



## Michigan Alcohol Policy Promoting Health & Safety

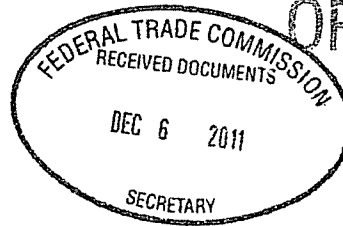
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December 2, 2011

Federal Trade Commission  
Office of the Secretary  
Room H-113 (Annex D)  
600 Pennsylvania Avenue, NW  
Washington, DC 20580



Dear Commissioners:

The purpose of Michigan Alcohol Policy Promoting Health and Safety (MAP) is to advocate for laws and policies that reduce the illegal and harmful use of alcohol.

MAP was established in 2009 to develop a network of organizations and individuals who advocate for changes in alcohol control laws, policies and practices that

- reduce the availability of alcohol, especially to youth;
- increase the effectiveness of enforcement and intervention; and
- increase the availability of treatment and support for recovery.

We are writing to request that you require Phusion Projects to reformulate its Four Loko products to contain no more than 6% ABV and repackage the product in 12 oz. cans. Any other decision seems like a set-up for youth and young adults to continue to be exposed to products that are inherently dangerous.

The proposed consent order you have crafted following your investigation into deceptive marketing practices by Phusion Projects is extremely disturbing to our organization because it seems to ignore Phusion Projects' irresponsible actions that led them to be investigated in the first place. Furthermore, what your consent order is permitting does nothing to make this dangerous product safer.

We met with Mr. Freeman about Four Loko prior to the removal of stimulants from this product. We know that he emphasizes that his product is for people who are 21 years of age or older. However, his product is dangerous and likely to cause harm for the consumer whether he/she is 21 or not. His product is appealing because it is cheap, doesn't have a "nasty" alcohol taste, and gets one very drunk very easily. Labeling it differently or packaging it in a re-sealable container will not make this a safer or more reasonable product.

We are counting on you to do the right thing in this matter.

Sincerely,

Mike Tobias, Director