

UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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REQUEST FOR EXEMPTION FROM (FMB) CLASSIFICATION

Effective October 1, 2008, flavored malt beverages (FMBs) are classified as liquor in Utah, regardless of alcohol content and may only be sold through the UDABC and retail establishments licensed to sell liquor. However, a manufacturer may submit evidence that a particular product is not an FMB based on certain criteria in Utah Code Section 32A-1-803(5) as outlined below.

1. Brand Name of Malt Beverage Product: _____
2. Business Name of Manufacturer / Supplier: _____
3. Mailing Address: _____
Street / PO Box

City State Zip Code
4. E-Mail Address(s): _____
5. Business Phone(s): _____ Fax: _____
6. Contact Person: _____ Phone Number: _____
7. Local Representative (if any): _____ Phone Number: _____
8. Is the malt beverage product listed above one for which the producer is required to file a formula for approval with the United States Department of Treasury, Alcohol and Tobacco Trade and Tax Bureau pursuant to 27 C.F.R. Sec. 25.55 and has not been exempted under Subdivision (f) of that section ?

Yes No

(Please attach evidence from Alcohol and Tobacco Trade and Tax Bureau, if exemption was received)

9. I attest that the malt beverage brand listed above:
 - a) is obtained by fermentation, infusion, or decoction of a malted grain;
 - b) is produced by processing, filtration, or another method of manufacture that is generally recognized as a traditional process in the production of beer as described in 27 C.F.R. Sec. 25.55 and Sec. 25.15, and;
 - c) does not have added to it a flavor or other ingredient containing any alcohol, except for a hop extract;
(Please attach alcohol analysis and an affidavit from the actual producer of flavors or other ingredients as evidence).

10. I verify that the information contained herein and attached hereto is true and correct.

Date: _____

Authorized Signature

Name / Title *(please print)*

STATE OF: _____

COUNTY OF: _____

Subscribed & sworn to before me this _____ day of _____, _____.

Notary Public *{& Seal}*