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G&M
Wholesale Beverage Distributor

September 2, 2003

Attn: TTB Notice No. 4
Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, DC 20091-0221

To Whom It May Concern:

G & M Distributors, Inc. supports the proposed rule issued in March 2003 by the Tax and Trade Bureau (TTB) that specifies the alcohol content requirements for various flavored malt beverages to be classified as beer under the 0.5% rule. This rule states that a flavored beer can contain no more than 0.5% of its alcohol content from distilled alcohol.

As an Illinois beer, liquor, and wine distributor who has been in business over 50 years, I feel that the 0.5% rule is important. Since prohibition, the Illinois state statutes regulating alcoholic beverages have recognized three separate and distinct types of alcoholic beverages: beer, liquor, and wine in its Liquor Control Act of 1934. The Act defines spirits (liquor) as... "any beverage which contains alcohol by distillations...includes brandy, rum, whiskey, gin...; wine... any alcoholic beverage obtained by the fermentation of natural contents of fruits... ;beer.. . a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley..." These definitions are clear and distinct.

Regulators, manufacturers, distributors, retailers, and consumers have a common understanding of the three types of alcoholic beverages. State regulations, taxes, liquor licenses, special promotions, etc. all utilize the three categories to communicate various messages to the appropriate audience on an everyday basis.

In order to maintain the historical, legal, and colloquial definition of the three categories of alcoholic beverages, the 0.5% rule should be adopted. This rule will allow the orderly maintenance of the distinction that exists between the various types of alcoholic beverages and eliminate a blurring of very distinct definitions upon which there is common understanding.

G & M Distributors, Inc. requests that the TTB give final approval to the proposed 0.5% stand on flavored malt beverages.

Sincerely,

Guy L. Vitale, Jr.
President

GLV/mea

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