

# Ficklin Vineyards

BONDED WINERY 4431 <sup>209</sup>  
30246 AVE. 7 1/2      PHONE 674-4598  
MADERA, CALIFORNIA 93637

March 4, 1982

Bureau of Alcohol, Tobacco, and Firearms  
Research and Regulations Branch  
12th and Pennsylvania Avenue, N.W.  
Attention: Norm Blake

The purpose of this letter is to present additional information expanding on material contained in our petition for viticultural area "Madera."

1. Use of the Chowchilla River as a boundary on the north: The original vineyards planted in this area for the Minturn winery were destroyed by Phylloxera before World War I. In those days there were no Phylloxera resistant rootstocks for grapevines, so other crops were planted, most of which still exist. Thus we have a natural barrier of historical significance in the vicinity of the Chowchilla River.
2. Use of the San Joaquin River for most of the boundary on the south: Extensive plantings of figs and urbanization characterize the area east of U. S. highway 99 to highway 41 south of the San Joaquin River. The vineyards west of highway 99 and south of the San Joaquin are old plantings of Thompsons for raisins. For this reason it would be inappropriate to include them in a viticultural area concerned with wine grapes. Further it should be pointed out that this part of the river is one of the oldest and most prominent geographical features of the Great Central Valley.
3. Justification for including vineyards in Fresno County north of Clovis and south of the San Joaquin River: This relatively small acreage has a history of being crushed with grapes grown in Madera County by Papagni Winery. The resulting wines have been labeled with Madera County appellation with full approval of the B.A.T.F. We submit that exclusion of these vineyards from the Madera Viticultural area would probably result in their never being included in any other designated viticultural area. The reason is that urbanization isolates them from vineyards further south.
4. Unique climate of the proposed viticultural area compared with adjacent areas to the north and south: Mr. Papagni has indicated that recording thermometers in his vineyards indicated the distinct possibility of a micro climate within the area. At the time of writing we have not seen this data but we can state that we have observed significantly lower night time temperatures at Ficklin Vineyards compared to official Fresno Air Terminal readings. This is particularly apparent during the summer growing season when cool marine air moves into this part of the valley.

We hope this additional information will aid in arriving at a favorable decision on our petition for a "Madera" viticultural area.

Sincerely,

*David B Ficklin*

David B. Ficklin, President

①

# Ficklin Vineyards

BONDED WINERY 4431

30246 AVE. 7 1/2      PHONE 674-4598

MADERA, CALIFORNIA 93637

May 3, 1982

Bureau of Alcohol, Tobacco, and Firearms  
Research and Regulations Branch  
12th and Pennsylvania Avenue N.W.  
Washington, D.C. 20226

Attention: Norm Blake

Re: Petition for Viticultural area, "Madera."

Dear Sir,

Concerning the petition for viticultural area "Madera", I conclude that the boundaries should remain as submitted. In reaching this conclusion one of the considerations is the grape growing history of the area. Over one hundred years of vine culture should not be dismissed as an insignificant factor. It is obvious that the proposed area has proven that it is well suited to the growing of quality grapes.

True, sizable plantings have been made in recent years in an area west of our proposed boundary. One of the first of these plantings was made about ten years ago not by a person versed in viticulture but rather by a land developer and promoter. The original investors suffered considerable financial loss in the scheme. Further it should be noted that these vines were planted on land that had been in alfalfa. The soil was undergoing a process of being reclaimed from a problem of alkali. I would not want to pass judgement on the long term success of this reclamation effort but I do feel that more time is needed for proper evaluation. Finally, as a practical matter a line has to be drawn somewhere. I believe that our original decision to exclude the predominantly alkaline soil types is still valid. If we were to move the line further west, say to the San Joaquin River, we would be including some soil types that are so severely alkaline that grape vines could never survive.

Only one individual, an absentee landowner, has expressed an interest in being included. I submit that if he feels strongly about this that he consider petitioning the Bureau to establish a separate viticultural area to include his plantings.

I conclude by noting that our original petition was submitted more than eleven months ago. With the date of January 1, 1983 in mind for mandatory regulations involving "Estate Bottled" labeling I become apprehensive about further delays in the decision making process.

DBF:j

Respectfully submitted,

FICKLIN VINEYARDS



DAVID B. FICKLIN, President

2

March 3, 1982

Norman Blake  
Director

Mr. Blake,

As a resident of Madera County, and a consumer of wine, I fully support the petition for the Viticultural area "Madera". Our area is unique in its physical features and history. I am very proud of the wines being produced in Madera and urge you to give consideration to approving the petition submitted by Ficklin Vineyards.

Thank you,



Susan J. Gibbs

7115 Road 31

Madera, Ca. 93637

3ca1

BANDUCCI VINEYARDS  
520 So. El Camino Real  
Suite 330  
San Mateo, Ca. 94402

March 4, 1982

Chief, Regulations & Procedures Division  
Bureau of Alcohol, Tobacco & Firearms  
P.O. Box 385  
Washington D.C. 20044

Attention: Notice No. 405

Gentlemen;

A protest is hereby registered as to the location of the western boundary for the viticultural area to be known as "Madera" to be used as an appellation of origin on wine labels.

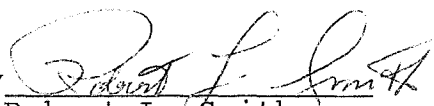
It is requested that the San Joaquin River which is also the boundary between Madera County and Fresno County be established as the western boundary of the "Madera" area. It is also requested that the boundary between Madera County and Merced County from the San Joaquin River to the A.T.S.F. Railroad be established as the northwestern and northern boundary of the "Madera" area.

The area that would be added by the above request would be identical in viticultural characteristics to the area now under consideration.

I have ownership and management responsibilities for the operation of varietal vineyards in Madera County and the above request is made in that capacity.

Very truly yours,

Banducci Vineyard

by   
Robert L. Smith

# Viña del Rio

520 South El Camino Real, Suite 650

San Mateo, California 94402

(415) 347-8078

May 4, 1982

Chief, Regulations & Proceedings Division  
Bureau of Alcohol, Tobacco & Firearms  
P.O. Box 385  
Washington, D.C. 20044

Attention: Mr. Norman Blake  
Notice No. 405

Gentlemen;

Reference is made to my letter of March 4, 1982. A copy is attached for reference.

A considerable acreage in the Western portion of Madera County has been planted to wine varietal grapes and an additional acreage is scheduled for planting.

This area would be excluded from the "Madera Appellation of Origin" viticulture area under the proposed order. The protest registered previously is hereby respectfully repeated, namely that the San Joaquin River which is also the boundary between Madera County and Fresno County be established as the western boundary of the "Madera" viticulture area. A survey of the area indicates that approximately 5000 acres in the western portion of Madera County have been planted or are scheduled for planting to wine varietal grapes.

I believe, however, that the above-mentioned information regarding acreage does not address itself to the relevant issue. I understand that the concept being used for defining a viticultural area relates more to qualitative factors than to quantitative factors. It seems that the number of acres excluded from the area is not as important a concept as whether or not there is a qualitative difference in the area that would justify excluding these acres. In the absence of such factors, it would seem appropriate to use county boundaries rather than arbitrary ones.

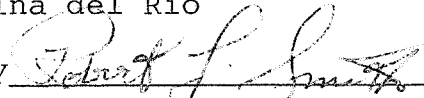
3

Madera is perhaps the fastest growing vineyard area in the country. This growth is taking place in an important way in the area excluded by the present proposal. There is definitely no quality difference related to soil or climate in this excluded area. In the future, we believe, it would be most unfair to the growers and confusing to the consumers that these vineyards, which are identical to the others in the Madera Appellation and located within Madera County, would have to use a different appellation.

The only reason that we have been given for the exclusion of this area from the Madera Appellation is that the original proponents were not aware of the fact that there was significant vineyard development taking place in the omitted area. We trust that this omission will be corrected.

Very truly yours,

Vina del Rio

by 

Robert L. Smith  
Managing Partner

RLS/jgh  
enc.  
5-4-82



Bureau of Alcohol, Tobacco, and Firearms  
Research and Regulations Branch  
12th and Pennsylvania Ave. N.W.  
Washington, D.C. 20226

Atten: Norman Blake

Dear Sir,

As a grape producer and life long resident of Madera County, I would like to express my support for the petition for the viticultural area, "Madera".

Since the late 1800's we have grown grapes and produced quality wines in our area. I feel our soil and climate are unique, and distinguish us from surrounding areas.

I sincerely hope you will take my reviews into consideration when making your decision.

Sincerely

Anderson Farming Company

Peter R. Anderson

Peter H. Anderson



Growers and Producers  
Angelo Papagni Wines

5

PAPAGNI  
VINEYARDS

March 9, 1982

Director  
Bureau of Alcohol, Tobacco & Firearms  
Department of the Treasury  
Washington, D.C. 20226

ATTENTION: Mr. Norman Blake, Specialist

RE: Petition for viticultural area, "Madera."

REFER: 27CFR par. 4.25 a (e) (2), par. 71.41 (c) and  
TD-53, BATF, dated September 22, 1978

Dear Sir:

Acting exclusively on behalf of Papagni Vineyards which owns, cultivates, and controls commercial grape vineyards, as well as an established and operative Winery located within the proposed boundry lines submitted in petition for BATF recognition of "Madera" as a viticultural area, we hereby respectfully submit that:

1. The regulations pertaining to BATF recognition of viticultural areas are relatively recent and, as such, the perimeters and scope of petitions submitted for approval were virtually unknown to us at the time our petition was submitted, and,

2. We have, in the interim, become more knowledgeable of the requirements of the BATF for formal viticultural area recognition and, therefore,

3. Wish to respectfully request that we be granted an extension for the purpose of allowing us to more adequately present the factual data which we feel will explain, portray, and represent Madera as the unique viticultural region we know it to be.

Certainly, it would be inappropriate to determine the status of the Madera growing region without considering all aspects of the area pertinent to wine grape growing.

31754 Avenue 9  
Madera, Ca. 93637  
209 · 674-5652



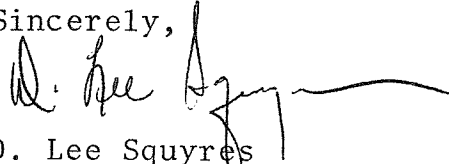
---

Page 2 - Bureau of Alcohol, Tobacco & Firearms  
Mr. Norman Blake - March 9, 1982

4. We lack the large reserve of personnel and budget other approved regions have had available to collectively draw upon. Nevertheless, we are equally dedicated and confident that, if all pertinent data is submitted, you will be best prepared to approve the petition currently under consideration.

Thank you very much for your time, consideration, and cooperation in this matter.

Sincerely,



D. Lee Squyres  
National Product Manager

DLS:1w

cc: A. G. Papagni  
Sy Feit  
Max Chodes  
David Ficklin



Growers and Producers  
Angelo Papagni Wines

5

PAPAGNI  
VINEYARDS

April 2, 1982

Director  
Bureau of Alcohol, Tobacco & Firearms  
Department of the Treasury  
Washington, D.C. 20226

ATTENTION: Mr. Norman Blake, Specialist

RE: Petition for viticultural area, "Madera."

REFER: 27CFR par. 4.25 a (e) (2), par. 71.41 (c) and  
TD-53, BATF, dated September 22, 1978

Dear Sir:

The geographic and climatic characteristics of the area outlined and proposed as the recognized viticultural area of Madera combine to make the area a distinct microclimate differentiating it from the San Joaquin Valley in which it lies.

Generally speaking this pocket lies inside a unique region bordered by the San Joaquin River to the south, the Chowchilla River to the north and the Sierra Foothills to the east. This gently sloping land is distinguished from surrounding area by cooler temperatures as noted in our original petition. Additionally, the area often cooled by breezes we believe are created by the flow of mountain waters from the San Joaquin and Chowchilla Rivers.

Further, this microclimate also receives relatively greater amounts of precipitation than outlying regions to wit: In the crucial months of October through March the U.S. Weather Bureau Station at the Fresno Air Terminal records normal rainfall as follows:

October	.47
November	1.22
December	1.71
January	1.84
February	1.72
March	1.62

31754 Avenue 9  
Madera, Ca. 93637  
209 · 674-5652

Page 2 - Mr. Norman Blake, Specialist  
April 2, 1982

Our own records for rainfall taken at our vineyards within the proposed Madera region reflect the following:

October	.65
November	2.74
December	1.98
January	2.26
February	1.75
March	2.31

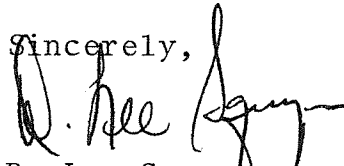
Obviously, these comparisons support the fact that this area is distinguished by factors which affect agriculture in general and viticulture in particular. A cumulative total of rainfall shows an average of two to three inches greater than surrounding areas.

This additional information combined with the data supplied in our original petition confirms that this special region is indeed qualified to carry a recognized viticultural area appellation.

We at Papagni Vineyards realized this fact decades ago when Demetrio and Angelo Papagni first planted premium varietal grapes. This was manifested when we began promoting the region by using Madera, California on our wine labels from the first bottling. When our wines earned international recognition by winning awards for excellence in blind taste competition, our peers agreed that Madera does indeed deserve recognition as a distinguished microclimate capable of producing wine grapes of the highest caliber.

Thank you very much for your time, consideration, and cooperation.

Sincerely,



D. Lee Squyres  
National Product Manager

DLS:lw

6

March 20, 1982

Chief, Regulations & Procedures Division  
Bureau of Alcohol, Tobacco, & Firearms  
P.O. Box 385  
Washington, D.C. 20226

Attention: Notice No. 405

Dear Sir:

Recently I received a copy of a petition for viticultural area, Madera, that was filed with the Bureau.

Being a grape grower in Madera county for the last 35 years, I urge your approval of the petition.

The boundaries that define the area are historical wine grape growing areas. The soils that are further west are of a more alkaline content. Vineyard development will not move rapidly in that direction as long as we have undeveloped grape land in the proposed area.

The area south of the San Joaquin River is not a wine grape growing area. The principal variety is Thompson, which is widely used in raisin production or shipping fresh.

I do not see the need to include these areas in the "Madera" viticultural area.

Sincerely,



George Kaufman  
6571 Road 28  
Madera Ca 93637

COMMERCIAL COUNSELLOR  
PORTUGUESE EMBASSY  
WASHINGTON, D.C.

March 22, 1982

Mr. Norman P. Blake  
Research and Regulations Branch  
Bureau of Alcohol, Tobacco and Firearms  
P.O. Box 385  
Washington, D.C. 20044-0385

Dear Mr. Blake,

The following comments are in response to Notice no. 405 -  
- Madera Viticultural Area published on Federal Register of  
January 26, 1982.

We are aware that California has been producing "Madera"  
wines for a number of years as a county appellation. The above  
referred notice on the proposed rulemaking for designating a  
"Madera" Viticultural Area, if approved, will further compound  
the grave injustice inflicted on the Madeira wines that come from  
Portugal.

Madeira is a semi-generic designation denoting that it  
comes from Madeira, the cradle of the one and the only one - Madeira  
wines. By designating a viticultural area, the issue will become  
more confusing to the non-educated consumer. It will also be  
misleading and it is certainly not fair to Portugal in particular  
and to the consumer in general. We therefore request that a favorable  
consideration be given to our comments and the proposal to designate  
"madera" Viticultural Area be denied.

In passing, I may mention that Madeira wine was the favourite  
drink of President George Washington. Even when import restrictions  
were imposed, he ordered the entry into this country of 200 barrels  
of Madeira wine each year. It is perhaps well to bear in mind that  
this historical fact should be respected and I may add that the  
integrity of Madeira wine be preserved.

Sincerely yours,



Roque Félix Dias  
Commercial Counsellor

⑦

COMMERCIAL COUNSELLOR  
PORTUGUESE EMBASSY  
WASHINGTON, D. C.

March 25, 1982

Mr. Norman P. Blake  
Research and Regulations Branch  
Bureau of Alcohol, Tobacco and Firearms  
P.O. Box 385  
Washington, D.C. 20044-0385


Dear Mr. Blake,

Further to my letter of March 22nd, I am enclosing herewith a brochure entitled "1976 Madeira Wine The Portuguese Spirit that was part of The American Spirit in 1776 - A bicentennial Tribute to a 200 Year Old Friendship".

On reading it you will verify that documented writings indicate that Madeira wine was a favorite among American leaders, not only George Washington, but as well as Thomas Jefferson and John Adams. It is also believed that the Declaration of Independence was signed and sealed with a glass of Madeira wine in 1776. Furthermore, Madeira wine is made much the same way as it was made over 500 years ago. For over five centuries, wine makers have chosen not to tamper with this tradition and I do hope that your bureau will use its good offices, to take into account the comments made in this letter and in the previous one of March 22nd, so that the proposal to designate "Madera" Viticultural Area be turned down.

Thanking you for your cooperation.

Sincerely yours,



Roque Félix Dias  
Commercial Counsellor

Encl.

★1976★

Madeira Wine.  
The Portuguese Spirit  
that was part of  
The American Spirit in

★1776★

A Bicentennial Tribute to a 200 Year Old Friendship.

②

COMMERCIAL COUNSELLOR  
PORTUGUESE EMBASSY  
WASHINGTON, D.C.

April 28, 1982

Mr. Stephen E. Higgins  
Acting Director  
Bureau of Alcohol, Tobacco and  
Firearms  
P.O. Box 385  
Washington, D.C. 20044-0385

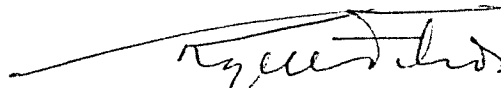
Dear Mr. Higgins,

I refer to my letters dated March 22 and 25, 1982 on the proposed rulemaking for designating a 'Madera' Viticultural Area.

My Government strongly feels that if the proposal is approved it will certainly be misleading to the consumer and unfair to Portugal. This Embassy requests that a public hearing be held on this subject so that further opportunity be given to all concerned to air in public the differing views of the interested parties.

I shall appreciate it receiving your favourable reply to this request.

Sincerely yours,



Roque Félix Dias  
Commercial Counsellor



①

EMBAIXADA DE PORTUGAL  
WASHINGTON

M E M O R I A L

According to the notice published in the Federal Register of January 26, 1982, the Bureau of Alcohol, Tobacco and Firearms is considering the establishment of a viticultural area in the State of California to be known as "Madera".

The Embassy of Portugal is aware that California has been producing "Madera" wines for a number of years, as a county appellation. The establishment of a "Madera" viticultural area will render official status to that "Madera" wine.

Madeira is a semi-generic designation denoting that it comes from the Portuguese islands of Madeira, the cradle of the one and only Madeira wine. The Embassy therefore would like to point out that the designation of a "Madera" viticultural area in California will only be confusing and misleading to the non-educated consumer, as it will also be unfair to Portuguese interests.

To substantiate this statement, the following example is given: within "Madera", California, one of the primary wines produced in bottles is Port wine. Port, as well, and as it is known, is also a semi-generic designation just like Madeira wine. The Bureau of Alcohol, Tobacco and Firearms requires that any wine bottled in this country should indicate on the label an appellation preceding the name under which the wine is known and sold. As a result, should a "Madera" viticultural area be created, the wines produced therein would then be called "Madera, Madera" and "Madera Port", which would be misleading as a geographical incongruence not to mention the alcoholic one...

The Embassy of Portugal feels that it will be detrimental to Portugal's wine industry to designate a "Madera" viticultural area, and has requested the Bureau of Alcohol, Tobacco and Firearms to deny the proposal under study. It has also asked from that same Department a public hearing on the subject, in order to further air the issue. Should there be any other way to resolve this matter without that public hearing, the Embassy would be glad to drop that request.

The Embassy of Portugal would be thankful if the State Department would be kind enough to use its good offices with a view to prevent the establishment of the above mentioned viticultural area.

Washington, D.C.

April 28, 1982



REPUBLIC OF PORTUGAL

# PORTUGUESE GOVERNMENT TRADE OFFICE

*Fundo de Fomento de Exportação em Nova Iorque*

Our Ref.: NY-22-70/1

Chief  
Regulations and Procedures Division  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
P.O. Box 385  
Washington, D.C. 20044-0385

000037 MAY 20 82

Att: Notice No. 405

Subj: Madera Viticultural Area

Gentlemen:

As I was not yet appointed as General Manager for the Portuguese Trade Commission and Counsellor (Commercial Affairs) to the Portuguese Embassy in Washington, I couldn't send to you some written comments on the above mentioned notice by the deadline.

I hope you will excuse me and, if possible take the following comments in consideration:

- Madeira is probably one of the most well known wines in the world and one of the main productions and exports of the Portuguese island of Madeira in the Atlantic ocean.
- The Madeira "appellation de région contrôllé" was already recognized by several international conventions on this matter, as you probably know.
- Even if the Madera County in California could ask for a Madera "viticultural area", located in portions of Madera and Fresno Counties, we would appreciate very much whether the name or the "appellation" of the wines produced in that area could be another one but Madera, in order to avoid confusion at both the trade and consumer levels.

I would be grateful if you could do something for this purpose.

Thank you in advance.

Sincerely

Camilo Martins de Oliveira  
General Manager