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**TITLE 905 ALCOHOL AND TOBACCO
COMMISSION**

LSA Document #03-319

November 19, 2004

The Honorable R. Michael Young, Chairman
Administrative Rules Oversight Committee
302 Statehouse
Indianapolis, Indiana 46204

RE: 905 IAC 1-45, LSA Document #03-319

Dear Senator Young:

This letter is to notify the Administrative Rules Oversight Committee of changes in progress to the above rule, which sets forth the information required on keg registration labels pursuant to IC 7.1-3-18.5, *et seq.* Under Ind. Code 4-22-2-19, an agency that adopts a rule must begin the rulemaking process not later than sixty (60) days after the effective date of the statute that authorizes the rule.

905 IAC 1-45 became effective on or about September 27, 2003. At that time, we were operating under the mistaken understanding that most kegs carried manufacturer identification numbers and thus we required that on the keg label at the time of purchase from the retailer. We also required addresses of the purchasers but with the passage of time and the reality of keg sales in college and university towns, many keg purchasers opted to give their home state address which made enforcement efforts difficult in some instances. The keg labels have been changed to no longer require a manufacturer's identification because they mostly do not exist, and to require a current residence address so that student purchasers will be required to give local addresses which we believe will aid in enforcement aspects of the rule. The rule is being amended to reflect these changes.

These amendments have no fiscal impact on the State or the Alcohol & Tobacco Commission. Please let me know if further information on this rule is needed. I can be reached directly at (317) 232-2472 or *via* email at mwebb@atc.state.in.us. Thank you very much for your kind attention in this regard.

Very truly yours,

Mark C. Webb
Executive Secretary