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United States Senate
Washington, DC 20510-3704

GORDON H. SMITH
OREGON

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October 21, 2003

William Foster
Chief, Regulations and Procedures Division
Alcohol & Tobacco Tax & Trade Bureau
Department of the Treasury
ATTN: Notice Number 4
P.O. Box 50221
Washington, DC 20091-0221

Re: TTB Notice 4, Flavored Malt Beverages and Related Proposals
Dear Mr. Foster:

I am writing to comment on TTB Notice 4, Flavored Malt Beverages (FMBs) and Related Proposals. While I support TTB's efforts to promote uniformity in the regulatory treatment of these products, I would appreciate your agency addressing the cost-benefit analysis when promulgating a final rule.

I am concerned that the Bureau has not provided a cost-benefit analysis of this proposed rule and it seems likely that the FMB industry will bear the costs of implementing these new regulations, should they go into effect. I would, therefore, appreciate TTB addressing any impacts on jobs, competition and federal and state excise taxes in the final rule.

I hope that you will promulgate a rule that causes as little disruption as is necessary to the marketplace and federal revenues. Thank you for addressing my concerns when crafting the final rule on this issue.

Sincerely,
Gordon H. Smith
United States Senate

www.gamith.senate.gov
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