

SENATE OF VIRGINIA

HENRY L. MARSH, III
76TH SENATORIAL DISTRICT
ALL OF DINWIDDIE COUNTY; ALL OF
CITY OF PETERSBURG. PART OF CHESTERFIELD
AND PRINCE GEORGE COUNTIES, AND PART
OF THE CITIES OF HOPEWELL AND RICHMOND
600 EAST BROAD STREET, SUITE 201
RICHMOND, VIRGINIA 23219



COMMITTEE ASSIGNMENTS:
COURTS OF JUSTICE
LOCAL GOVERNMENT
REHABILITATION AND SOCIAL SERVICES
TRANSPORTATION

August 31, 2005

Mr. William H. Foster
Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
ATTN: Notice No. 41
P.O. Box 14412
Washington, DC 20044-4412

Dear Mr. Foster:

As a member of the Courts of Justice Committee of the Senate of Virginia and as Chairman of the Virginia Alcohol Safety Action Program which oversees policy development and penalties for violations of alcohol laws in Virginia and a member of the Rehabilitation and Social Service Committee, with oversight responsibility for the alcoholic beverage control system in Virginia, I urge you to support the long standing federal policy of using the percent alcohol by volume, or proof as the the only appropriate way to describe alcohol content.

I am aware of efforts to include "standard serving" information of the amount of pure alcohol on labels or advertising. Virginia has a long-standing policy of differentiating between distilled spirits and beer and wine. Any effort to include "standard serving" information on labels of hard liquor will distort those differences and consumer understanding of how much alcohol is actually contained in a variety of size and strength mixed beverages.

There is no "standard serving" of hard liquor. It comes in many strengths and mixtures and hard liquor drinks can vary dramatically in alcohol content based on the brand used, the recipe and the individual pouring.

Virginians deserve meaningful labeling. In that regard, I hope the TTB will maintain percent alcohol by volume as the standard.

Very truly yours,

Henry L. Marsh, III

HLM/vbw