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From: Eplett, Tom [Eplett.Tom@mbco.com]

Sent: Tuesday, October 21, 2003 1:49 PM

To: 'nprm@ttb.gov'

Subject: Proposed FMB Ruling by the U.S. Treasury's Tax and Trade Bureau

To whom it may concern at the TTB:

As an employee of Miller Brewing Company and long time brewer, I am writing to express my support for the TTB's proposed rulemaking for flavored malt beverages which preserves the integrity of beer.

I believe the TTB's action is an important clarification that ensures that if a FMB product is to be sold as a malt beverage, it should be made as a malt beverage according to traditional Brewing methods and processes.

If the TTB's rule is adopted, consumers will still be able to enjoy FMB products and wholesalers and retailers to will continue to be able to distribute, sell and market flavored malt beverages as they do today.

However, absent your new standard, brewers, retailers, and wholesalers will face a potential for a patchwork of individual state laws and regulations where the same product may ultimately be sold as a "beer" in one state and as "hard liquor" in another...in fact, I've read that we are already seeing this kind of situation in the state of Nebraska and will almost see this situation carry over to several other states.

Americans are very mobile and having such variation between states causes confusion among consumers. When folks know that I work for a Brewery-- I get bombarded by questions on alcohol strength and differences between 3.2 and 4.5 beers. I can just imagine being asked why an FMB is a malt product in one state, a beer in another state and a hard liquor in another-wow. not good !!!!

Thank you for this opportunity to offer my support for your proposed FMB rule preserving the unique differences and integrity of beer. Sincerely,

Tom Eplett
Assistant Brewing Manager
Milwaukee Brewing Department
Miller Brewing Company