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September 12 2003

Director

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

Attn: TTB Notice #4

To Whom It May Concern:

I am writing to express our support for the proposed rules issued in March 2003 outlining the necessary alcohol content requirements for Flavored Malt Beverages (FMB) to be classified as beer, with alcoholic content from distilled spirits not to exceed 0.5%.

We believe this rule would help to add certainty to the marketplace, as most state Alcoholic Beverage Commissions defer to federal guidelines when available.

Texas Petroleum Marketer and Convenience Store Association, TPCA, is the largest state association of its kind with a membership that owns, supplies or operates approximately 16,000 convenience stores, service stations and other retail motor fuel outlets in Texas and the Southwest.

I applaud your agency for taking the lead on this issue to add regulatory clarity for retailers selling FMB, beer and wine. Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

Lloyd Norris
TPCA President

TPCA Texas Petroleum Marketers and Convenience Store Association
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