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CHARLES R. FORD

October 2, 2003

Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
Affn: TTB Notice No. 4
P.O. Box 50221
Washington, D.C. 20091 -0221

Dear Sir:

Please accept my support of the proposed rule recently issued by the Tax and Trade Bureau regarding alcohol content in Flavored Malt Beverages ("FMB's"). This rule, as cited in TTB Notice No. 4 dated March 2003, requires that no more than 0.5% of the alcohol content of FMB's be derived from distilled alcohol in order to be classified as "beer."

The "0.5% standard" for FMB's is consistent with historical interpretation by Federal regulatory authorities of what constitutes beer and other malt beverages, which take into consideration ancient brewing processes for beer.

The rule is important to our state because it gives guidance on classification of alcohol products. We have independent regulatory power of alcohol and follow Federal policy in decisions related to taxation, licensing and distribution of these products.

Moreover, equating beer and beverages deriving a majority of their alcohol content from distilled spirits could weaken the important distinctions between beer and products with higher alcohol content. These distinctions impact state policies regarding the regulation and taxation of beer and other alcohol beverages.

I encourage the TTB to grant final approval to the proposed "0.5% standard" for FMB's.
Sincerely,

Charles R. Ford
State Senator, District 51

Iph
cc: Richard Huddleston
(via fax 405-433-2422)

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