



THE SENATE
STATE OF NEW YORK
ALBANY 12247

DALE M. VOLKER
59TH DISTRICT

CHAIRMAN
COMMITTEE ON CODES

VICE CHAIRMAN
MAJORITY CONFERENCE

PLEASE RESPOND

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WARSAW, NEW YORK 14569
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September 22, 2005

William H. Foster
Chief of Regulation & Procedures
Alcohol, Tobacco Tax and Trade Bureau
(Notice Number 4I)
PO Box 14412
Washington, DC 20044-4412

Dear Mr. Foster:

As the Alcohol and Tobacco Tax and Trade Bureau considers additional labeling on products containing alcohol, I am concerned that the proposed "standard serving" classification system may not accurately denote true alcoholic content.

In my opinion, the use of the term "standard serving" could be construed and mislead the consumer. The measurement of hard liquor being served to patrons at different establishments varies by as much as two fluid ounces in some mixed drinks. I believe that the current labeling of the actual percentage of alcohol is explicit and viable.

As you move to update federal guidelines to serve and safeguard the public, please remain mindful of the negative impact on business and commerce, as well as the ripple effect on our state laws, regulations and standards. Finally, good public policy should not confuse the consumer.

Thank you for your taking my views into consideration.

Very truly yours,

Dale M. Volker

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