

House Resolution 1227 (FLOOR SUBSTITUTE)

By: Representative Epps of the 131st

A RESOLUTION

1 Urging the United States Bureau of Alcohol, Tobacco, and Firearms and the Director of the
2 Bureau of Alcohol, Tobacco, and Firearms to reconsider its actions in approving labels and
3 retail distribution of malt beverage products produced which include distilled spirits; and for
4 other purposes.

5 WHEREAS, the Bureau of Alcohol, Tobacco, and Firearms (ATF) has recently approved
6 labels for distribution of new malt beverage products which have a wide range of alcoholic
7 beverage content, including distilled spirits; and

8 WHEREAS, the FAA Act in 1935 by the Congress of the United States and its implementing
9 regulations did not intend to authorize malt beverage products containing distilled spirits; and

10 WHEREAS, taxation and regulatory issues are developing in Georgia and several other states
11 as a result of recent ATF approval of beer containing distilled spirits; and

12 WHEREAS, such approval by the ATF places a hardship on the continued effective and
13 proper regulation and enforcement of both the distilled spirits and malt beverage distribution
14 system in Georgia and the proper application of taxation of such products; and

15 WHEREAS, the rulemaking process of the ATF includes a responsibility for the ATF to
16 cause order in the beverage alcohol industry rather than the turmoil created by recent
17 allowances providing for the continued production of malt beverages containing distilled
18 spirits; and

19 WHEREAS, failure by the ATF to deny approval of malt beverage products which contain
20 distilled spirits sets a dangerous precedent relative to fair and equitable taxation of industry
21 product, wholesale and retail distribution of beverage alcohol products, and the prevention
22 of unfair business practices in the marketplace.

1 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
2 the members of this body express their recommendation to the Director of the United States
3 Bureau of Alcohol, Tobacco, and Firearms to reconsider the bureau's actions in approving
4 labels and retail distribution of malt beverage products which include distilled spirits.

5 BE IT FURTHER RESOLVED that in view of the impact of the bureau's ruling on most
6 states, this body asserts the imperative need for immediate rescission of such ruling and
7 strongly urges that such action be taken.

8 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
9 and directed to transmit an appropriate copy of this resolution to the Director, United States
10 Bureau of Alcohol, Tobacco, and Firearms, Washington, D.C.