



Clarence Kooistra

South Dakota State Senate
District Twenty-five

1117 4th Street
Garretson, SD 57030
Home (605) 594-3833
Work (605) 594-3833

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William H. Foster, Chief
Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
ATTN: Notice No. 41
P.O. Box 14412
Washington, DC 20044-4412

Dear Sir:

I am writing in response to TTB Notice No. 41 which seeks public comment on whether additional requirements should be added to current alcohol product labels. I oppose the proposed use of "standard serving" information or an over-simplified listing of the amount of pure alcohol on labels or advertising. I support continuing the longstanding federal policy of using the percent of alcohol by volume, or proof, to describe alcohol content.

Displaying alcohol content in terms of fluid ounces of pure alcohol per "standard serving" would disguise the significant differences in strength, concentration and effect between liquor, wine and beer. Communicating alcohol content in this way would be misleading and potentially dangerous and would hinder, rather than promote, responsible drinking. Instead, continuing the longstanding and meaningful measure of the percentage of alcohol by volume is in the best interests of consumers and the public.

Furthermore, TTB should not permit the use of "standard serving" on alcohol labels or advertising because there is no such thing as a standard serving. While "serving size" is fairly common for beer, it varies widely for hard liquor. Different measuring jiggers for hard liquor contain anywhere from 1 to 3 fluid ounces and most mixed drinks are "free poured." In fact, very few people could define a 'standard serving' for ports, sherries, liqueurs, fortified wines, and other less-common alcohol beverages.

Also, allowing absolute alcohol per standard serving information on a label could have unintended consequences for South Dakota and other states that regulate and tax alcoholic beverages based on differences in the percent of alcohol by volume.

For these reasons, I urge you to reject the proposed change in the federal alcohol beverage labeling and advertising regulations. Labeling the percentage of alcohol is the proper policy.

Thank you for your attention to this matter.

Respectfully,

Clarence Kooistra
State Senator