

Kansas Viticulture and Farm Winery Association

785-766-7492

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February 21, 2012
Testimony on SB 379
Senate Federal and State Affairs Committee

Chairman Brungardt and Senators of the Committee

We oppose SB 379 on two parts, because it eliminates the 60% minimum requirement for KS product and therefore eliminates the connection that serves as incentive to the plant and grow acres of fruit. Second we oppose the new definition of production that would allow;

(c) "Production" means to use non-alcoholic juice or other physical product to distill, rectify, ferment, brew, make, mix, concoct or process any substance capable of producing a beverage containing more than one-half of one percent of alcohol by volume and includes blending, bottling and the preparation for sale within a licensed physical structured winery operation within the state of Kansas boundaries.

We read that as changing the Farm Winery License to be a distiller, a brewer, an importer and blender in addition to the intended Farm Winery production. We oppose this creation of a "mega-producer".

I know you have many conferees today that will show you the dangers that SB 379 contains. I will not take up your time with that. The issue of the connection to KS fruit and how that is essential to the promotion and growth of Acres of KS grapes I will address more fully in my SB 379 testimony.

Also we believe that if advanced and eventually passed, as outlined above, this measure will begin the decline of FARM Wineries for the benefit of out of state producers. Please help us to save, elevate and promote Kansas as a wonderful wine state with amazing KANSAS wine made from Kansas fruit. There is additional information and discussion on the back.

Thank you for your time, service and consideration,

Philip Bradley

**Representing the
Kansas Viticulture and Farm Winery Association**



Sn Fed & State
Attachment 21

2-21-12

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For arguments sake, assume that there is a new winery. And they need fruit/juice until their own is producing. Why are they not buying KS fruit/juice? This is a serious question and needs a considered reasonable answer from the advocates of change.

If they say it is unavailable then they should have some evidence to support such a claim. Has any been presented? And there is a way to apply for a variance. I say again has anyone ever been denied a legitimate request. In fact has anyone ever been denied a request? How many requests have even been made? If there are none or few wouldn't that indicate a adequate supply of KS grown fruit?

Could it be someone wants to change the law to allow them to buy products from out of KS because of pricing issues? If so then the current statute is working just the way it was designed because it helps to create and ensure a market that will incentivize a landowner to plant and grow grapes.

And we have a way for that new producer to use out of state juice now as a manufacturer. They can even do that and then get a Farm winery license in addition when their grapes are ready to produce.

It seems this is about developing wineries to manufacture wine unconnected to KS Grown products and about being relieved from the requirement of growing or buying Kansas agriculture products and has nothing to do with labeling or stimulating KS grape crops.

And the comparison to Microbreweries and Micro distilleries has a major flaw. And that is that Farm wineries were given the right to self-distribute. That is the one thing that separates them all. And is the condition that in other states when it is taken away is said to kill not just the Farm winery industry but the entire instate wine industry. It forces them to be big and to consolidate to achieve the efficiencies of mass so they can survive selling at wholesale.

And I believe that this is really what all the efforts are all about. Advocates want all the special privileges that were granted to stimulate the growth of fruit in KS without the requirement of actually helping the growth in KS.

This is not a hard issue but it is challenging to peel back the layers of things that do not relate to the core question. The proponents are trying to make this about labeling, this is not about labeling, we already have to comply with Federal TTB labeling and KS has no ability to do anything about that label issue. Labeling only confuses the issue (which may be what some want). Labeling is a Federal compliance issue, not state content issue. Proponents are trying to make this about market and not about agriculture acres. The Farm Winery license is primarily about a value added product from grapes/agriculture. Please do not let it become about making more wine, it is about planting more grapes and fruit. It is about acres of grapes for a stable farm crop. Wholesalers don't all presently object to our right to self-distribute as long as we have to use Kansas content (grapes). If that connection is lost then this could cause another issue. The "Gramholm challenge. That has stopped and killed the winery industry in other states. We need to protect the agriculture fruit growing to protect farm wineries.

***Representing the
Kansas Viticulture and Farm Winery Association***



A	B	C	D	E	F	G	H
County Name	Owner	Business Name	Address	City	Stat	Zip	License Type
2	Barton	BOZIER VINEYARD & WINERY LLC	323 SE 80T ELLINWOOD	WOOD	KS	675269221	Farm Winery (30)
3	Cherokee	VOGEL PROPERTY GROUP LLC	116 HILLCR GALENA		KS	66739	Farm Winery (30)
4	Cowley	STOREY, RANDALL & REBECCA	1227 92ND UDALL		KS	67146	Farm Winery (30)
5	Cowley	WHEAT STATE WINE CO LLC	23622 SPRINGFIELD		KS	67156	Farm Winery (30)
6	Douglas	BLUEJACKET CROSSING VINEYARD & WINERY	1969 N 12 th EUDORA		KS	66025	Farm Winery (30)
7	Douglas	DAVENPORT ORCHARDS & WINERY	1235 N 11 th LAWRENCE		KS	66047	Farm Winery (30)
8	Douglas	WHITE TAIL RUN WINERY	1394 E 190 EUDORA		KS	66025	Farm Winery (30)
9	Douglas	WHITE TAIL RUN WINERY	2327 N 40 th EDGERTON		KS	66021	Farm Winery (30)
10	Franklin	POME ON THE RANGE	2050 IDAH WILLIAMSBURG		KS	66095	Farm Winery (30)
11	Harvey	GRACE HILL WINERY	6310 S GR/ WHITEWATER		KS	67154	Farm Winery (30)
12	Jefferson	JEFFERSON HILL FARM & WINERY	12381 WA/ MCLOUTH		KS	66054	Farm Winery (30)
13	Johnson	STONE PILLAR VINEYARD & WINERY	11000 S W/ OLATHE		KS	66061	Farm Winery (30)
14	Leavenworth	FREE STATE VINEYARDS	15930 24 th LAWRENCE		KS	66044	Farm Winery (30)
15	Leavenworth	HOLYFIELD VINYD & WINERY	18807 15 th BASEHOR		KS	66007	Farm Winery (30)
16	Lyon	THE ORCHARD LLC	1120 N HM EMPORIA		KS	66801	Farm Winery (30)
17	Miami	WHITE WIND VINEYARD & WINERY	21045 K 68 PAOLA		KS	66071	Farm Winery (30)
18	Miami	GRAUE VINEYARDS/MIDDLE GREEK	4353 W 35 LOUISBURG		KS	66053	Farm Winery (30)
19	Miami	NIGHTHAWK VINEYARD & WINERY	16381 W 3 PAOLA		KS	66071	Farm Winery (30)
20	Miami	SOMERSET RIDGE VINEYARD & WINERY	29725 SON. PAOLA		KS	66071	Farm Winery (30)
21	Miami	SUNNVE RIDGE WINERY LLC Lukas	38466 SON. LACYGNE		KS	66040	Farm Winery (30)
22	Pottawatomie	VIN VIVANTE	514 LINCOLN WAMEGO		KS	66547	Farm Winery (30)
23	Pottawatomie	OZ WINERY	417A LINCOLN WAMEGO		KS	66547	Farm Winery (30)
24	Pottawatomie	RENAISSANCE CELLARS	611 W LAS ST MARYS		KS	66536	Farm Winery (30)
25	Reno	EMERSON CAREY VINEYARD & WINERY	15018 S W/ HAVEN		KS	67543	Farm Winery (30)
26	Russell	DIAMOND S WINERY VINEYARD & WINERY	502 S MAJL RUSSELL		KS	67665	Farm Winery (30)
27	Saline	SMOKY HILL VINEYARDS & WINERY	212 W GOI SALINA		KS	67401	Farm Winery (30)
28	Sumner	WYLDWOOD CELLARS	951 E 119 th PECK		KS	67120	Farm Winery (30)
29	Wabaunsee	PRAIRIE FIRE WINERY	20250C HL PAXICO		KS	66526	Farm Winery (30)
30	Wyandotte	ROWE RIDGE VINEYARD & WINERY	11255 LEA/ KANSAS CITY		KS	66109	Farm Winery (30)
31	Wyandotte	WINE BARN	2850 N 11 th KANSAS CITY		KS	66109	Farm Winery (30)
32		TOTAL	30				
33		Against elimination or lowering of 60% Minimum				11	
34		Neutral or don't see need of change				2	
		For Change-elimination or lowering of 60% Minimum				10	
		Uncontacted- Message or no answer				7	



2012 February 16 Licensee List- KS Farm Winery Related

I	J	K	L	M	N	O	P	Q
License Number	Effective Date	License Effective Date	Smc Process Agent (PA)	PA Address	PA City	PA State	PA Zip	
2	30033001705	10/23/2010	10/22/2012	DOZIER, NINA	323 SE 80TH AVE	ELLINWOOD	KS	67526
3	30010004200	8/17/2010	8/16/2012	VOGEL, STEPHEN	PO BOX 187	GALENA	KS	66739
4	30008067300	9/15/2010	9/14/2012	TYLER, LAURA	PO BOX 985	WINFIELD	KS	67156
5	30008070100	9/28/2011	9/27/2013	SELVAN, VASUKI	1969 N 1250 RD	EUDORA	KS	66025
6	30016026300	2/12/2011	2/11/2013					
7	30016006100	4/1/2011	3/30/2013					
8	30016027602	7/13/2010	7/12/2012	FULLERDANIEL	2327 N 400TH RD	EDGERTON	KS	66021
9	30016324900	8/10/2010	8/9/2012					
10	30021001200	4/19/2011	4/18/2013	SOLLONATALIE R	6310 S GRACE HILL RD	WHITEWATER	KS	67154
11	30028002200	5/1/2011	4/30/2013					
12	30046001200	7/1/2011	6/30/2013	HOFFGEORGE E	715 N FINDLEY ST	OLATHE	KS	66061
13	30019303501	7/27/2011	7/26/2013					
14	30007107600	1/23/2012	1/22/2014	MEYER HAVEYMICHELLE	18971 158TH ST	BASEHOR	KS	66007
15	30007001602	12/10/2010	12/9/2012	KARRROBERT	1128 N HWY 99	EMPORIA	KS	66801
16	30013042800	5/31/2011	5/30/2012	HERMESGILBERT T	21045 K 68 HWY	PAOLA	KS	66071
17	30031010300	8/1/2011	7/31/2013	GRAUESTEPHEN A	4353 W 351ST ST	LOUISBURG	KS	66053
18	30031001800	5/11/2011	5/10/2013	WARRINGCATHERINE L	16381 W 373RD ST	PAOLA	KS	66071
19	30031003000	7/28/2010	7/27/2012					
20	30031001302	8/23/2010	8/22/2012	LUKASNANCY	38466 SOMERSET RD	LACYGNE	KS	66040
21	30031010700	7/18/2011	7/16/2013					
22	30039011102	9/19/2010	9/18/2012	BALDERSONBROOKE E	613 ADAM DR	WAMEGO	KS	66547
23	30039001702	6/30/2011	6/29/2013	AKERSTIMOTHY E	PO BOX 116	ST MARYS	KS	66536
24	30039011812	9/10/2010	9/9/2012	POWERSTONY	1304 E 26TH	HUTCHINSON	KS	67502
25	30006032500	2/3/2011	2/2/2013					
26	30060007400	10/12/2010	10/11/2012	JENNINGSNORMAN	189 MILLVIEW RD	SALINA	KS	67401
27	30014002500	10/11/2010	10/10/2012	BREWERJOHN A	1374 N HYDRAULIC RD	MULVANE	KS	67110
28	30012000600	3/3/2011	3/2/2013	DESRUISSEAUROBERT M	5801 SW CLARION LANE	TOPEKA	KS	66610
29	30062005800	7/15/2011	7/14/2013					
30	30001223701	10/12/2010	10/11/2012	HIATT, NOAH S	2850 N 119TH ST	KANSAS CITY	KS	66109
31	30001224401	9/16/2010	9/15/2012					
32								
33								
36								



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	A	B	C	D	E	F	G	H
38	Cowley	STOREY, RANDALL & REBECCA	WINDSWEEP WINERY OUTLET	711 N MAI WINFIELD		KS	67156 Farm Winery Outlet (31)	
39	Douglas	WYLDWOOD CELLARS INC	WYLDWOOD CELLARS OUTLET	835 MASS/ LAWRENCE		KS	66044 Farm Winery Outlet (31)	
40	Ellsworth	SMOKY HILL VINEYARDS & WINERY	SMOKY HILL VINEYARDS &	I-70 & HW WILSON		KS	67490 Farm Winery Outlet (31)	
41	Johnson	REYNOLDS, DENNIS J	SOMERSET RIDGE VINEYARD &	7945 SANT OVERLAND PARK		KS	66204 Farm Winery Outlet (31)	
42	Mcpherson	NICHOLS, THOMAS BRITT	VIN VIVANTE WINERY OUTLET	105 N MAI LINDSBORG		KS	67456 Farm Winery Outlet (31)	
43	Pottawatomie	RENAISSANCE CELLARS LLC	RENAISSANCE CELLARS	518 W BER ST MARYS		KS	66536 Farm Winery Outlet (31)	
44	Sedgwick	REYNOLDS, DENNIS	SOMERSET RIDGE VINEYARD &	8141 E 21S WICHITA		KS	67206 Farm Winery Outlet (31)	
45	Sedgwick	SMOKY HILL VINEYARDS & WINERY	UNDER THE CORK OUTLET	2441 N MA WICHITA		KS	67205 Farm Winery Outlet (31)	
46	Sedgwick	WYLDWOOD CELLARS INC	WYLDWOOD CELLARS OUTLET	7130 W M, WICHITA		KS	67209 Farm Winery Outlet (31)	
47	Shawnee	SHIPE, GREGORY A	DAVENPORT ORCHARDS &	6424 SW H TOPEKA		KS	66615 Farm Winery Outlet (31)	
48	Wabaunsee	WYLDWOOD CELLARS INC	WYLDWOOD CELLARS OUTLET	32633 GRA PAXICO		KS	66526 Farm Winery Outlet (31)	
49								
50	Barton	DOZIER VINEYARD & WINERY LLC	DOZIER VINEYARD & WINERY	WILLIAMS GREAT BEND		KS	67530 Farmers' Market Sales P	
51	Douglas	JEFFERSON HILL FARM & WINERY	JEFFERSON HILL FARM &	824 NEW I LAWRENCE		KS	66044 Farmers' Market Sales P	
52	Douglas	KUGLER, ANTHONY K	KUGLERS VINEYARD	824 NEW I LAWRENCE		KS	66044 Farmers' Market Sales P	

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	I	J	K	L	M	N	O	P	Q
38	31008003002	9/15/2010	9/14/2012						
39	31016326001	12/7/2010	12/6/2012		BARONEKEVIN A	400 N CREST CR	LAWRENCE	KS	66049
40	31064000305	10/11/2010	10/10/2012		JENNINGSNORMAN M	189 MILLVIEW RD	SALINA	KS	67401
41	31019314102	5/5/2011	5/4/2013						
42	31026005101	2/17/2011	2/16/2013						
43	31039012312	8/2/2011	8/1/2013		STEVENSONERIC W	2756 150TH RD	DELA	KS	66418
44	31002287701	10/18/2011	10/17/2013						
45	31002860201	10/11/2010	10/10/2012		JENNINGSNORMAN M	189 MILLVIEW RD	SALINA	KS	67401
46	31002018501	3/3/2011	3/2/2013		BREWERJOHN	1374 N HYDRAULIC RD	MULVANE	KS	67110
47	31003075201	4/27/2011	4/26/2013						
48	31062000700	3/3/2011	3/2/2013		BREWERJOHN	1374 N HYDRAULIC RD	MULVANE	KS	67110
49									
50	32033201001	2/28/2011	2/27/2012		DOZIERNINA	323 SE 80TH AVE	ELLINWOOD	KS	67526
51	32016201001	8/18/2011	8/17/2012						
52	32016201002	3/1/2012							

