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Jason Suppes
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October 19, 2003

Mr. William Foster
Chief Regulations and Procedures Division
ATTN: Notice No.4
Alcohol and Tobacco Tax and Trade Bureau
Post Office Box 50221
Washington, D.C. 20091-0221

RE: TTB Notice No.4
Dear Mr. Foster:

I am currently employed by Mark Anthony Brands (mike's hard lemonade co.); and have been for the past three and a half years. We are the number one flavored malt beverage in Michigan. I am against TTB's proposal to limit the alcohol contribution from flavoring materials in Mike's Hard Lemonade to 0.5% alcohol by volume. If a change in regulation must be made, I suggest that TTB allow products to be produced that would allow less than 50% of the alcohol content to come from flavoring materials.

TTB has allowed products to be produced that derive a majority of their alcohol from flavoring materials for over four years. Notice No. 4 states that the 0.5% standard is necessary so that the consumers are not confused about where the alcohol content is coming from. I have over twelve years of sales experience in the beverage industry and have, never once had a consumer, retailer, or distributor tam down a product based on the fact that the alcohol content was from flavoring materials. The reality is that consumers are making their buying decisions based on how the beverage tastes, quality, pricing, and brand image.

Notice No. 4 would have extremely adverse affects on the Flavored Malt Beverage Category. I would like to see the TTB adopt a rule that would further promote the healthy competition that this category has had for the past four years and not pass a regulation that would kill the growth and success of the category. My solution would be a majority standard that caps the alcohol contribution derived from flavoring materials

As an employee of Mark Anthony Brands, and this category being my lively hood, I would like to see the TTB reject the proposed 0.5% standard for FMB's and workout a reasonable solution that would still promote this category and mike's hard lemonade.

Thank you for your time,
Sincerely,
Jason Suppes