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STATE OF INDIANA
HOUSE OF REPRESENTATIVES
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INDIANAPOLIS, INDIANA 48204

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September 12, 2003

Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, D.C. 20091-0221

Dear Sir or Madam:

Please accept this letter as representation of my support for the United States Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB) in their efforts to approve a proposed rule-making that would clarify federal alcohol beverage categories with respect to flavored malt beverages (2001R-136P).

With my support for the proposed 0.5% standard, I am joining The Beer Institute, the National Beer Wholesalers Association, and major small brewer associations, among many others, because this standard is the most efficient means to address recent concerns by both federal and state officials. If adopted, the standard will maintain an orderly marketplace, meet consumer expectations for consistent products, and help sustain the long-term development of the product category. In addition, these reformulated products will be consistent with state tax, license, and distribution laws allowing wholesalers and retailers to continue to distribute, sell, and market flavored malt beverages as they do today.

However, absent a national standard rooted in existing law and regulation, manufacturers, 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 a "distilled spirits" in another.

Finally, while there are some who have concerns regarding the ability of manufacturers to produce FMB

products in accordance with the new proposal, as you may know, brewers have already demonstrated the expertise and technical ability to brew these products under the new federal standard. The FMB products that look and taste the same will be available to wholesalers and retailers in all states with no interruption and no discernable taste differences for consumers.

Thank you in advance for your consideration of this letter. I appreciate the opportunity to offer my support for the current proposed rule-making for flavored malt beverages.

Respectfully submitted,

Dennie Oxley
Majority Whip
House District 73

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