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Ohio House of Representatives
Shawn Webster
State Representative
53rd House District
Parts of Butler County

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September 12, 2003
Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, DC 20091-0221
Attn: Notice 4

Dear Sir or Madam:

I am writing to support the U.S. Treasury's
Alcohol and Tobacco Tax and Trade Bureau
proposal to classify Flavored Malt
Beverages as distilled spirits unless less
than 0.5% by volume or less of the alcohol
contained in the product comes from
spirituous liquors.

As a Representative for the state of Ohio with an interest in the regulated beverage industry, I believe the TTB 's action is an important clarification because it maintains the distinction between beer and spirits. Under current standards, states may classify FMB 's as beer, even if the FMB receives 99% of its alcohol content from liquor. This is not a fair standard in the taxation, marketing, and selling of such products.

While there are some who have concerns regarding the ability of manufacturers to produce FMB products in accordance with the new proposal, 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 virtually no taste difference for consumers.

I hope that you will join me, The Beer Institute, the National Beer Wholesalers Association, and major small brewer associations across the U.S. in support of the TTB's proposed rulemaking for flavored malt beverages. Thank you for your time and consideration.

Sincerely,

Shawn Webster
State Representative
Ohio House of Representatives
53rd District
SW/jmk