

March 3, 2009

Matthew D. Botting, Esq.
Dept. of Alcoholic Beverage Control
3927 Lennane Drive
Suite 100
Sacramento, CA 95834

**Re: Written Comments on Proposed Rulemaking to Amend Rule 106 of Title 4,
Article 16, California Code of Regulations**

Dear Mr. Botting:

We are submitting the following comments on behalf of Crown Imports LLC.

The following comments refer to the proposed amendment to Rule 106(e)(2)(C)(ii).

On February 27, 2009, Assembly Bill No. 1282 was introduced in the California Legislature to amend Section 25600 of the Alcoholic Beverage Control Act. A copy of AB 1282 is attached.

The purpose of AB 1282 is to correct an inequity that inadvertently occurred last year with the passage of Assembly Bill 1245, which is the basis for the proposed change to Rule 106(e)(2)(C)(ii). If AB 1282 becomes law, it will amend subsection (b)(2)(B) of Section 25600 in a manner that will put beer importer general licensees and out-of-state beer vendors and holders of certificates of compliance on the same footing as beer manufacturers in terms of furnishing consumer advertising specialties. Specifically, the amendment will define, for the purposes of paragraph (b)(2)(B), a "beer manufacturer" to include a holder of an out-of-state beer manufacturer's certificate, an out-of-state vendor that holds a certificate of compliance, or a holder of a beer and wine importer's general license.

On behalf of Crown Imports LLC, a holder of a beer and wine importer's general license, we are seeking assurances from the Department that should AB 1282 pass into law, no further rulemaking action will be required by the Department in order to implement its provisions because the term "beer manufacturer" as used in Rule 106(e)(2)(C)(ii) would be defined by the new statute. In terms of a question and comment on the subject rulemaking, will the definition of

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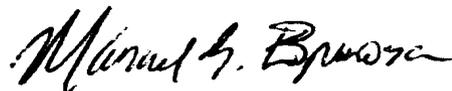
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“beer manufacturer” in Section 25600(b)(2)(B) as proposed govern the enforcement of Rule 106(e)(2)(C)(ii) once the Department has adopted its proposed change? We would appreciate the Department’s response to this question once it has had the opportunity to consider it.

Respectfully submitted,

HOLLAND & KNIGHT, LLP



Manuel R. Espinoza
Government Consultant
On behalf of Crown Imports LLC

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