

Areas, contains the list of approved viticultural areas.

What Is the Definition of a Viticultural Area?

Title 27 CFR 4.25a(e)(1) defines an American viticultural area as a delimited grape-growing region distinguishable by geographic features whose boundaries have been delineated in subpart C of part 9. The establishment of viticultural areas allows the identification of regions where a given quality, reputation, or other characteristics of the wine is essentially attributable to its geographic origin. We believe that the establishment of viticultural areas allows wineries to describe more accurately the origin of their wines to consumers and helps consumers identify the wines they purchase. Establishment of a viticultural area is neither an approval nor endorsement by TTB of the wine produced there.

What Is Required To Establish a Viticultural Area?

Section 4.25(e)(2) outlines the procedure for proposing an American viticultural area. Any interested person may petition TTB to establish a grape growing region as a viticultural area. The petition must include:

- Evidence that the proposed viticultural area is locally and/or nationally known by the name specified in the petition;
- Historical or current evidence that the boundaries of the proposed viticultural area are as specified in the petition;
- Evidence relating to geographical features, including growing conditions, such as climate, soil, elevation, physical features, etc., that distinguish the proposed area from surrounding areas;
- A description of the specific boundaries of the proposed viticultural area, based on features reflected on maps approved by the United States Geological Survey (USGS); and
- A copy or copies of the appropriate USGS-approved map(s) with the boundaries prominently marked.

What Impact Will This Have on Current Labels?

If this proposed viticultural area is established, bottlers who use brand names like "McMinnville" may be affected. If you fall in this category, you must ensure that your existing products are eligible to use the name of the viticultural area as an appellation of origin. For a wine to be eligible, at least 85 percent of the grapes in the wine must have been grown within the viticultural area and meet the other

requirements listed in 27 CFR 4.25a(e)(3).

If the wine is not eligible for the appellation, you must change the brand name and obtain approval of a new label. Different rules apply if the brand name in question is on a label approved prior to July 7, 1986. See 27 CFR 4.39(i) for details. Additionally, if you use the viticultural area name on a wine label in a context other than appellation of origin, the general prohibitions against misleading representation in part 4 of the regulations apply.

McMinnville Petition

Mr. Kevin Byrd, of Youngberg Hill Vineyards, McMinnville, Oregon, has petitioned TTB for the establishment of a viticultural area to be called "McMinnville." The proposed viticultural area is located approximately 40 miles southwest of Portland, Oregon, just west of the city of McMinnville and north of the village of Sheridan in Yamhill County. The proposed area is also entirely within the existing Willamette Valley viticultural area described in 27 CFR 9.90. According to the petitioner, there are 14 wineries and 523 acres planted to vines within the proposed McMinnville viticultural area.

What Name Evidence Has Been Provided?

The proposed viticultural area is named for the city of McMinnville, the county seat of Yamhill County, which is located at the northeastern border of the proposed viticultural area. Mr. Byrd states that the proposed area is considered part of greater McMinnville and notes that most of the wineries within the proposed boundaries have McMinnville addresses. He provided historical information on the name "McMinnville" from "Oregon Geographic Names" by Lewis L. McArthur (Oregon Historical Society, 1982). Mr. McArthur stated:

McMinnville was named by William T. Newby, who was born in McMinnville, Warren County, Tennessee, in 1820, and came to Oregon in 1843. He settled near the present site of McMinnville early in 1844, and in 1853 built a grist mill and founded the town. In 1854 he started a store. He was county assessor in 1848 and state senator in 1870. McMinnville post office was established on May 29, 1855, with Elbrige G. Edson postmaster. The name was later changed to the present spelling.

According to the petitioner, McMinnville is known to consumers as a wine producing area. To demonstrate this, he submitted several quotes from Internet sites. The first quote is from the Web site of the Greater McMinnville

Chamber of Commerce; the other two are from travel sites:

- "Nestled in the heart of Oregon's beautiful wine country, McMinnville is Oregon at its best." (See <http://www.mcminnville.org/welcome.html>.)
- "Before gaining its glamorous reputation as a wine-producing center, McMinnville was known as the home of Linfield College * * *." (See <http://www.ohwy.com/or/m/mcminnvi.htm>.)
- "McMinnville is known for its picturesque vineyards that dot the foothills. Located in Yamhill County, the oldest county in Oregon, McMinnville is often compared to the wine regions of France and Germany." (See <http://www.el.com/to/mcminnville/>).

In addition, the petitioner notes that McMinnville is the home of the International Pinot Noir Celebration, held every July since 1987 at the Linfield College campus.

What Boundary Evidence Has Been Provided?

The boundaries for the proposed McMinnville viticultural area are based primarily on elevation. The proposed boundaries encompass Gopher Valley, Dupee Valley, Muddy Valley, and the surrounding hills, all geographically part of the eastern foothills of the Coast Range. However, within the boundaries described in the proposed regulation section of this notice, only land at and between 200 and 800 feet of elevation is included in the proposed viticultural area. According to the petitioner, those elevations are distinctive in their soils and climate when compared to other parts of the Willamette Valley. The petitioner states that below the 200 foot elevation line the Willamette silt-based soils create growing conditions substantially different from those in the proposed area. The greater depth, water holding capacity, and fertility of these lower elevation soils extends the vegetative period of the vine and delays ripening of vineyards planted at those elevations. The soils of the proposed area are described in greater detail in the following section.

In addition, the petitioner asserts that elevation greatly affects the microclimate of the proposed viticultural area. He notes that elevations below 200 feet are more prone to frost when compared to the higher elevations. On the other hand, elevations above 800 feet experience far fewer degree growing days than lower elevations, which prevents the reliable ripening of wine grapes.

The petitioner's proposal is unusual in that the proposed boundaries encompass land that will not be part of