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From: Parke Terry [pterry@lmlaw.net]

Sent: Tuesday, October 21, 2003 11:06 AM

To: nprm@ttb.gov

Subject: Reference TTB Notice No. 4 > > Dear Sir or Madam: > > As a state legislative consultant for Miller Brewing Company, I am writing > to express my support for the TTB'S proposed rulemaking for flavored malt > beverages which preserves the integrity of beer. > > I believe the TTB's action is an important clarification that ensures that > if a FMB product is to be sold as a malt beverage, it should be made as a > malt beverage according to traditional brewing methods and processes. > > If your rule is adopted, consumers will still be able to enjoy FMB > products and wholesalers and retailers to will continue to be able to > distribute, sell and market flavored malt beverages as they do today. > > However, absent your new standard, brewers, 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 a "beer" in > one state and as "hard liquor" in another...in fact, several officials in > my state have already suggested this as a possibility. > > Thank you for this opportunity to offer my support for your proposed FMB > rule preserving the unique differences and integrity of beer. >

> Sincerely, > Parke Terry

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