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September 10, 2003

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

Dear Sir or Madam:

I am writing to express my support for the US Treasury's Alcohol & Tobacco Tax and Trade Bureau's proposed rulemaking for flavored malt beverages. (200 1R-136P).

TTB's standard is the most efficient means to address recent concerns by both federal and state officials about the stability of the retail licensing system and the overall marketplace. If adopted, the standard will maintain an order, meet consumer expectations for consistent products, and help sustain the long-term development of the product category.

There are some who worry about the ability of manufacturers to produce FMB products in accordance with the new proposal. However, brewers have already demonstrated the expertise and technical ability to brew these products under the new federal standard. The FMB products that look

and taste the same will be available to wholesalers and retailers in all states with no interruption and no discernible taste differences for consumers.

Absent a national standard rooted in existing law and regulation, manufacturers, retailers, and wholesalers will face a potential for a patchwork of individual state laws and regulations where the same product may ultimately be sold as "beer" in one state and as a "distilled spirit" in another. Meanwhile, under the proposed rules, these formulated products will be consistent with state tax, license, and distribution laws allowing wholesalers and retailers to continue to distribute, sell and market flavored malt beverages as they do today. Thus, I urge your favorable consideration of the current TTB proposed rulemaking for flavored malt beverages.

JOHN D. SABINI
Senator

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