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From: Scully, Timothy [Scully.Timothy@mbco.com]

Sent: Tuesday, October 21, 2003 11:56 AM

To: 'nprm@ttb.gov'

Subject: TTB Notice No. 4

Dear Sir:

I am an employee of Miller Brewing Company, and I write to express my support for the 90/10 standard as set out in TTB Notice No. 4. Immediate adoption and implementation of this rule is essential to preserve the unique and historical differences between beer or malt beverages and distilled spirits. Adoption of this rule will insure these bright line distinctions which will benefit consumers, retailers, wholesalers, manufacturers and regulators. Failure to adopt this standard will blur the lines between these very different products. Failure to adopt this standard will sow confusion with consumers about what they choose to drink. Failure to adopt this standard will disrupt the current distribution, marketing and sale of these products. Failure to adopt these rule will create a patchwork of regulatory control at the state level. My company has already spent significant sums of revenue and countless hours in developing new formulas to comply with the proposed standard. Simply put: we can make flavored malt beverages with the 90/10 standard. These product formulas have been tested and received favorably by consumers. I urgw you to act expeditiously and finalize TTB Rule No. 4. Sincerely,
Timothy H. Scully Jr. 619 Laura Drive
Falls Church, VA 22046