



Consumer Federation of America

May 19, 2008

The Honorable John Lewis, Chairman
The Honorable Jim Ramstad, Ranking Member
Oversight Subcommittee
Ways and Means Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Lewis and Ranking Member Ramstad:

Consumer Federation of America commends you for holding a hearing on the overall operations of the Alcohol and Tobacco Tax and Trade Bureau (TTB).¹ It is critical that Congress provide oversight of federal agencies to be sure that they are properly serving the public and carrying out the intent of Congress.

As you consider the operations and role of the TTB, I wanted to alert you to a statement made by a representative of the TTB in April regarding the Agency's mission. When asked about an alcohol labeling proposal before the Agency, TTB spokesman Art Resnick told a reporter that "We don't have a public health mandate²." This flies in the face of Congressional intent and public expectation. Overconsumption of alcohol is a serious public health problem and the TTB should be part of the solution, not merely an idle bystander.

Congress clearly expanded the mission of the TTB to include public health when it required a government warning label on alcoholic beverages in 1988. Section 202 of the Federal Alcohol Administration Act (27 U.S.C. 213) states, in part:

"The Congress finds that the American public should be informed about the health hazards that may result from the consumption or abuse of alcoholic beverages, and has determined that it would be beneficial to provide a clear, nonconfusing reminder of such hazards.... It is therefore the policy of the Congress, and the purpose of this subchapter, to exercise the full reach of the

¹ Consumer Federation of America is a non-profit association of over 300 organizations, with a combined membership of over 50 million Americans. Member organizations include local, state, and national consumer advocacy groups, senior citizen associations, consumer cooperatives, trade unions and anti-hunger and food safety organizations. Since its founding in 1968, CFA has worked to advance the interest of American consumers through research, education and advocacy.

² Zwilich T, "Groups Rip Watered-Down Alcohol Labels." *WebMD Medical News*, April 22, 2008, <http://www.webmd.com/news/20080422/groups-rip-watered-down-alcohol-labels>.

Federal Government's constitutional powers in order to establish a comprehensive Federal program, in connection with the manufacture and sale of alcoholic beverages in or affecting interstate commerce, to deal with the provision of warning or other information with respect to any relationship between the consumption or abuse of alcoholic beverages and health...."

This is a clear indication that Congress expects the mission of the TTB to include public health.

The TTB obviously wants to shirk this public health mission. This is most readily apparent in its proposed rule on labeling of alcoholic beverages, released in July 2007. The Agency agreed to include some basic information on its proposed Alcohol Facts label. Incredibly, however, the TTB did not propose to include information about alcohol content per serving on its proposed label, the most relevant information for consumers of alcoholic beverages. The Agency also did not see fit to include the Dietary Guidelines advice on moderate drinking, missing a perfect public health opportunity to educate consumers about the importance of safe and healthy alcohol consumption.

In Mr. Resnick's comment and the Agency's proposal on alcohol beverage labeling, the TTB is flaunting its disregard for the intent of Congress that the Agency's mission include protecting the public health. We urge you to impress upon the TTB the importance of this mission and encourage the Agency to carry out this mission as it fulfills its duties.

Sincerely,

Chris Waldrop
Director, Food Policy Institute
Consumer Federation of America

CC: The Honorable Charles Rangel, Chairman, House Ways and Means Committee
The Honorable Jim McCrery, Ranking Member, House Ways and Means Committee