



House of Representatives

STATE OF OKLAHOMA

September 22, 2005

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
Fax: (202) 927-8525

Dear Chief Foster:

With regard to Notice No. 41 for which the TTB is seeking public comment on whether additional requirements should be added to current alcohol product labels, I write to oppose any efforts that would include "standard serving" information or an over-simplified listing of the amount of pure alcohol on labels or advertising. The primary concern relates to how the amount of alcohol in a product should be communicated.

The longstanding federal policy of using the percent of alcohol by volume (proof) as the only appropriate way to describe alcohol content should be continued rather than displaying alcohol content in terms of fluid ounces of pure alcohol per "standard serving," which would cover up the significant differences in strength, concentration and effect between liquor, wine and beer. Communicating alcohol content by "standard serving" would be misleading, potentially dangerous, and would hinder, rather than promote, responsible drinking. Again, continuing the time-honored and meaningful measure of the percentage of alcohol by volume is in the best interests of consumers and the public.

In addition, TTB should recognize there is no such thing as a "standard serving" and this too should not be permitted on any alcohol labels or advertising. While "serving size" is fairly common for beer, it varies widely for hard liquor. Different measuring jiggers for hard liquor contain anywhere from 1 to 3 fluid ounces and most mixed drinks are "free poured." Moreover, very few people could define a "standard serving" for ports, sherries, liqueurs, fortified wines, and other less-common alcohol beverages.

Further, looking at the "Top 10" hard liquor drinks on popular mixed drink websites such as Happy-Hour.net, Barfliers.com, and DrinkNation.com, confirms that the average drink contains 75% more alcohol than the hard liquor industry's so-called "standard drink." In

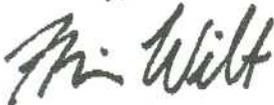
fact, drinks such as Mohito, Mai-Tai, Martini, and Long Island Iced Tea contain significantly more alcohol than a "standard 1.5 ounce serving."

Further still, state law and regulation will be negatively impacted by an effort to allow absolute alcohol per standard serving information on a label. Labeling the percentage of alcohol is the proper policy. Thus, changes in this area could put companies at risk of violating state laws.

I would ask that you do not support this effort that will ill serve the public good and cause more public confusion, not less.

Thank you for your attention to this matter.

Sincerely,



MIKE WILT
State Representative
District 11
Commerce, Industry & Labor Committee, Chairman
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73105