

Dan Berger's Vintage Experiences

The Weekly Wine Commentary

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The Fraudulent Estate

It is an issue that should raise the hackles of every winery in the United States that makes exclusive use of its own home-grown fruit.

It is the outrageous and, alas, government sanctioned misuse of the term “estate” when it does *not* refer to grapes grown by a winery for its own use in a homogeneous bottling.

You can see it in many locations, such as in press releases where the insidious use of the term pops up not accidentally.

The phrase “our estate winery” makes it seem as if the winery is using only grapes from its own property. But dig a bit further and you see that the winery does not exclusively bottle all its wines only from its own fruit. It buys fruit from others. But the term implies that it does not.

The word also appears in brand names that similarly have no such “single source” plan. And it is used conversationally by winery owners (wine makers tend to be a bit more circumspect about this) who are so proud of their crushers, presses, and steel tanks that their “factory” no longer is merely a wine making facility. It is “our estate.”

The federal government, first through the old Bureau of Alcohol, Tobacco (ATF), and Firearms and now through the Tax and Trade Bureau (TTB), has certified the pernicious use of the term estate by failing to define it. And thus it may be used in press materials or in winery names rather indiscriminately.

TTB is diligent about, and polices, comments that could dilute the infamous (and inaccurate) warning statement. Moreover, TTB has a supposedly rigid rule making illegal any statement that could be misleading.

So why does TTB persist in ignoring the clearly fraudulent use of the term “estate” in such brands as Estate Cellars? The implication is that this jug-wine brand is using fruit from some limited estate, yet it carries an appellation of “California” and sells for \$5 a bottle. How delimited is that?

I spoke with an attorney long experienced in beverage alcohol law, who said TTB “probably would say that they have defined the term ‘estate’ for labeling purposes. It refers to using fruit only from a controlled vineyard, and when you submit a form for label approval, it triggers a red flag.”

He added that when it comes to use of the term in wine brands (or in press material, advertising, and other public formats), TTB “probably felt that it was unlikely consumers would be confused.”

That’s not strong enough for me. Case in point: One of the most prestigious wine brands in California, Harlan Estate, was founded to make only Cabernet from its Napa Valley estate, and Bill Harlan said he has no intention of buying fruit for that wine from any other place.

“I suppose if we were to lease land adjacent to our property, we would be
(See Estate on page 2)

Listless Bureaucracy

Governmental interference into labeling issues is a subject worth a book, and includes such idiotic decisions as disallowing use of “crisp” on a back label unless it also said the wine should be served chilled.

Label approval “specialists,” as they are called, get little or no formal training. Moreover, as far as I can gather, few have the most basic knowledge of wine, and their handling of complex issues often follows a mindless interpretation of rules that may have been written 50 years ago.

In their defense, TTB’s label folk are overworked, being asked to approve (or reject) some tens of thousands of labels a year, meaning they have scant minutes to make decisions.

Still, one can hardly blame the anger of winery owners who get the simplest label copy rejected and then see approved for use such labels as Fat Ass, Fat Bastard, and one quite clearly X-rated label that was done purely to see if it’d pass.

It did.

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Estate

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able to call that part of Harlan Estate,” he said, “but we would never get fruit from another place.”

Yet the aforementioned Estate Cellars dilutes, to a degree, what Harlan set out to achieve.

Even the attorney I spoke with about this admitted that the use of the term is well understood in its vineyard sense: “The significance of ‘estate’ is clear from the viticultural use of the term ‘estate bottled,’ and it doesn’t take a rocket scientist to see that there could well be confusion, he said.” He added that use of ‘estate’ in a name “devalues the term Estate Bottled.”

I spoke with Wine Institute about this issue, which said that an advance notice of rule-making, to

define “estate” more closely, was proposed perhaps 20 years ago and might have resolved use of the term that now is being misused.

“But that [the proposed rule-making] never got any traction, and it’s been dead for many years now,” said a Wine Institute spokesman.

He said ATF then also was hoping to establish a firm legal definition for another term as well: “reserve.” Failure to define terms can compromise sales of U.S. wine in Europe. (European Community rules require that terms on wine be defined by the country of origin.)

The question of the precise U.S. definition for Reserve still has not been resolved and TTB has put that issue on its rather massive back burner.

As can be expected, many wineries today use various terms rather casually. To this day, most wineries would rather that no restrictions be placed on the use of the term “reserve,” especially not one that limits the percentage of its production for reserve-designated wines.

As for the use of Estate in a brand name, Bill Harlan admitted he had never given the issue much thought, even though some wines now use the term in a way that dilutes the quality statement he is trying to make.

At last he said, “Anybody who uses ‘estate’ in their brand name ought to follow the rules of ‘estate bottled.’”

The Evaluation Process

Long-time readers know that the Tasting Notes we list on Page 3 each week are rated in the order in which the wines were impressive.

That is, of the wines listed as Exceptional, the top-rated wine is listed first, followed by the next most impressive wine, and so forth.

But some weeks the list is top-heavy with simply superb wines, where almost no wine outdoes another. The wine listed first is simply a gut-reaction winner, based more on the shock value of finding something so superb for the price.

This is one of those weeks, with a great number of wines so highly rated that it’s hard to separate them by more than a sliver.

As a starter there is a new, just superb Shiraz from one of the cooler regions of Australia called Pretty Sally (the name is an actual growing region in Victoria).

The project is owned by three families and the special nature of the wines is evidenced by our Wine of the Week as well.

The Alma Rosa Pinot Noir is from a new project by Richard and

Thekla Sanford, the founders of Sanford Winery.

The vineyard is adjacent to Sanford’s former La Rinconada Vineyard; his Encantada land is 100 acres of Pinot Noir.

After the Sanfords lost their eponymous winery to Paterno in a strictly business deal, they started Alma Rosa, and the wines are great.

The rosé from Veuve Clicquot is a new wine to that venerable house’s portfolio, and it’s a dramatic rendition worth considering for a special occasion.

The 2002 Taltarni Shiraz, also from Victoria, has some of that distinctive cool-climate (and cool-vintage) character and will age well.

The top red wine made by Torres of Spain each year is its 100% Cabernet Mas La Plana. This week’s discovery is about as fine a wine as Torres has made. It’s a bit more delicate and structured than some past efforts.

Wine of the Week

2004 Pretty Sally Cabernet Shiraz, Victoria (\$16): Classy herb/plum notes add lilt to black cherry/violet notes. Traces of tobacco and spice. Juicy, but with good structure and not much tannin. There is a distinctly cool-climate aroma underneath this superb “lilt” wine that offers sensational drinkability and should be better in a year or two. For details on this wine and the Shiraz (Page 3) call partner Rosalie Cornew at 650-851-8662.

Tasting Notes

The wines below were tasted open within the last week.

Exceptional

2004 **Pretty Sally** Syrah, Victoria (\$24): Superb black and white pepper, raspberry jam, hints of clove, cherry and blackberry. A perfect cool-climate Shiraz with a great future in the cellar. Crisp acid and a simply amazing structure; not to be missed.

2003 **Wynn's** Shiraz, Coonawarra, "Michael" (\$36): Dark berry fruit with hints of white pepper, cinnamon and a fascinating tobacco note. Rich fruit entry, but lower alcohol and great acidity to allow it to match with roasted meats. As complete a red wine as you can find for the money. Competes with the best Shirazes on the market—at a price I can't believe.

NV **Veuve Clicquot** Brut Rosé, Champagne (\$55): Utterly sublime raspberry and cherry aroma with

hints of citrus. Perfect entry and mid-palate fruit and acidity to allow it to work with a wide array of food. Or simply drink it by itself. A new item for this traditional house, and a dramatic effort.

2004 **Alma Rosa** Pinot Noir, Santa Rita Hills, La Encantada Vineyard (\$47): Striking black cherry, tobacco, earthy-Burgundian complexity with excellent acidity and balance. See Page 2 for details.

2001 **Torres** Mas La Plana, Penedes (\$45): This 100% Cabernet offers black cherry, tobacco and spice, a trace of smoke from 18 months in oak, and a silky tannin layer. A sleeper, and a wine that should age at least a decade.

2002 **Plantagenet** Shiraz, Mount Barker (\$30): A tad earthier than the prior Victorian wines, with black fruit and a hint of violets. Not

yet mature; best in another year or two.

2002 **Taltarni** Shiraz, Victoria (\$18): Black pepper, blackberry and raspberry and a trace of earthiness from the cooler-than-usual vintage. Another Aussie bargain. Imported by Clos du Val.

2006 **Vidal** Sauvignon Blanc, Marlborough (\$20): Racy grapefruit and tropical fruit aroma with hints of kiwi and gooseberry. A trace of sugar softens the superb acidity. Imported by Vineyard Brands.

2002 **St. Hallett** Shiraz, Barossa Valley, "Blackwell" (\$35): Black fruit with hints of anise and plum. A wine in transition between youth and maturity. This top-of-the-line Shiraz needs at least another three years. A 2004 **St. Hallett** Shiraz "Faith" (\$17) is a superb bargain that needs at least another year.

The Tip

The waitress was inattentive and seemingly unprepared to do even the basics of her job.

It was breakfast. We were seated and ordered coffee and tea. The tea order was an ordeal; three persons got involved; more misinformation being delivered than I thought possible with such a simple order.

I asked for milk for the coffee. It never came. I asked again. It never came. Meanwhile, the server folded linens, smoothed out a tablecloth, lined up salt and pepper shakers.

The food came out cold; it clearly had been sitting in the kitchen while she was fiddling with empty tables.

Besides the food being cold, we had a problem with one dish. The

server was irritated that we found the food lacking, even though it wasn't as listed on the menu.

The experience was one of many we've had over the years in which service was non-existent, or horrid.

So I was angered the other day by an article about a movement by a non-profit group called fairtip.org that encourages restaurants to put a mandatory 20% tip on all checks.

Tipping is to reward professional service, and the young woman we had at breakfast recently was not deserving of 20%.

In trips around the world, we all have found that tipping is not a common practice, and almost never expected. Tips (generally they are

tiny amounts) are given out of thanks for a professional performance.

Yes, service jobs usually pay poorly and servers survive on tips. But mandatory tipping will only encourage sloppy and inattentive service, since servers know they're going to get a tip no matter what.

Bargain of the Week

2005 **Windy Ridge** Chardonnay, Central Coast (\$11): Brisk citrus aroma with hints of white peach and spice. Dry and a lovely match for lean seafood. Almost no oak, and great balance. Another winner from wine maker Larry Brooks. A brand from San Francisco Wine Exchange.

'Guests' and Wine Quality

The stories have made some local (northern California) business pages, but they are not very sexy to say the least.

The stories are about the dearth of farm workers to pick wine grapes, as well as other fruit.

The pressure comes from a strict immigration crackdown at the U.S.-Mexico border, which has kept many traditional seasonal workers in Mexico.

Without a crew to pick when wine makers deem it essential, wine quality could be compromised.

One Sonoma wine maker was upset: "This farm worker thing is huge. It will be the single biggest factor in wine quality this year."

He said a major grape grower "went into [20]05 with 80 workers; this year they'll have 60 workers... there is sure to be a huge squeeze."

"People are just not getting

across the border," he said. "I hear coyotes are charging \$1,000 or more per person to get across, and if they [workers] make \$3,000 a month, a third of what they make the first month they're here is gone." A source inside the state's grower community said Monday, "The going rate late last week was \$3,000 just to get across."

All agree that the lack of a sound guest worker agreement means that many crops are in danger of going unpicked, or picked so late quality will suffer.

The wine maker added, "We've heard that these are jobs Americans will do. Well, that's not true. I don't know of an American who'd work at the pace you need to, or that many hours. And even if you could find locals to accept this kind of work, none of them would be skilled enough to do it right. It's not

only hard work, but it takes a person who understands grapes."

Nick Frey of Sonoma County Grape Growers said workers are paid on how much they harvest and typical workers can make between \$100 and \$200 a day, depending on skill level.

He added that tank space in the north coast already is at a premium because much of last year's wine is still in tanks (it was a bumper crop), and this year's crop is also large.

Some growers are considering using mechanical harvesters this year, even though their vines are not set up ideally for it.

As for a temporary solution to alleviate the pressure for this year, Frey said it was an election year and this is a hot-button issue that likely will not be resolved soon. He said he hoped something could be done by next year's harvest. ©2006

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