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JAYHAWK Beverage, Inc.

4435 N W. Highway 24  
Topeka, KS 66618 Lawrence  
(785) 234-8611 (785) 842-8526

August 20. 2003

ATTN: TTB Notice No. 4

Chief Regulations / Procedures Division  
Tax and Trade Bureau  
P.O. Box 50221  
Washington. DC 20091-0221

Dear Sir.

Jayhawk Beverage. Inc. and myself strongly support the proposed rule (rule 2001 R-136P) issued in March 2003 by the TTB that outlines the alcohol content requirements in order for flavored malt beverages to be classified as beer. We are very concerned about the recent trends within certain members of the alcohol industry to market their products in ways that confuse the difference between the wine. distilled and brewed segments of the alcohol industry. The proposed rule would move to clarify to the public that they are purchasing what they think they are purchasing.

Additionally, there needs to be sonic attention given to the issue of branding these flavored malt beverages. Names are being used from one of the alcohol segments to market products that are actually from a different alcohol segment. This creates considerable confusion and deception to the public consumers.

Again. we would encourage the TTB to give final approval to the proposed 0.5% standard on favored malt beverages.

Sincerely.

Kent D. Beisner  
General Manager