

NVV PROPOSAL IN RESPONSE TO NPRM 160

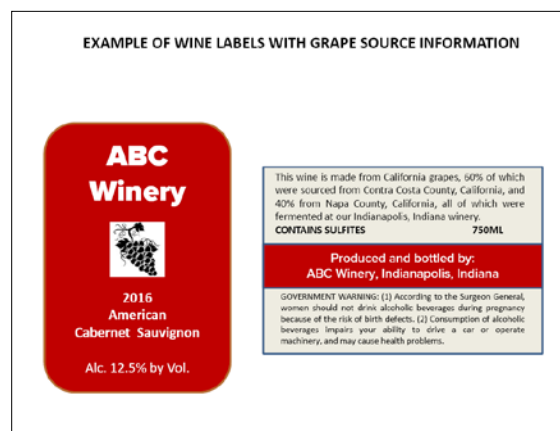
NVV’s proposal has four main components.

First, TTB should adopt the proposed amendment of Notice 160 in its entirety so that all wines identified by the name of an AVA or appellation are subject to the same federal standards. The primary purpose of the AVA and appellation labeling regime is to prevent consumer confusion and provide consumers with meaningful information about wine origin. Allowing two wines identified with the “Napa Valley AVA” – one with a COLA and the other with a COLA exemption – to be subject to different federal labeling rules is inherently confusing.

Second, TTB should allow a wine to be labeled and marketed with truthful, non-misleading information to identify the geographic area where the grapes used to make the wine were grown (“Grape Source Information”). The Grape Source Information would be allowed to appear as optional information if it includes all of the following: (a) the name of the county(-ies) and state(s), or just the state(s), where all of the grapes are grown; (b) the percentage of the wine derived from grapes grown in each county or state shown on the label, with a tolerance of +/- 2%; and (c) the city and state, where the wine was fully finished. If a name of a county is used as part of the Grape Source Information, it must be identified with the word “county” in the same size of type and in letters as conspicuous as the name of the county.¹

Third, the Grape Source Information should not contain any reference to an AVA name or a name of viticultural significance or a confusingly similar name, other than a county or a state. Thus, while the Grape Source Information could disclose the grape source as “Napa County, California,” it could not include a claim that the grapes were from “Napa Valley,” which is the name of an AVA. This reduces the potential for consumer confusion by restricting the use of AVA names to designate the origin of wines that meet the requirements of 27 C.F.R. §4.25(e)(3)(iv).

Fourth, wines that include Grape Source Information must be labeled with an appropriate appellation of origin, which in the example below is the United States appellation of origin pursuant to 27 C.F.R. §4.25(a)(1)(i). Use of the country appellation gives wineries the ability to include a vintage date and varietal designation on their wine labels while at the same time signaling to consumers that the wine in question does not meet the federal requirements for the use of county or state appellations or an AVA.



¹ This requirement is consistent with 27 C.F.R. §4.25(a)(1)(iv).