributor, Inc.

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