

Congress of the United States
Washington, DC 20510

October 9, 2018

John Manfreda
Administrator
Alcohol and Tobacco Tax and Trade Bureau
1310 G Street NW Box 12
Washington, DC 20005

Dear Administrator Manfreda:

The state of Oregon is known as a world-class wine region producing extraordinary wines from over 760 wineries and more than 1,140 vineyards growing 72 grape varieties. Oregon winemakers pride themselves on high quality grapes and wines and have earned a global reputation for exceptional quality. Oregon's wine community also prides itself on enacting labeling rules in 1977 through the Oregon Liquor Control Commission that hold its winemakers to higher varietal composition and sourcing requirements than are written into the Code of Federal Regulations.

We write today to express concerns about a California winery that may be misleading consumers using labels inferring that their wine originates from specific, federally-approved American Viticultural Areas (AVAs) in Oregon.

It has come to the attention of the Oregon Congressional delegation that Copper Cane LLC ("Copper Cane"), a California winery based in Rutherford advertises their "The Willametter Journal" and "Elouan" brand names as having appellations of origin in Oregon. However, it appears that Copper Cane purchases wine grapes and bulk wines produced in Oregon before vinifying and bottling them in California under these wine labels.

As you know, the federal government regulates the creation and use of AVAs which establish boundaries for wine regions. It appears that Copper Cane is using descriptive names and words on their "Elouan" and "Willametter" labels to mislead consumers into inferring that their wines are sourced from the Willamette Valley AVA or infer that they are sourced from a non-existent AVA. This has the appearance of willfully causing confusion as to the geographic origin of the wine and is a misuse of Oregon geographic terms.

We are concerned that "The Willametter Journal" specifically references "The Willamette region of Oregon's coastal range" and the "Territory of Oregon," neither of which are federally approved appellations of origin. Federal law expressly prohibits the use of "any statement that is false or untrue in any particular, or that, irrespective of falsity, directly, or by ambiguity,

omission, or inference, or by the addition of irrelevant, scientific or technical matter, tends to create a misleading impression,” (27 CFR 4.39(a)(1)).

We are also concerned about the statements made on retail cases on Elouan packaging. The labelling on these cases of wine contain further misuses of Oregon appellations of origin, making reference to the Oregon Coast, which is not an approved appellation of Oregon. The case labelling continues on to reference the Willamette Valley, Umpqua Valley, and the Rogue Valley, three very prestigious AVAs. Federal law allows for multiple AVAs so long as the AVAs overlap and 85% of the volume of the wine is derived from grapes grown in the overlapping area. The Willamette, Umpqua, and Rogue Valley AVAs do not overlap, thus it is impossible for Elouan to meet this criteria.

These deceptive practices are unfair to the Oregon wine industry and consumers. In the attached letter from the Oregon Liquor Control Commission, the OLCC requests a compliance audit of Copper Cane wines as well as an evaluation of Copper Cane’s Certificate of Label Approvals (COLAs) for the “Elouan” and “Willametter” brands.

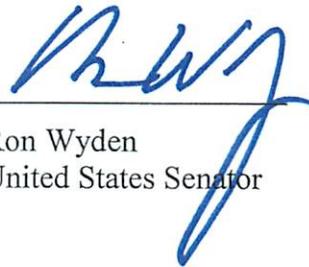
We echo the OLCC’s requests and ask that you conduct a field audit of Copper Cane wines to ensure product integrity. We also request an expeditious investigation of the labeling practices of Copper Cane to ensure that the company is in compliance with all federal regulations. If Copper Cane wines or labels are found to be out of compliance, any offending products should be removed from the market immediately.

Please consider these concerns in accordance with all applicable laws and regulations and know that we stand ready to assist the Alcohol and Tobacco Tax and Trade Bureau as needed. We thank you in advance for your attention to this matter and prompt response to our inquiry.

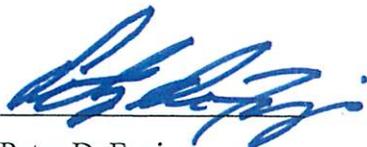
Sincerely,



Jeffrey A. Merkley
United States Senator



Ron Wyden
United States Senator



Peter DeFazio
Member of Congress



Earl Blumenauer
Member of Congress

Suzanne Bonamici

Suzanne Bonamici
Member of Congress

Kurt Schrader

Kurt Schrader
Member of Congress