

Louis G. Adam

• PLYMOUTH, CALIFORNIA 95669

28 SEP 82

Chief
Regulations & Procedures
BATF
PO Box 385
Washington D.C.

Sir:

I wish to comment on the petition for a viticulture area in Virginia and West Virginia, to be known as "Shenandoah Valley".

The following points were all presented, verified and recorded at the BATF hearing in Jackson, Ca. last year:

1. The Shenandoah Valley of Amador County, Calif submitted a proper application for a viticulture area to be known as "Shenandoah Valley" a long time before the Virginia people even thought about it. In fact, it was brought out through reams of newspaper articles from Va. news periodicals that their

application is a result of ours;
a sort of knee-jerk reaction.

2. Our valley, in Calif., has been known as the "Shenandoah Valley" since the 1850's. In this regard, no one has any exclusive right to any name. Certainly, Virginia got it from someone else and used it.

3. Calif. Shenandoah Valley has more acreage planted in winegrapes and produces more wine, commercially, by a power of ten, than does the Va. Shenandoah Valley.

4. If the main purpose of designating viticultural areas by BATF is to help consumers identify the wines they purchase, it would be more confusing to the consumer to have to choose between more than one area with the same name.

In addition to these points that were discussed and recorded at

Louis G. Adam

BOX 25C, RTE. 2 • PLYMOUTH, CALIFORNIA 95669

the hearing in Jackson last year, I have 2 more comments.

1. The wine people in Va., who submitted their application, have demonstrated their inexperience and incomprehension of wine and winegrapes in the size of the geographical area they include. In particular, it is impossible anywhere in the world, to produce a uniquely distinguishable wine from climates in an area whose elevation varies from 275 ft - 4200 ft.

2. If you at BATF, finally, choose to have 2 areas with the same name (God help us), then in the interest of the consumer, require that VA and CALIF be in bold type on the labels. We, in Calif.

share in your desire that
the consumer not be con-
fused about that.

Sincerely,
Lacey Adams

████████████████████
Winchester, Virginia 22601
June 10, 1981

Chief, Regulations & Procedures
Division
B.A.T.F.
P.O. Box 385
Washington, DC 20044

Gentlemen:

I am writing this letter in support of the application for the establishment of the Appellation of Origin of Shenandoah Valley in Virginia/West Virginia.

The Shenandoah Valley has been known as a specific agricultural area since colonial days. The Shenandoah Valley was then known as the "bread basket of the colonies." It remains a distinct area in regard to both soils and climatic conditions.

Sincerely,



Robert Viehman
THE VINEYARD

██████████
Timberville, VA 22853

August 27, 1981

Director
Bureau of Alcohol, Tobacco and Firearms
Department of the Treasury
Washington, DC 20226

Dear Sir:

This is to advise you that we, the undersigned, support the petition submitted by Shenandoah Vineyards of Edinburg, VA concerning the establishment in Virginia and West Virginia of a viticultural area known as "Shenandoah Valley."

Sincerely,

Robert Lantz

Roswitha Lantz



from the
desk of

Mrs. John Wallace

Dept of the Treasury
Bureau of Alcohol, Firearms
Washington, D.C. 20226

RE: Region of Wine -
SHENANDOAH VALLEY

Gentlemen:

Please put my name down as
being against you giving the name
of Shenandoah Valley Wines to
a place in Calif.

We are the only Shenandoah Valley
in North America - And we deserve the
name to use for our wines.

Thank you for understanding
our Peoples heritage. Sincerely

Gladys D. Wallace
411 4th St.

8/20/70

Dear Sir,
 We are pleased to inform
 you that we have received
 your order for
 1000 lbs of 100% wool
 superfine 24's. This wool is
 state grade, clean, and
 is fine suited for your
 use. The wool is being
 packed in 2000 lbs
 by color in 100 lb bags and
 state garbages etc. etc. We
 we would have specimens if
 you would like them.

D. BROTHERS
 RIVERDALE, N.Y.
 10471

██████████ St
Strasburg, Va
Sept 6, 1982

Regarding the specific questions in your
27 CFR Part 9: (1) Since the Shenandoah
Valley lies mainly in Virginia, but partly
also in West Virginia, the ^{proposed} viticultural area
name should not properly include a state
name. (2) The southern portion of the proposed
area is known locally as the Shenandoah
Valley. I cannot speak with authority about
its national status.
(3) The proposed boundaries do describe a
potential grape growing area. Viticulture
is in its infancy in Shenandoah County,
but the potential has been there for generations
and both Warren and Clark counties have
the same potential.

Little or nothing can be added to the
petitions already submitted, but citizens of
the Shenandoah Valley heartily endorse the
idea of having it listed as an approved
American Viticultural Area.

Chief, Regulations and Procedures Div.
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 385, Washington, D.C. 20044-0385

Dear Sir,

You will find enclosed my com-
ments on 27 CFR Part 9 (notice no 41)

As a private citizen with no connection
whatever with the grape or wine pro-
ducing industries, I am deeply interest-
ed in the entire welfare of the Shenandoah
Valley.

Sincerely yours,

Virginia C. Bailes
(Mrs W. B. Bailes)

Richard D. Robertson

██████████
STAUNTON, VIRGINIA 24401

October 1, 1982

Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D.C. 20044-0385

Dear Sir:

The purpose of this letter is to comment on the proposed rule making regarding the establishment of Shenandoah Valley Viti-cultural Area as published in the Federal Register, Vol. 47, No. 162, Friday, August 20, 1982.

It has long been an established fact of history that the term "Shenandoah Valley" has been associated with that part of the Commonwealth of Virginia which bears its name.

I find it absurd to consider a tiny enclave in the State of California qualified to use the name "Shenandoah Valley" to identify products grown or manufactured therein.

The comparative size of the areas in question, the accepted location of the name itself (Virginia) on a national and inter-national basis, and the purpose for which the California petitioners wish to use this name, all conspire to support Virginia's claim to the principal designation known as the "Shenandoah Valley."

I am not personally involved in anything to do with the growing of agricultural products, including grapes or the manufacture of spirits therefrom; however, as a resident of the Shenandoah Valley of Virginia I must protest any decision which would in any way mislead the buying public that a product manufactured in a relatively obscure area of California did in fact find its origins in that area commonly known throughout the years as "the Shenandoah Valley" which is located in the Commonwealth of Virginia.

Your consideration of these views would be very much appreciated.

Sincerely,

R. D. Robertson
R. D. Robertson *s.*

RDR/1

San Leandro CA 94577

Dept of Alcohol, Tobacco & Firearms
Washington D C

Re: Notice 419

Gentlemen:

It has come to my attention that you must reach a decision concerning the pending Shenandoah Vineyards case.

I firmly believe that just as there is only one Bunker Hill; only one Gettysburg; only one Alamo, that in American textbooks, literature, folklore and American hearts and minds — there is only one Shenandoah Valley. And that Valley is in Virginia.

Furthermore, since sale of the California wine is not limited geographically and is, in fact, sold in the vicinity of the original Shenandoah Valley, I believe it is not only a misnomer but fraud to intentionally misrepresent our nation's true Shenandoah Valley heritage.

Notice 419 (con't)

I do understand that the California winery has already founded its reputation with the name "Shenandoah" and a change would not only be confusing, but financially burdensome.

However, I strongly urge you to decide in favor of the Land of the Rolling River.

Sincerely,

Danne F Edmison

Oct. 15, 1982

Dear Sir:

I, a native born and life
time resident, protest California
taking the name Shenandoah
Valley as a label on one of
California's wines.

The name Shenandoah
Valley belongs to Va. because of its
historical importance to Va. McCart

SEPT.
~~October~~ 30, 1982

Remo Rosa

[REDACTED]
Livermore, CA. 94550

Bureau of Alcohol, Tobacco, and Firearms
Washington, D.C.

Gentlemen:

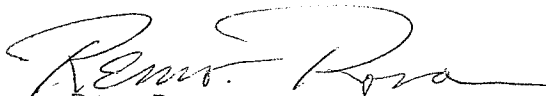
I was dismayed to learn that contrary to public impression, Shenandoah Vineyards located in Edinburg, Virginia has not been granted exclusive use of the name Shenandoah Vineyards.

I have been a wine connoisseur and consumer here in California for decades, and a big supporter of the high quality of California wines. Because of my interest in the health of the American wine industry, and therefore the elimination of consumer confusion in the marketplace, I submit that the exclusive right to use "Shenandoah Valley Viticultural Area" be granted to those vineyards and wineries in the one Shenandoah Valley that all Americans, and yes even Californians, think of and hold as a National Treasure: the Shenandoah Valley of Virginia.

Please be assured that your upcoming historic decision will be looked upon by posterity as the correct decision only if Virginia is affirmed to be the place where the Shenandoah Valley is located for the wine consuming public and all Americans.

Please keep me informed of all further developments in this matter.

Sincerely,


Remo Rosa

FREMONT, CAL
94536

Oct. 2, 1982

DEAR SIR:

It has come to my attention that a certain vineyard in California is trying to use the "Shenandoah Vineyards" name as a brand name for its wines.

I feel this is misleading in that people purchasing this product are lead to believe that it is produced in the Shenandoah Valley Agricultural Area in Virginia, when in fact it is produced in California.

I feel the "Shenandoah Vineyards" name should be exclusively awarded to Mr. Randall; Notice No. 419 and remain solely in Virginia.

Thank you for your time + attention in this matter and to this letter.

Yours Truly

John E. Perry
John E. PERRY

Miss Charlotte Anne Beale
Portsmouth, Virginia 23707

August 21, 1982

Chief of Regulations and Procedures Division
Bureau of ATF
P.O. Box 385
Washington, DC 20044-0385

Dear Sir:

I live in Tidewater, but I had a great uncle (H. M. Roane) who lived in Staunton where I enjoyed white grapes on Oakenvold St. until the 50's when his daughter moved to Mint Spring where she, too, grew beautiful grapes (bagged as they formed to be opened when they were unblemished and luscious). Her home was near the Mint Spring Methodist Church; she (the late R. Alice Roane) was a grower who respected the soil. (over)

If the area can produce
this beauty. I enjoyed, use it.

Yours truly,

Miss) Charlotte Anne Redd

M

MRS. HELEN HANSON

HARRISONBURG, VA. 22801

Sept. 28, 1982

Chief
Regulations and Procedures Division
U.S. Bureau of Alcohol
Tobacco and Firearms
Washington, D.C.

Dear Sir:

We, along with many others, feel strongly that California does not have the right to claim Shenandoah Valley designation for their wines. Shenandoah has, for the history of the nation, been linked to Virginia and Shenandoah Valley wines should have the right to use this name.

Thank-you for your consideration.

Sincerely,

Helen Hanson

Chief, Regulations August 29, 1982
and Procedures Divisions

Dear Sirs:

I'm writing to ask that you
please find it in your
hearts and name the Great
Shenandoah Valley of Virginia
the only State to carry the name
Shenandoah on their labels
of wine. Thank you so much,
Yours truly,
Mrs. Muriel F. Binion
Vine in Augusta County. (My mail comes out of Aston Valley)

[REDACTED]
Arlington, Va. 22213
September 2, 1982

Bureau of Alcohol
Treasury Dept.

Gentlemen,

I am a native of California(not far from the Napa Valley)but have lived for many years in Virginia.

I urge you to rule that the words "Shenandoah Valley" be used only to describe wines grown in the Shenandoah Valley of Virginia.

Everyone schoolchild knows(or used to be taught)about the Shenandoah Valley of Virginia.

I love California, but please let us give credit where it is due. The one, the original Shenandoah Valley is only in Virginia.

Let's not confuse potential wine buyers by putting Shenandoah in California.

Kathleen Habeger
Kathleen Habeger

6 SEPT 1982

Gentlemen,

We are writing to indicate our support for the establishment of a "Shenandoah Valley" viticultural area. We agree with the petition submitted by Shenandoah Vineyards and feel the boundaries to be correct and representative of the area known as "Shenandoah Valley". Only wines produced in that area from grapes grown in that area should be so named and designated.

John F. Snyder Gladys L. Haynes

September 3, 1982

To whom it may concern!

I am not in favor of your agency granting the California mine-making region the Shenandoah Valley designation.

As a former resident of the Virginia Shenandoah Valley, I am highly upset that another region may be granted the use of this name. The Shenandoah Valley of Virginia is a very important geographical and historic area to the entire U.S.

Please, do not take the Shenandoah Valley name away from us. We were the first ones to use it, before the mine-making industries began

Thank you

Mrs. Beverly Baker Thompson


Chula, Az 86503

[REDACTED]
Takoma Park, MD 20912
August 26, 1982

To Whom It May Concern:

This is to express my opinion on which state gets to use the term "Shenandoah Valley" on its wines-- Virginia or California. I feel that it most definitely should be Virginia. Frankly, I had never even heard of there being a Shenandoah Valley in California until this wine designation controversy came up. In folklore and in literature Shenandoah has referred to the river or the valley of that river, located mainly in Virginia with a relatively small part in West Virginia. Historically, especially in connection with the Civil War period, the Shenandoah Valley has been associated with Virginia as witness Sheridan's depredations in the Civil War. It is also my understanding that the Shenandoah Valley in California was named by homesick settlers from Virginia.

Sincerely yours,


Evelyn J. Cameron

Clare and John Grana

We agree!!
Virginia Vineyards

GOV. JERRY BROWN of California may be proud of his state's chablis and mountain red, but the grapes of Robb may not be far behind. Thomas Jefferson tried and failed to cultivate European and then domestic wine grapes near Charlottesville 200 years ago. But modern growers have had considerably more success, and the 12-county Shenandoah Valley area of Virginia and West Virginia now boasts 16 commercial vineyards and three wineries. But *our* Shenandoah Valley isn't the only place in the country to bear that name. There's one in California, too, and growers there have been producing wine grapes for decades.

None of this should cause any problem, but it has. Because of the increasing sophistication of the American wine industry, producers have begun to designate their wine by a geographic name. True Burgundy comes only from that province of France, and purists insist that champagne comes not from Upstate New York or the hills of Northern Italy, but only from that area of France that has given its name to the wine. Following this Gallic tradition, California growers now label their wine "Sonoma Valley," "Napa Valley" or "Mendocino," for example, to assure the customer that such wine differs, in a very special way, from that bottled in, say, Arkansas. It is the Bureau of Alcohol, Tobacco and Firearms in the Treasury Department

that has the responsibility for designating these "viti-cultural areas," and the wine experts over at the bureau are now faced with a unique problem: both Shenandoah Valleys—the one in California and the one in Virginia—produce wine, and both areas have applied for exclusive use of the name.

Jack Eisen, our Metro Notes columnist, who wrote of this conflict last week, is a longtime resident of Virginia but a native of California and the descendant of a winemaker to boot. He has claimed neutrality on this issue for sentimental reasons and because, if the truth be known, he likes the California wine. But the rest of us can't afford to be ambivalent. In the name of old Jimmy Stewart movies, heart-tugging lonesome cowboy songs and the memory of Mr. Jefferson, who did his best in this as well as all endeavors, the name Shenandoah clearly belongs this side of "the wide Missouri." BATT has already held hearings—on both coasts—on the conflicting claims, but it will accept written comments from the public until Oct. 4. This area will lose a part of its proud heritage if the name Shenandoah Valley is given exclusively to the winegrowers of California. Such a transfer would ignore history, confuse the public and deprive the growing Virginia wine industry of an important commercial asset. If you agree, let them know at the bureau.

MEMO

from
Shirley Marshall

25 Aug 82

C.C. Branch

re: Classification of wine
areas - Surely, the
simplest solution to
Cynthorsey re:

Shenandoah - make
East + West. Everyone
knows the Eastern U.S. -
+ Western U.S. -

Sincerely,

Shirley Marshall

Shenandoah East

Shenandoah West

Even sounds right -


August 24, 1982

Bureau of Alcohol, Tobacco
and Firearms,
Treasury Department,
Washington, D. C.

Gentlemen:

The Virginia area will lose a part of its proud heritage if the name Shenandoah Valley is given exclusively to the winegrowers of California. I can't imagine that your Bureau would be so unfair as to sanction such a thing and deprive our growing Virginia wine industry of such an important commercial asset.

Sincerely,
Worthy G. Travis
(Mrs. James E. Travis)


Arlington, Va 22207

Rec'd
8-25-82

Harry Obst
[Redacted]
Annandale, Virginia 22003

August 24, 1982

Chief, Regulations
and Procedures Division
BATF
Department of the Treasury
Washington, D.C. 20226

Subj.: Comment on Viticultural Area Designation,
Shenandoah Valley, Virginia

Though I am a supporter of the right of Virginia to carry the designation Shenandoah Valley, I can readily see some merit in the California claim.

In my view, there is no reason why the designation has to be "Shenandoah Valley" as such, in which case one of two legitimate claims would have to be denied. This is the type of case where some flexibility on the part of the regulator (and the claimants) is called for. There should not be a winner and a loser when both sides deserve to win.

Here is a compromise suggestion which should not result in any loss or damage to either of the two claimants: one viticultural area should be called

"Eastern Shenandoah"
and the other
"Western Shenandoah".

The word "Valley" could be added, of course, but might really not be necessary, to make the designation as short as possible.

A second compromise formula might be
"California Shenandoah"
and
"Virginia Shenandoah"

Under the circumstances I would consider an exclusive designation or name monopoly for either region a regulatory mistake.

Sincerely yours,

Harry Obst
Harry Obst

Edinburg, Va. 22824

Sept. 10, 1982

Bureau of Alcohol, Tobacco & Firearms
Treasury Dept.
Washington, D.C.

Dear Sirs:

You will soon be considering both Virginia's and California's request for exclusive use of the name "Shenandoah" for the wines produced in both countries.

We in Virginia sincerely hope this privilege will be awarded to our country. It has been known as "the Valley of Virginia" and has been noted for the abundance and outstanding quality of its fruit for generations.

We are proud of our country's place in early American history. Actually, our beautiful Shenandoah Valley includes twelve counties. To give our name to California growers would ignore our heritage. We ask you to please permit us to keep our Valley's historic name on our product, our delicious wine.

Thank you.

Sincerely,

Edna W. Heise

MRS. CARL MCFARLAND
[REDACTED]
CHARLOTTESVILLE, VA. 22903

August 26, 1982

Bureau of Alcohol, Tobacco + Firearms
U. S. Dept. of Treasury
Washington, D.C. 20220

Gentleman:

I am writing to protest as vigorously as I can, the possibility that the name "Shenandoah" will be taken away from the Virginia producers of wine and given exclusively to the California wine growers. Please keep in mind the Shenandoah Valley in Virginia was known for hundreds of years before some homesick Virginian who wandered West tried to recapture part of his heritage by calling "that place" Shenandoah.

When the name "Shenandoah" is mentioned what state comes to mind? Virginia, of course. All Virginians are outraged at the suggestion that California vintners would presume to appropriate something that belongs to us. And so would our revered Thomas Jefferson, if he were living.

Sincerely,

Patricia R. McFarland
(Mrs Carl)

[REDACTED]
Hobbsville, North Carolina 27946
September 23, 1982

Chief
Regulations and Procedure Division
Bureau of ATF
Box 385
Washington, D.C. 20004-0835

Dear Sir:

I am writing to support the establishment of a Shenandoah Valley Vinticultural District in Virginia- West Virginia.

Grape and wine production is a growing and important industry in this area. The ideal climate and favorable soil conditions grow grapes that produce high quality with distinct and desirable characteristics.

I solicit your support of the petition to establish the Shenandoah Valley Vinticultural District in Virginia- West Virginia.

Sincerely yours,
Virginia R. Smith
Virginia R. Smith

[REDACTED]
Falls Church, Virginia 22042
September 22, 1982

TREASURY DEPARTMENT
Bureau of Alcohol, Tobacco, and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, C.C. 20226

Since the Treasury Department has the responsibility for designating viticultural areas, we are requesting that you please designate the State of Virginia as the Shenandoah Valley Area.

Virginia and the Shenandoah Valley are synonymous, and this designation as a wine producing area will be a boost to our economy.

Thank you for your consideration.

Sincerely,

*Herbert W. and
Vance P. Hicks*

New Market, VA.
Sept. 17, 1982

Sir:

In regard to the designation of the Shenandoah Valley of Virginia as the "one" area of the U.S. to be so termed.

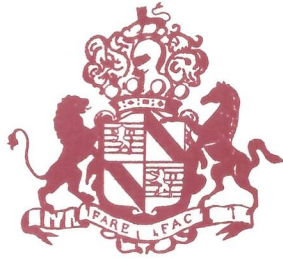
I have made the acquaintance of a young Japanese student, traveling in this country on his own, backpacking. He came across country to see the Shenandoah Valley and Blue Ridge Mts.

Did he stop in California, where his plane landed - No! He came all the way east to see the "one" Shenandoah Valley!!

You see even in Japan they know of our Valley.

Love my valley,

ANNIE M. COFFMAN



Lord Fairfax Planning District Commission

103 East Sixth Street
Front Royal, Virginia 22630
Telephone 703-635-4146

R. Edward Duncan
Executive Director

September 14, 1982

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 385
Washington, D. C. 20044-0385

Re: Resolution - Shenandoah Valley Viticultural Area
Notice Number 419

Dear Sir:

Please be advised that the Lord Fairfax Planning District Commission meeting in session on September 9, 1982, unanimously adopted a resolution that the Federal Bureau of Alcohol, Tobacco and Firearms approve the application of Shenandoah Vineyards, Edinburg, Virginia, to designate certain Virginia and West Virginia counties as the Shenandoah Valley Viticultural Area. A copy of the approved resolution is enclosed herewith.

It is requested that the resolution be given full consideration in all hearings and deliberations concerning the Shenandoah Valley Viticultural Area.

If you have any questions, please advise.

Sincerely yours,

R. Edward Duncan
Executive Director

Enclosures



Lord Fairfax Planning District Commission

103 East Sixth Street
Front Royal, Virginia 22630
Telephone 703-635-4146

R. Edward Duncan
Executive Director

NUMBER 82-4

RESOLUTION

RESOLUTION OF THE LORD FAIRFAX PLANNING DISTRICT COMMISSION ENDORSING ACTION BY THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS (BATF) THAT WOULD DESIGNATE AREAS IN VIRGINIA AND WEST VIRGINIA AS THE SHENANDOAH VALLEY VITICULTURAL AREA.

WHEREAS, the Lord Fairfax Planning District Commission has been established as the regional planning body by and representing the Counties of Clarke, Frederick, Page, Shenandoah, and Warren, the City of Winchester, and the Towns of Front Royal and Luray, Virginia; and,

WHEREAS, this District covers over one million acres of the proposed Shenandoah Valley Viticultural area, which has an area of approximately 2.4 million acres in the States of Virginia and West Virginia; and,

WHEREAS, the Counties of Frederick, Page and Shenandoah accounted for 14 percent of the Virginia grape production in 1978 according to the Census of Agriculture, and along with Augusta and Rockingham Counties, the Shenandoah Valley was responsible for 35 percent of the 1978 Virginia grape production; and,

WHEREAS, the expansion of the wine grape and wine production industry is both suitable and necessary for the agriculture industry in the Shenandoah Valley as an intensive use of cropland and is consistent with the agricultural and economic development goals of this Commission's District Comprehensive Plan, dated March 1978; and,

WHEREAS, the name Shenandoah Valley is both nationally and internationally known to refer only to the Valley of the Shenandoah River as it flows through Virginia and West Virginia, as cited in such reference works as Encyclopedia Americana (Volume 24, c-1979); the Rand McNally Cosmopolitan World Atlas, (c-1972); and the National Geographic Atlas of the World (c-1975).

Clarke County
Frederick County

Page County
Shenandoah County

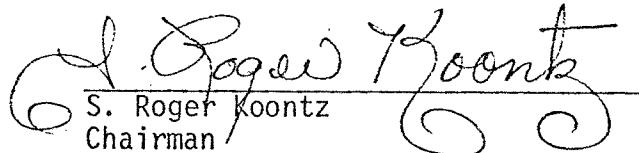
Warren County
Town of Front Royal

Town of Luray
City of Winchester


NOW, THEREFORE, BE IT RESOLVED, by the Lord Fairfax Planning District Commission as representatives of its member local governments, that the Federal Bureau of Alcohol, Tobacco and Firearms approve the application of Shenandoah Vineyards, Edinburg, Virginia, to designate the Virginia Counties of Frederick, Clarke, Warren, Shenandoah, Page, Rockingham, Augusta, Rockbridge, Botetourt, and Amherst, to include the various cities located within these counties, and the West Virginia Counties of Berkeley and Jefferson, as the Shenandoah Valley Viticultural Area.

BE IT FURTHER RESOLVED that the Commission Chairman or Executive Director is directed to present this Resolution to officials of the Bureau of Alcohol, Tobacco and Firearms (BATF).

Upon motion by Commissioner John D. Cutlip,
seconded by Commissioner Thomas H. Gibson, and
unanimously approved by the Lord Fairfax Planning District Commission
meeting in session on September 9, 1982.


S. Roger Koontz
Chairman

ATTEST:


R. Edward Duncan
Executive Director

COUNTY OF SHENANDOAH

COUNTY ADMINISTRATOR

JOHN D. CUTLIP
PHONE (703) 459-2195



BOARD OF SUPERVISORS

MARTIN J. HELSLEY, JR.
DENNIS M. MORRIS
JOHN N. NEESE
BOYD W. ROLLER
C. THOMAS SOLLENBERGER
KEITH M. ZIRKLE

P. O. BOX 452
WOODSTOCK, VIRGINIA 22664

September 16, 1982

Chief
Regulations & Procedures Division
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 385
Washington, D. C. 20044-0385

RE: Notice No. 419

Dear Sir:

The Shenandoah County Board of Supervisors, at a regular meeting on September 14, 1982, unanimously endorsed the application of Shenandoah Vineyards, Edinburg, Virginia to designate an area of Virginia and West Virginia as the "Shenandoah Valley Viticultural Area." The Board of Supervisors also endorsed Resolution No. 82-4 of the Lord Fairfax Planning District Commission which has been previously submitted to you.

Attached is the Board's resolution which you are requested to consider in granting the application of Shenandoah Vineyards.

Sincerely,

John D. Cutlip
County Administrator

JDC/dcf

Attachment

RESOLUTION 82 - 13

WHEREAS, Shenandoah Vineyards, Edinburg, Virginia, has applied to the Federal Bureau of Alcohol, Tobacco and Firearms to establish a viticultural area in Virginia and West Virginia to be known as "Shenandoah Valley," and

WHEREAS, the Lord Fairfax Planning District Commission, via Resolution No. 82-4, has supported said application;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Shenandoah County, Virginia, that said application and resolution are endorsed; and

BE IT FURTHER RESOLVED that the Federal Bureau of Alcohol, Tobacco and Firearms should recognize and accept the following facts:

- 1) The Shenandoah Valley of the two Virginias (Virginia and West Virginia) encompasses a 12-county area that is a major geographical area recognized nationally and internationally.
- 2) The Shenandoah Valley was used primarily as a hunting area by several American Indian tribes including the Senedo (which was massacred near Mt. Jackson in Shenandoah County), Tuscaroro and Delaware.
- 3) The Shenandoah Valley has played a major role in American heritage, having been settled by early pioneers in the late 17th and early 18th centuries, surveyed by George Washington for Lord Fairfax in the early 1700's, the scene of battles during the French and Indian War, recruited the "Fighting German Brigade" under General Peter Muhlenberg in the Revolutionary War, and the scene of many battles during the Civil War climaxing in General Sheridan's famous "Burn the Valley" campaign which destroyed the primary supply of food for the Confederate armies, thus hastening the end of the war.
- 4) The Shenandoah Valley is characterized by certain geophysical characteristics which are uncommon to any other area of comparable size.
- 5) The production of wine and other spirits was a common and accepted part of the agricultural economy in the Shenandoah Valley, even in the early 1700's. The establishment of grape production and commercial wineries has made strong advances during the past decade and promises continued expansion into the future.

CONTINUED . . .

BE IT FURTHER RESOLVED that all questions brought forth by
BATF in Notice No. 419 can basically be answered in the affirmative.

BE IT FINALLY RESOLVED that the Federal Bureau of Alcohol,
Tobacco and Firearms approve said application to establish a viti-
cultural area in Virginia and West Virginia to be known as "Shenandoah
Valley" without undue delay.

*Approved by the Board of Supervisors at a regular
meeting on September 14, 1982, on a motion by
Supervisor Neese, seconded by Supervisor Roller, and a
vote as follows:*

<i>Supervisor Neese</i>	<i>- Aye</i>	<i>Supervisor Roller</i>	<i>- Aye</i>
<i>Supervisor Helsley</i>	<i>- Aye</i>	<i>Supervisor Morris</i>	<i>- Aye</i>
<i>Supervisor Sollenberger</i>	<i>- Aye</i>	<i>Supervisor Zirkle</i>	<i>- Aye</i>

TESTE:


Clerk to the Board of Supervisors

E-309, D.C. 20037
8/25-82

Gentlemen -

Shenandoah Valley, California?

That is to say, Napa Valley, Va.

Just over a century ago, an American --

Robert E. Lee -- gave up his U. S. citizenship (hardly something one parts easily with), overcome as he said with loyalty & love for Virginia and her regions. He cited Tidewater, Piedmont, Shenandoah and Allegheny.

Today, in a less epoch-making way, sources as diverse as Webster's dictionary (its Pronouncing

Gazetteer in the back) + hill billy songwriters
("In the Shenandoah Valley of Virginia") agree on
this geographical fact: The Shenandoah Valley lies
between Piedmont Virginia and Allegheny Virginia.

Perhaps the California viniculturists might
briefly give up enology for geography. And, be-
sides, they've got Rodeo Drive. (Who could
ask for anything more?)

Yours truly,
Murray F. Nimmo

Bureau of Alcohol, Tobacco
& Firearms
P.O. Box 784
D.C. 20226

DANIEL H. DAVIS
VIENNA, VA.
22180
PENNSYLV

1/
Aug 25, 1982

To: Director of Alcohol Tobacco & Firearms
1200 Penn. Ave N.W.
WASHINGTON, D.C. 20226

Re: Shenandoah Valley

Gentlemen

I AM DISMAYED AT THE POSSIBILITY OF THE NAME "SHENANDOAH VALLEY" BEING GIVEN TO A CALIFORNIA WINE. THE VALLEY IS A HISTORICAL AND CULTURAL AREA OF SIGNIFICANT IMPORTANCE TO THE ENTIRE SOUTH. I AM NOT A VIRGINIAN HAVING BEEN BORN AND RAISED IN GEORGIA. THE FACT IS, HOWEVER, MY FAMILY MOVED INTO GEORGIA FROM VIRGINIA ABOUT 1750 AS DID A LARGE PORTION OF THE PEOPLE IN N.C., S.C., GA., ALA., FLA., MISS., LA. & TEXAS. THE POINT I AM TRYING TO MAKE IS THE "SHENANDOAH VALLEY"

2

BEARS TO ALL OF US WHO HAD FAMILY
TRAVEL "THE GREAT WINDOW ROAD" (SEE ENCLOSED)
EVERYONE WHO IS DESCENDED FROM THE SCOTCH-
IRISH "CRACKERS" (SEE ENCLOSED) HAS A DIRECT
INTEREST IN THE VALLEY. IN ADDITION TO THE
AFORESAID THE WAR BETWEEN THE STATES MADE
THE SHENANDOAH VALLEY A HISTORICAL ENTITY.
ALMOST ALL OF US WHO HAD FAMILY THAT
FOUGHT WITH LEE'S ARMY OF NORTHERN VIRGINIA
HAD FAMILY FIGHT AND DIE WITH SOMEWHAT
JACKSON AND HIS "FOOT CAVALRY" OF THE VALLEY.
HISTORY BOOKS WRITTEN OF VIRGINIA, THE ORIGINAL
COLONIES AND THE REB. WAR ARE FAVORABLE TO
SHENANDOAH VALLEY AND TO CHANGE ITS MEANING
WOULD BE TO DISTORT HISTORY.

THE VALLEY OR GREAT VALLEY OF VIRGINIA
 WAS NAMED BY THE INDIANS WHO LIVED IN
 AND TRAVELED THE VALLEY, THE INDIANS
 THEMSELVES NAMED IT "SHENANDOAH" MEANING
 VALLEY OF THUNDER OF THE SKY. HOW THE HELL
 CAN CARP. CLAIM IT? A VIRGINIAN BY THE
 NAME OF JOHN LEDGERMAN FIRST CALLED IT
 BY THE INDIAN NAME IN ABOUT 1632.

I RESPECTFULLY REQUEST THAT YOU NOT
 DISGRACE A HISTORICAL AND CULTURAL ENTITY
 BY COMMERCIALISM FOR THE SAKE OF ^{THE} WINE
 INDUSTRY.

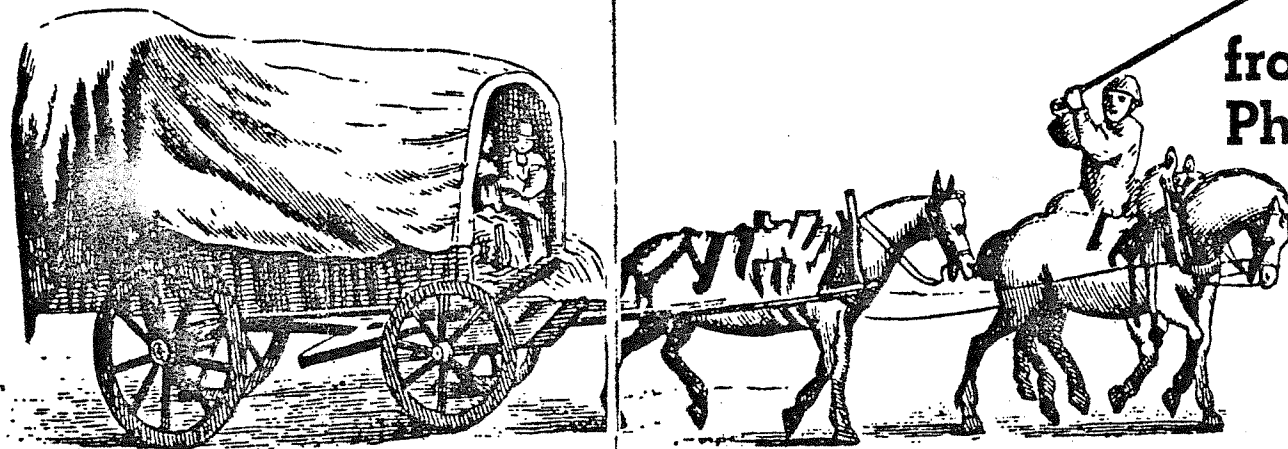
Very Truly Yours
ANDREW DAVIS

CC - FRANK R. WOLF, M.C.

Parke Rouse, Jr.

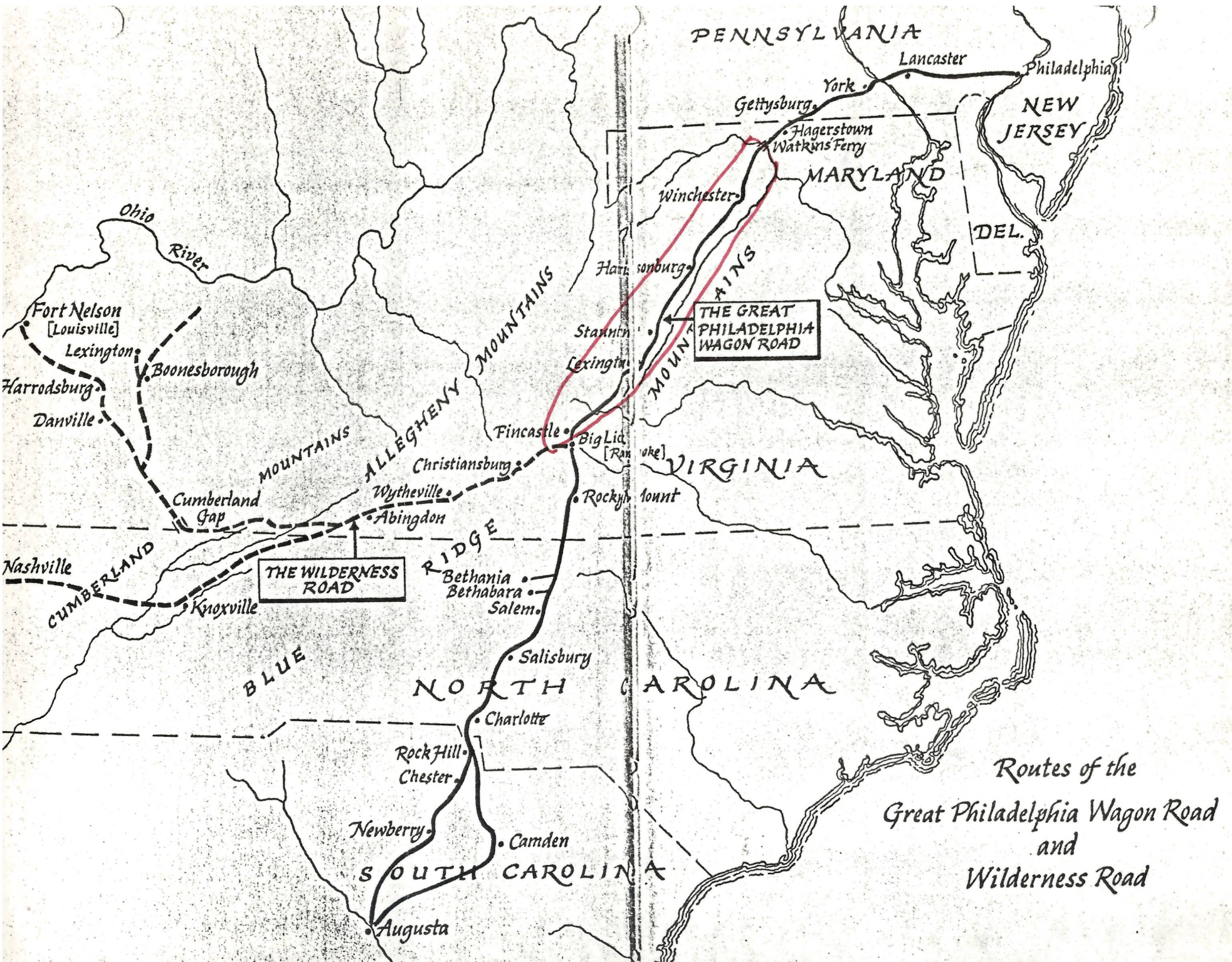
THE GREAT WAGON ROAD

from
Philadelphia
To the
South



McGraw-Hill Book Company
New York St. Louis San Francisco
Düsseldorf London Mexico Sydney Toronto

FAIRFAX COUNTY PUBLIC LIBRARY



Routes of the
Great Philadelphia Wagon Road
and
Wilderness Road

Conestoga's Gift

A wagoner's life along the Road was a roistering career of daily crisis, enlivened by danger and ribald good humor. Over the 700 miles from Pennsylvania to Georgia, hundreds of these profane men drove in the years between the Lancaster Treaty of 1744 and the coming of the railroads a century later. They were a close brotherhood, linked by shared hardship. They made the Great Road a live and vital artery.

The backwoods wagoners were a rough lot, used to the harshest punishment of the weather. In winter, mud splattered their faces and mired their horses and wagons. In summer they were assailed by sunburn and May flies. Often they drove without stop through rain or snow, hastening to reach a house or inn before nightfall or the hostile elements overwhelmed them. In winter they were sometimes trapped in the mountains, unable to go forward or back. From the forests of the Alleghanies or the Blue Ridge, Indians might attack them and seize their goods.

Yet the fame of the wagoner spread afar, for his life embodied the adventure which drew hardy emigrants to the frontier. Raucous, uncouth, and ready to fight at the drop of a hat, he set the pattern for the stagecoach drivers and railroad builders who later moved America westward. He was the envy of the farmer and the livestock drover whom he passed on the road, cracking his whip and urging his horses onward.

"You, Beauty—what the hell's the matter thar?"

But his life had compensations. In spring, the greening of trees along the mountaintops made a ribbon of light against the blue sky. When mountain laurel and rhododendron brightened the mountain passes in May, they shone like pink clouds against the forest's green.

The best of all seasons was summer, when trees spread a gentle canopy over the road. Then the wagoner traveled most happily, singing to himself as he swatted May flies with his straw hat:

Come to me, my dear, and give to me your hand
And let us take a social ramble to some far and distant land,

THE GREAT WAGON ROAD

Where the hawk shot the buzzard and the buzzard shot the crow,
And we all ride around the canebrake and shoot the buffalo.¹

Sometimes the wagoner carried a guitar or banjo to amuse himself on the lonesome rides between settlements. A crack of his five-foot whip punctuated a verse's end. Whip-cracking drivers came to be known as "crackers." The jew's harp was popular, too, for it could be carried in a shirt pocket. Stores in Philadelphia, Lancaster, and other roadside towns stocked them by the dozen.

The road had many songs, and wagoners sang endlessly as they covered the miles between Big Link to Bethabara and southward to Salisbury:

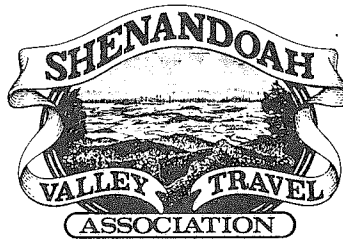
Tazewell County and Tazewell Town,
Lord have mercy and do look down.
Poor and rocky and hilly, too,
Lord have mercy, what will these poor people do?²

An early chant revealed the rosy hopes of the pioneer:

Droop not, brother, as we go
Over the mountains, westward ho,
Under boughs of mistletoe,
Log huts we'll rear,
While herds of deer and buffalo
Furnish the cheer;
File over the mountains, steady, boys;
For game afar
We have our rifles ready, boys,
Aha-a-a-a-a-al

Cheer up, brothers, as we go
Over the mountains, westward ho,
When we've wood and prairie land,
Won by our toil,
We'll reign like kings in fairyland,
Lords of the soil,
Then westward ho in legions, boys,
For freedom's star
Points to her sunset regions, boys,
Aha-a-a-a-a-a!³

Hymns were loudly sung, for the works of Isaac Watts and John Wesley were familiar to all who had heard the emotional calls to salvation from itinerant Methodist evangelists:



POST OFFICE BOX 488 NEW MARKET, VIRGINIA 22844 TELEPHONE (703) 740 - 3132

October 4, 1982

Mr. Thomas George, Chief
Regulations & Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D. C. 20044-0385

SUBJECT: Notice No. 419

Dear Mr. George:

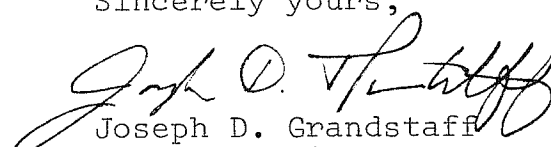
The Shenandoah Valley Travel Association, with over 400 members of its non-profit, private, membership organization would like to go on record to support the petition filed with the Bureau of Alcohol, Tobacco and Firearms for the establishment of a Shenandoah Valley Viticultural Area in Virginia and West Virginia.

Shenandoah Valley, Inc. t/a Shenandoah Valley Travel Association was incorporated in 1924, was instrumental in the establishment of the Shenandoah National Park, and continues to promote the Shenandoah Valley of the Virginias throughout the country, spending thousands of dollars annually in advertising, feature stories, and other promotional efforts.

SVTA would like to request that the mountains of evidence presented against the California Petition (Notice No. 371) be considered in the Virginia, West Virginia Petition.

With the amount of evidence at your disposal, there seems no reason why the decision would not go in favor of Notice No. 419, and we formally request that your ruling be in favor of a Shenandoah Valley Viticultural Area which encompasses 10 Virginia and 2 West Virginia counties.

Sincerely yours,


Joseph D. Grandstaff
Executive Director

:bps



PROMOTING TOURISM AND TRAVEL
TOURIST INFORMATION CENTER - INTERSTATE 81, EXIT 67



Shenandoah Valley Travel Association

❖ PROMOTING TOURISM AND TRAVEL ❖

POST OFFICE BOX 488
NEW MARKET, VIRGINIA 22844
TELEPHONE 703/740-3132

October 4, 1982

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

RE: Notice No. 419

Gentlemen:

I am writing in my capacity as president of the Shenandoah Valley Travel Association and also as an individual consumer.

SVTA covers 15 counties (including two West Virginia counties) and we are on record as opposing the California petition. All our comments have been filed with that petition and we understand that Congressman Robinson has requested that these comments be made a part of the Virginia petition as well.

There is no need to go over again and again and again the many facts as to why the Shenandoah Valley name must be kept in Virginia. No reasonable person can possibly think the name Shenandoah Valley belongs to California. I say this not as opinion but as fact. Even the people in California readily admit the name came from Virginia. That alone should end this absurd discussion.

I understand that the BATF is attempting to hear every side and be fair. I do not want to address the question of a viticultural area. I am not qualified to do so. I assume your bureau is so qualified. The question is not whether Virginia and/or California meet the requirements for those of us concerned with the name. If the California area meets the requirements then they should be a viticultural area but they should not be allowed to use the Shenandoah name. It truly is that simple. Why is the government spending thousands of dollars in order to try and establish the name Shenandoah in California? This entire effort is worthy of Mr. Proxmire's Golden Fleece Award.

If the Virginia area meets the requirements then they should have the name. If they do not meet the requirements this does not mean their name could be usurped by Californians. Please do your job in deciding on the merits of the viticultural areas and also do your job and use your common sense and protect the consumer. Keep the name Shenandoah where it has always been and will always be.

Sincerely,



Caroline B. Emswiler
President



TOURIST INFORMATION CENTER — INTERSTATE 81, EXIT 67



[REDACTED]
St. Louis, Missouri 63122
September 12, 1982

Chief
Regulations and Procedure Division
Bureau of ATF
Box 385
Washington, D. C. 20004-0385

Dear Sir:

I fully support the petition to establish a Shenandoah Valley Viticultural Area in Virginia- West Virginia. This area , consisting of 2.4 million acres including the Virginia Counties of Shenandoah, Page, Frederick, Clark, Warren, Rockingham, Augusta, Rockbridge, Botetourt and Amherst and the West Virginia Counties of Berkeley and Jefferson, is an important and growing grape and wine producing section.

This 12 county area , drained by the Shenandoah River is well known geographically and historically by the general public. The name Shenandoah, both River and Valley, dates to colonial times and is attributed to Indians that lived and hunted in this beautiful valley. The National Park located there appropriately carries the name Shenandoah and is well known nation wide.

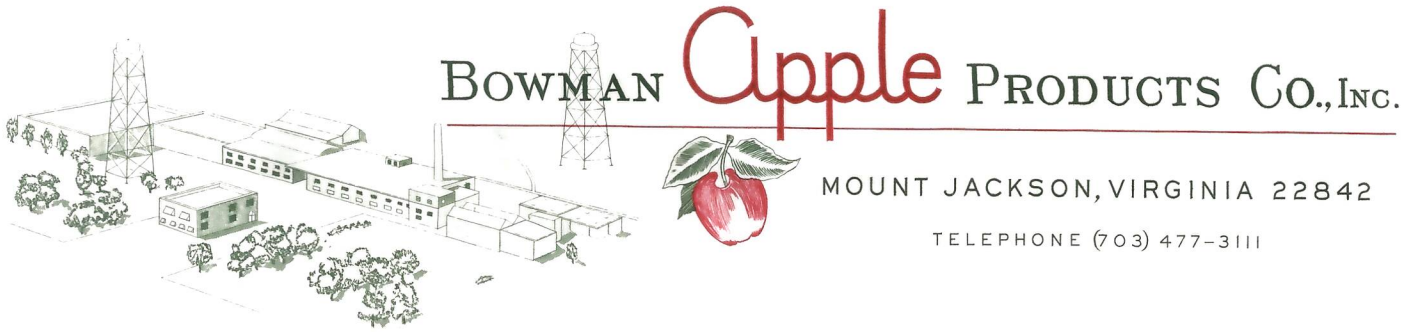
To establish a Shenandoah Valley Viticultural Area in any section of the country other than the Virginia-West Virginia area would confuse and deceive the consuming public. In their mind, Shenandoah is strongly associated with the Virginia-West Virginia area drained by the Shenandoah River and to no other section of the country.

Consequently, the petition of the group for establishing a Shenandoah Valley Viticultural area in Virginia-West Virginia should be granted. The petition by the wine producers of Amador County, California, should be rejected.

Thank you for your consideration.

Sincerely yours,

Joseph W. Baker
Joseph W. Baker



MOUNT JACKSON, VIRGINIA 22842

TELEPHONE (703) 477-3111

September 27, 1982

Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, DC 20044-0385

Gentlemen:

The establishment of the Shenandoah Valley Viticultural Area is a vital concern to anyone connected with the wine industry in the Shenandoah Valley of Virginia.

There is bountiful historical evidence substantiating the fact that the Shenandoah Valley was originally and forever shall be in the State of Virginia. Any other place illegitimately claiming the fact that they, indeed, have some claim to the same name, historically speaking, is ridiculous.

It is beyond my comprehension why so much money, time and effort in bureaucratic delay has given credence to the fact that there is, indeed, another Shenandoah Valley and, indeed, that it could be considered legitimate in any legal sense.

I do not belabor the fact that they grow more grapes in California than Virginia, nor do I pertain to have knowledge of the importance of the name to the California region, but I know unequivocally that the Shenandoah Valley is indeed part of the State of Virginia first, last and always. We implore you to concur with such an obvious and important decision.

Sincerely yours,

BOWMAN APPLE PRODUCTS CO., INC.

A handwritten signature in black ink, appearing to read "Gordon D. Bowman, II". The signature is fluid and cursive, with a prominent "G" and "B".

Gordon D. Bowman, II
President

GDBII/js

Elizabeth E. Katz

Virginia Beach, VA 23464

September 27, 1982

Bureau of Alcohol, Tobacco,
and Firearms
P.O. Box 385
Washington, D.C. 20044-0385

Dear Sirs,

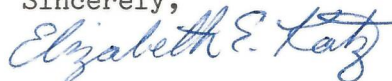
As a wine consumer and adopted Virginian, I urge you to give Virginia's winemakers the sole use of the designation "Shenandoah Valley." Although the clamor is over wine, the consequences will range much further. The Shenandoah Valley has long been one of Virginia's natural resources for both beauty and agriculture. If you look up Shenandoah in the geographical section of Webster's New Collegiate Dictionary, the name is associated with the river and national park in Virginia. The writer of the song "Oh, Shenandoah" was thinking of Virginia. Although our wine industry is small, it is growing, and we have been trying to grow wine quality grapes for hundreds of years.

Other areas of the country use the natural geography to designate their wines. When I see "Finger Lakes," I know the wine is from the Finger Lakes region of New York State. When I see "Napa Valley," I believe the wine comes from the Napa Valley region of California. When I see "Shenandoah Valley," I immediately think of Virginia. Even those people who may not know that the Shenandoah is in Virginia at least know that it is on the East coast.

Virginia's winemakers are trying to build a small but well-deserved place for themselves in the wine industry. They have followed tradition and have placed the name of the region, the Shenandoah Valley, on their wine. A decision to allow the California winemakers to use the designation of "Shenandoah Valley" would ignore our heritage and confuse the public, particularly on the East coast.

Keep the Shenandoah Valley in Virginia, where it belongs.

Sincerely,



Elizabeth E. Katz

Woodstock, Va.
Sept. 23, 1982.

Chief, Regulations and Procedures
Division, Bureau of Alcohol, Tobacco
and Firearms -

Re: Notice No. 419

I agree with the petition submitted by The Shenandoah Vineyards of Edinburg, Va., establishing a viticultural area to be known as "Shenandoah Valley."

And any vineyards or wineries in the proposed area should be able to use Shenandoah Valley in their labeling or advertising.

Everyone knows where the Shenandoah Valley is, and always has been --- historically - geographically, and scenically!

Sincerely
Mrs Betty R. Keller

1011 ox Road
Woodstock, VA. 22664

[REDACTED]
St. Louis, Missouri 63139
September 19, 1982

Chief
Regulations and Procedure Division
Bureau of Alcohol, Tobacco, and Firearms
Box 385
Washington, D. C. 20004-0885

Dear Sir:

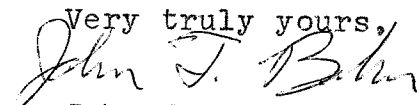
Re: Shenandoah Valley Vinicultural District
in Virginia- West Virginia

This is to support the petition to establish a
Shenandoah Valley Vinicultural District in Virginia- West Virginia.

Building on a tradition which began with Thomas
Jefferson; the grape-growing and wine industry which ceased during
Prohibition has now been reestablished in the Shenandoah Valley .
This growing industry is producing a good and distinct type of wine.

The beautiful Shenandoah Valley area is blessed with
abundant rainfall , moderate temperature and favorable soils not only
for growing excellent grapes but also other fruit such as apples for
which the Valley is well-known.

I fully support the petition of the Virginia-West
Virginia Group and thank you for your consideration.

Very truly yours,

John T. Baker

[REDACTED]
Luray, Virginia 22835
September 23, 1982

Chief
Regulations and Procedure Division
Bureau of ATF
Box 385
Washington, D. C. 20004-0385

Dear Sir:

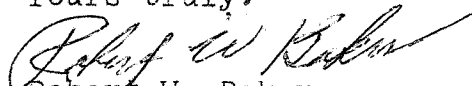
I support the petition to establish a Shenandoah Valley Vinicultural District in Virginia-West Virginia.

The grape growing and wine production activity of this area is a growing and economical asset. Good quality wines with unique characteristics are being produced in this Valley.

Abundant moisture , suitable temperature, and other essential climatic conditions are present. Soils of the Shenandoah Valley are especially favorable for growing grapes and other fruit. Apples grown in this area are well known nation wide for quality and flavor.

I shall appreciate your consideration and support of the Virginia-West Virginia petition.

Yours truly,


Robert W. Baker

LAW OFFICE
EDGAR A. WREN
SUITE 709 BOWEN BUILDING
815-15TH STREET, N. W.
WASHINGTON, D. C. 20005
ME 8-1111

August 30, 1982

Chief, Regulations and Procedures
Division
Bureau of Alcohol, Tobacco and Firearms
U. S. Treasury Department
P. O. Box 385
Washington, D. C. 20044

Attention: Notice # 419

Dear Sir:

I am writing concerning the proposed viticulture area designation of Shenandoah Valley wines.

My family has lived in the Shenandoah Valley of Virginia since at least the 1820s; some of my in-laws' families have been there since the 1760s; and I am part Virginia Indian. With my background, I am sure you can understand my strong desire to see the viticulture area designation "Shenandoah Valley" applied only to those wines produced in Virginia, and not to those wines produced in the California Valley named after the Shanandoah Valley of Virginia.

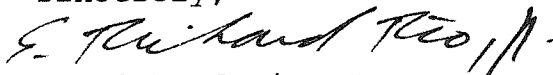
I, therefore, wish to make my position known in the hope of further influencing your decision.

I would also like to point out that the wine industry in California is quite firmly established, but that the industry in Virginia is only just beginning to make a name for itself. The Shanandoah Valley is known throughout the world as being part of Virginia, and to deprive our industry of the use of its rightful name at this juncture would certainly have a significant adverse affect on its growth. This, of course, would not be a problem for the already established industry of California.

Finally, I wish to note that the name "Shenanandoah" means "Daughter of the Moon" in one of our Virginia Indian languages. To deprive us of the use of a name which has been ours since pre-historical times would be not only ridiculous, but altogether unconscionable.

Thank you for your attention to this matter.

Sincerely,



S. Richard Rio, Jr.

[REDACTED]
Raphine, VA 24472
August 23, 1982

Chief of the Regulations and
Procedures Division
Bureau of ATF
Box 385
Washington, D.C. 20044-0385

Dear Sir:

I do not own or work in a vineyard. But I am a resident of the Shenandoah Valley and have been all of my life, as have six generations of my family before me. I have a very strong fear that the name of the valley that I love so much is going to appear on a bottle of wine that is manufactured in California, many hundreds of miles away from the Shenandoah Valley.

I do not think it is fair for that name to be used on wine in California when there are vineyards here in the valley that want to use the name because the Shenandoah Valley is where their grapes are grown and their wine manufactured. I feel sure that you are considering giving our name to California because they applied for it first. But Stop. Think about it. This part of Virginia was called the Shenandoah Valley long before California was ever explored, and hundreds of years before California became a state. The only thing that they are first in is the amount of time in which they have been producing wine. It is a new industry for the Shenandoah Valley. I don't think they should be allowed to use our name, even if the vineyards here didn't want to use it. After all, there is only one Shenandoah Valley.

In my opinion this is the most beautiful place in the country. A valley that extends through most of the state of Virginia, nestled between the Allegheny and Blue Ridge Mountains. This valley was named by the Indians who lived here long before it was ever settled by pioneers. The Shenandoah Valley was first settled between 1727 and 1750 by pioneers from Pennsylvania and New Jersey. My family came here from Pennsylvania in 1750. From the time the first settler moved here it has been known as the Shenandoah.

So, I suggest that you think long and hard about what you will be doing, the people you will be hurting, if you give away our name. To the people who live in the Shenandoah Valley this issue is much more than just that of a name on a bottle of wine. It is our past, the present, and our future. And it all depends on the decision you make. Think about it. Please let us keep our name and don't let anyone else use it.

Sincerely,

Tami Poole
Tami Poole



804-977-7799
24 HOURS

BARRY R. PLOTNICK (REY BARRY), G.R.I., BROKER
P.O. BOX 312 CHARLOTTESVILLE, VIRGINIA 22902

August 24, 1982

Chief
Regulations and Procedures Division
Bureau of ATF
PO Box 385
Washington, D.C. 20044

RE: SHENANDOAH VALLEY DESIGNATION

Dear Sir or Madam:

While growing up in Connecticut 45 years ago, I was well aware of certain areas of Virginia that had world reknown: Natural Bridge, the Blue Ridge Mountains, Hampton Roads, and the Shenandoah Valley.

The Port of New York Authority (now in league with New Jersey, yet) would never dream of naming the Hudson River "Hampton Roads," though associating that stinking stream with the toniest part of Long Island might be nice.

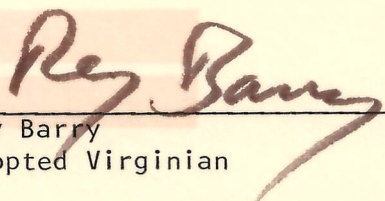
The Catskill Mountains have developed a certain reputation for coarseness but Promotors there would hardly attempt to change the image by calling their mounds the "Blue Ridge."

Yet California mercenaries from a valley they dare not publicize (at least I've not seen their location in print) have seen fit to grab off a name steeped in Eastern cultural heritage and append it to their humble locale.

I should think they'd like to take a famous name and use it to their ends, but they should not be allowed to do so. It would be as devious as my signing this letter

Cordially,

Gerry Brown
Governor of California



Rey Barry
Adopted Virginian

XC: Gov. Brown



MEMBER:

CHARLOTTESVILLE-ALBEMARLE MULTIPLE LISTING SERVICE
CHARLOTTESVILLE-ALBEMARLE BOARD OF REALTORS *
VIRGINIA AND NATIONAL ASSOCIATIONS OF REALTORS *
FARM AND LAND INSTITUTE



August 21, 1982

Chief of the Regulations and Procedures Division
Bureau of Alcohol, Tobacco, and Firearms
P.O. Box 385
Washington, D.C. 20044-0385

Dear Sir,

In reference to the controversy over the use of the title "Shenendoah Valley" by certain wineries, the solution seems very simple to me.

The "Shenendoah Valley" has a culture and heritage all its' own and goes back a long way in American history. Therefore, I feel that the name goes with the territory. I don't see how something that doesn't come from the "Shenendoah Valley" could possibly bear its' name. I hope you share these feelings with me.

Thank you for your time.

Sincerely yours,



Ted Morris, P.H.C.

Spotsylvania, Va. 22401

Rainbow's End Farm

Amosville, Fauquier Cty, Va 22002
24 August 1982

Dear Sirs:

Enclosed is a copy of an editorial which appeared in the Washington Post this date. I am not often moved to respond to editorials nor less to notices and public hearings but I must go on record opposing the use of the Shenandoah name for a California wine.

I don't suppose I can force the California valley to change its name but I can't sanction its use on an exclusive basis for any product. The Shenandoah Valley of Virginia and West Virginia is undeniably famous and the historical association cannot be waived.

Frankly I greatly prefer California wines. I've never had a Virginia wine that I enjoyed at all. I thought they were wretched, actually. But I know that I will never be moved to purchase a California wine called Shenandoah —



650 WATER STREET, SOUTHWEST,
ON WASHINGTON'S WATERFRONT

WASHINGTON, D . C . 20024
PHONE (202) 554-2500

August 24, 1982

U.S. Bureau of Alcohol
1200 Pennsylvania Avenue, NW
Washington, DC 20226

Gentlemen:

We, at Pier 7, play no favorites in our selection of wine. We carry both California and Shenandoah Valley, Virginia wine.

However, in regard to the editorial in the WASHINGTON POST on "Virginia Vineyards" we emphatically believe the name "Shenandoah Valley" belongs to Virginia.

Virginia and West Virginia were settled long before anyone heard of California. Thomas Jefferson, even though he failed, tried to cultivate wine grapes two hundred years ago.

Historically, the name belongs to the 12 Virginia - West Virginia counties. We therefore request the name "Shenandoah Valley" remain where it belongs, "this side of the wide Missouri."

Sincerely,


Alma & Manuel Fernandez
Proprietors

MF:sa

WASHINGTON'S WATERFRONT MOTEL
WASHINGTON, D . C . 20024

650 WATER STREET, SOUTHWEST,
PHONE (202) 554-2400



Virginia Vineyards

GOV. JERRY BROWN of California may be proud of his state's chablis and mountain red, but the grapes of Robb may not be far behind. Thomas Jefferson tried and failed to cultivate European and then domestic wine grapes near Charlottesville 200 years ago. But modern growers have had considerably more success, and the 12-county Shenandoah Valley area of Virginia and West Virginia now boasts 16 commercial vineyards and three wineries. But *our* Shenandoah Valley isn't the only place in the country to bear that name. There's one in California, too, and growers there have been producing wine grapes for decades.

None of this should cause any problem, but it has. Because of the increasing sophistication of the American wine industry, producers have begun to designate their wine by a geographic name. True Burgundy comes only from that province of France, and purists insist that champagne comes not from Upstate New York or the hills of Northern Italy, but only from that area of France that has given its name to the wine. Following this Gallic tradition, California growers now label their wine "Sonoma Valley," "Napa Valley" or "Mendocino," for example, to assure the customer that such wine differs, in a very special way, from that bottled in, say, Arkansas. It is the Bureau of Alcohol, Tobacco and Firearms in the Treasury Department

that has the responsibility for designating these "viti-cultural areas," and the wine experts over at the bureau are now faced with a unique problem: both Shenandoah Valleys—the one in California and the one in Virginia—produce wine, and both areas have applied for exclusive use of the name.

Jack Eisen, our Metro Notes columnist, who wrote of this conflict last week, is a longtime resident of Virginia but a native of California and the descendant of a winemaker to boot. He has claimed neutrality on this issue for sentimental reasons and because, if the truth be known, he likes the California wine. But the rest of us can't afford to be ambivalent. In the name of old Jimmy Stewart movies, heart-tugging lonesome cowboy songs and the memory of Mr. Jefferson, who did his best in this as well as all endeavors, the name Shenandoah clearly belongs this side of "the wide Missouri." BATF has already held hearings—on both coasts—on the conflicting claims, but it will accept written comments from the public until Oct. 4. This area will lose a part of its proud heritage if the name Shenandoah Valley is given exclusively to the winegrowers of California. Such a transfer would ignore history, confuse the public and deprive the growing Virginia wine industry of an important commercial asset. If you agree, let them know at the bureau.

Director: Bureau of

Alcohol, Tobacco and Firearms
U S Treasury Department.....

I agree with the viewpoints expressed in this editorial. After all Virginia and the Shenandoah Valley were in existence long before anyone ever heard of California.

William. H. Waters, 4507 MacArthur Blvd Wash DC 20007

W H Waters

August 31, 1982

[REDACTED]
Sterling, Virginia 22170

Chief, Regulations and Procedures Division
Bureau of ATF
Box 385
Washington, DC 20044-0385

Dear Chief;

I write this letter to object to the proposal by your agency to permit wine producers in Amador County, California the exclusive right to label their wine as coming from the Shenandoah Valley.

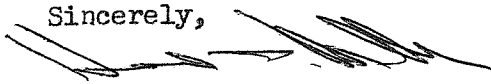
First, and foremost, the Shenandoah Valley is located in the Western part of the state of Virginia. That name has been used for that region of the state since before 1750. In the book, "A History of the Shenandoah County, by Dr. John W. Wayland, on page 591 is stated that a General Marquis Calmes, born in 1745 of Woodford County, Kentucky, resided in Clark County, Virginia at a place called, "the Vineyard," before moving to Kentucky. This would indicate that the early settlers were also growing grapes in Clark County during the mid-1750s. Clark County, Virginia is located in the Shenandoah Valley of Virginia. In this same book on page 47 is found where a Louis Michelle in 1707 and others explored the Shenandoah Valley. He found the name Shenandoah in the form of "Cemuntua". Later a Baron De Graffenreid called Michelle's "Cenuntua," "Senantca" according to Wayland, variants of Shenandoah.

Second, not only does a wine industry exist in the Shenandoah Valley of Virginia and West Virginia today, but it has existed since 1745. This area of Virginia covers some 2.4 million acres, 16 commercial vineyards, and 3 commercial wineries. If the wine industry continues to grow, it could rank as one of the top wine producing areas of the world. What region would it be called if not the Shenandoah Valley? The Shenandoah Valley of Virginia and West Virginia has never been known by any other name.

Third, the Shenandoah Valley in California is only in one county, I understand, while the Shenandoah Valley in Virginia includes 12 counties, not only in Virginia, but also ~~two~~ in West Virginia, two states. The Shenandoah Valley of Virginia and West Virginia also includes at least 3 congressional districts.

For these reasons, I propose that the exclusive right to label wine products be given to the Shenandoah Valley of Virginia and West Virginia, not to the Amador County region of California.

Sincerely,



Howard G. Miller

Phillips Publishing, Inc.

7315 Wisconsin Avenue, Suite 1200N, Bethesda, Md. 20814 301-986-0666

August 26, 1982

Bureau of Alcohol, Tobacco and Firearms
Washington, DC

To whom it may concern:

It seems clear to me that Virginia's wine producers have first and only rightful claim to the appellation of "Shenandoah Valley". Virginia has been part of America for at least a full century before California came into the picture. The Shenandoah Valley of Virginia is also bigger and better known.

California has no rightful claim to the appellation.

Sincerely,



Vincent A. Drosdik, III
Managing editor

Consumer Group:

The American Sentinel
Real Estate
Intelligence Report
The Retirement Letter
Forecasts & Strategies

Communications Group:

VideoNews
CableNews
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Rt. 2, Box 357

GENERAL MECHANICAL & REFRIGERATION SERVICE & PARTS

Telephone 942-1695

Waynesboro, Virginia - 22980

8/28/82

Chief Regulations +
Procedure Div
US Bureau of Alcohol,
Tobacco and Firearms,

Regarding the name Shenadoah Valley on wine, I wish to convey my strong feelings, that Va. has the only legal claim to this title. I feel strongly enough to donate to a legal fund to go to court over this.

Please reconsider giving both Va and California this name which will only lead to confusion and degrade both industries.

R M Williams

9 Sep 82

With ref. to the matter of the Calif. wine people taking exclusive use of our Shenandoah Valley name for their wine, we, who've always lived here in the Valley take exception to it. In all my travels over the Eastern U.S. I haven't run across anyone who didn't feel, as we do, that it shouldn't be allowed.

It's bad enough that they would even use our name on their wine, but to demand exclusivity. That takes the cake.

Yours Sincerely
John C. Crain
New Market, Va

Bethesda, Maryland 20814

OLIVER 2-4842
370-5242

August 25, 1982

U. S. Treasury, Dept.

Bureau of Alcohol, Tobacco & Firearms
1200 Pennsylvania Ave N.W.

Washington D.C.

Gentlemen: Re: Shenandoah Valley of Virginia
Wine Area

Please permit this area to
have the exclusive use of this
geographic name for wine designation.

With the important historic role
that our Shenandoah Valley, of Virginia
has had in the settlement and development
of our nation, let's honor its name!

Please RETAIN the name for
our Eastern Wines of Shenandoah
Valley, of Virginia! Thanks, Virginia of Good

[REDACTED]
Arlington, Virginia 22205

September 8, 1982

Bureau of Alcohol, Tobacco and Firearms
Treasury Department
1200 Pennsylvania Ave., N.W.
Washington, D.C.

Dear Sirs:

We read recently in the Washington Post about the controversy of Virginia and California wanting to use the name "Shenandoah Valley" for its wine.

We would like to add our vote toward keeping the name this side of the Rockies. There is only one original Shenandoah Valley (a 12-county area of Virginia and West Virginia). Pioneers obviously took the name with them when they journeyed across the country.

Just as there are place names across this country, in our area Vienna, Richmond, and Paris to name but three, no one would dispute the origin of their names in Europe, namely in Austria, England, and France respectively.

There is only one original anything. Let us keep that in mind. I am sure that the California growers can find a more natural and local name for their wines that would not conflict with the original Virginian one. A new name will not detract from their excellent wines.

We hope that you receive many more such favorable votes from our area before your October 4 deadline.

Sincerely yours,

Alden B. Bradford Jenifer Bradford

Alden and Jenifer Bradford

*From
10-4-82*

29 September 1982

Mr. Stephen E. Higgins
Acting Director, Bureau of Alcohol, Firearms, and Tobacco
1200 Pennsylvania Avenue NW
Washington, D.C. 20226


Dear Sir:

Re: The issue concerning the exclusive use of the name "Shenandoah" to identify wines from Virginia or California.

We support the use of "Shenandoah" as a legitimate name for the sole use by the vinters of Virginia's Shenandoah valley. We feel that Virginia's vinters have the legitimate claim to this name since oenoculture has long been practiced in the Virginia valley long before the industry developed in California.

We hope that your decision in this matter will be to reject the claim of the California winegrowers.

Sincerely,



James E. Giles, III
Inez M. Ferchak

████████████████████
Arlington, Virginia 22206

THE JEFFERSONIAN WINE GRAPE GROWERS SOCIETY
and
ALBEMARLE HARVEST WINE FESTIVAL

August 27, 1982

Chief Regulations and Procedures Division
Bureau Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D.C. 20024

Dear Sir:

As president of The Jeffersonian Wine Grape Growers Society of Charlottesville, Virginia, I am writing to you on behalf of our board of directors and members of our association.

We strongly believe that the Virginia petition for the use of the name Shenandoah Valley as a viticultural area rightfully and historically belongs to Virginia. It should not be awarded to California as petitioned since it would only confuse the public who are now purchasing wines from Virginia's Shenandoah Valley in the correct belief that the lore of the area dates back to before the Civil War. No Virginian or American would think that the historic events which took place in the Shenandoah Valley relate in any way to California. For example, the very name Shenandoah is derived from the American Indian's language and means "Daughter of the Stars". The Indian tribes lived in Virginia, not California. Adam Harman, a German pioneer who settled in Virginia's valley in 1736, and Mennonites along with ancestors of President Eisenhower's mother were also early settlers in the Virginia valley - not California.

Thomas Jefferson, our famed Virginia president, writing in his famous "Notes on The State of Virginia" published in 1801 speaks of the geography; "You stand on a very high point of land. On your right comes up the Shenandoah having ranged along the foot of the mountain a hundred miles to seek a vent". "Stonewall" Jackson in 1862 fought one of the most memorable campaigns of the Civil War in the Shenandoah Valley. Virginia's, not California's! Shenandoah National Park and the spectacular Skyline Drive lures tourists from all over the world. They know they are coming to Virginia...not California!

The wealth of historical evidence clearly lies heavily on the side of Virginia's Shenandoah Valley which we feel deserves to be approved for our state as a viticultural area.

Sincerely,

Felicia W. Rogan

Mrs. John B. Rogan

FWR/slm

2 Boar's Head Lane
Charlottesville, Virginia 22901

Telephone 804 296-4188

COMMONWEALTH OF VIRGINIA



FRANK W. NOLEN
24TH SENATORIAL DISTRICT
AUGUSTA, HIGHLAND AND ROCKBRIDGE
COUNTIES; CITIES OF BUENA VISTA,
LEXINGTON, STAUNTON AND WAYNESBORO
P. O. BOX 13
NEW HOPE, VIRGINIA 24469

COMMITTEE ASSIGNMENTS:
AGRICULTURE, CONSERVATION AND
NATURAL RESOURCES
COMMERCE AND LABOR
EDUCATION AND HEALTH
REHABILITATION AND SOCIAL SERVICES

SENATE

September 8, 1982

Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, DC 20044-0385

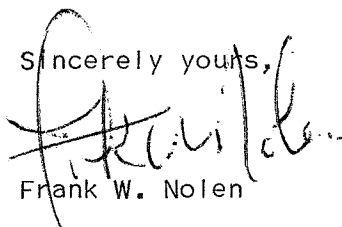
(Notice No. 419)

Dear Sir:

As expressed in earlier letters, I am very much in support of the area as described in Notice No. 419 receiving the designation of Shenandoah Valley viticulture area.

I am sure you will give this matter careful consideration, and I hope your decision will be a favorable one.

With best wishes, I am

Sincerely yours,

Frank W. Nolen

FWN:jms

FRED W. WALKER
Director
JERALD F. MOORE
Deputy Director



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STATE PARKS
VIRGINIA STATE TRAVEL SERVICE

COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

VIRGINIA STATE TRAVEL SERVICE
Ninth Street Office Building
202 North Ninth Street, Suite 500
(804) 786-2051
MARSHALL E. MURDAUGH, Commissioner

September 29, 1982

Mr. Thomas George, Chief
Regulations & Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D. C. 20044-0385

SUBJECT: Notice No. 419

Dear Mr. George:

The Virginia State Travel Service wishes to go on record in support of the Shenandoah Valley Viticultural Area petition, which encompasses 10 Virginia and 2 West Virginia counties.

Through this agency, the State of Virginia has spent millions of dollars and enormous effort over the past 30 years in national and international advertising, feature stories, photos, motion pictures and other means to project and enhance the image of Virginia's famous Shenandoah Valley, which is one of our main assets and attractions.

In short, the words "Shenandoah Valley" are an important and valuable component of the image of Virginia, and as such are of great value to the State's multi-billion dollar tourism industry.

Thank you very much for your time and favorable consideration of this request.

Sincerely yours,


Marshall E. Murdaugh

cc: Joseph D. Grandstaff

/dbt



E. E. BURGE
County Administrator

Board Of Supervisors

COUNTY OF PAGE
ADMINISTRATION BUILDING
LURAY, VIRGINIA 22835
(703) 743-4142

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RICHARD S. CATRON - District 1
CHARLES I. GRIFFITH - District 2
L. WAYNE HOUSDEN - District 3
MEDFORD L. PAINTER - District 4
ROY W. COMER - District 5

September 14, 1982


Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D. C. 20044-0385

Dear Sir:

At the regular scheduled meeting of the Page County Board of Supervisors on September 13, 1982, the Board agreed to support action by the Bureau of Alcohol, Tobacco and Firearms (BATF) that would designate areas in Virginia and West Virginia as the Shenandoah Valley Viticultural Area.

The Board realizes the expansion of the wine grape and wine production industry is both suitable and necessary for the agriculture industry in the Shenandoah Valley, therefore, the Supervisors strongly support all efforts by the Bureau of Alcohol, Tobacco and Firearms to continue the usage of the Shenandoah Valley name on all products manufactured in the area.

Respectfully submitted,


E. E. BURGE
County Administrator

EEB:lab

SUPERVISORS

BATTLETOWN DISTRICT
EUSTACE B. JACKSON
Chairman
Berryville, Va. 22611
Tel.: 955-1688

RALEIGH H. WATSON, JR.
Berryville, Va. 22611
Tel.: 955-1189

GREENWAY DISTRICT
A. R. DUNNING, JR.
Boyce, Va. 22620
Tel.: 837-1719

COUNTY OF CLARKE

BOARD OF SUPERVISORS

P. O. Box 169

BERRYVILLE, VIRGINIA 22611

COUNTY ADMINISTRATOR
G. ROBERT LEE
Tel.: 955-3269

SUPERVISORS

LONGMARSH DISTRICT
JOHN D. HARDESTY
Vice-Chairman
Berryville, Va. 22611
Tel.: 955-2127

CHAPEL DISTRICT
ROBERT H. HUMMER
Millwood, Va. 22646
Tel.: 837-1194

September 22, 1982

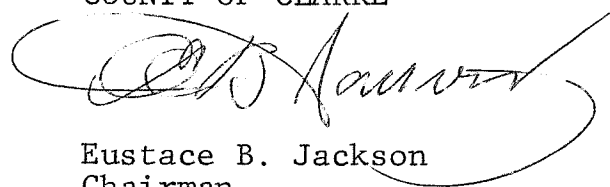
Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
Box 385
Washington, D.C. 20044-0385

Dear Sir:

The Board of Supervisors of the County of Clarke, in meeting assembled the twenty-first day of September 1982, considered the RESOLUTION OF THE LORD FAIRFAX PLANNING DISTRICT COMMISSION ENDORSING ACTION BY THE BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS (BATF) THAT WOULD DESIGNATE AREAS IN VIRGINIA AND WEST VIRGINIA AS THE SHENANDOAH VALLEY VITICULTURAL AREA (copy attached). The Board endorses the aforesaid Resolution of the Lord Fairfax Planning District Commission and exhorts the BATF to officially accord the Virginia and West Virginia viticulturalists the locational reference which has been endowed by history and tradition.

Sincerely,

COUNTY OF CLARKE



Eustace B. Jackson
Chairman

EBJ/srs

cc: The Honorable Harry F. Byrd, Jr.
The Honorable John W. Warner
Lord Fairfax Planning District Commission

Attachment

COUNTY OF WARREN



J. RONALD GEORGE
County Administrator

P.O. BOX 908
FRONT ROYAL, VIRGINIA 22630
(703) 636-9973

BOARD OF SUPERVISORS

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BERNARD L. STOKES
Vice-Chairman

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LYNWOOD L. MORRISON
RICHARD D. TRENARY

September 23, 1982

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
Box 385
Washington, D.C. 20044-0385

Dear Sir:

At its regular meeting of September 21, 1982, the Board of Supervisors of the County of Warren voted unanimously to endorse the Resolution of the Lord Fairfax Planning District Commission approving Notice Number 419 of the Bureau of Alcohol, Tobacco and Firearms. This Notice would designate an identified area of Virginia and West Virginia to be known exclusively as the Shenandoah Valley Viticultural Area.

The Board strongly supports the contention of the Lord Fairfax Planning District Commission that historically and practically the name Shenandoah Valley should refer only to that region of Virginia and West Virginia where the Shenandoah River flows.

Sincerely yours,

Robert F. Looney
Chairman

RFL:hms

cc: R. Edward Duncan
Executive Director, LFPDC

Frederick County
Board of Supervisors

~~JAMES M. WATKINS~~
COUNTY ADMINISTRATOR

P. O. Box 601
9 COURT SQUARE
WINCHESTER, VIRGINIA 22601

September 23, 1982

Chief
Regulations & Procedures Division
Bureau of Alcohol, Tobacco & Firearms
Box 385
Washington, D.C. 20044-0385

Dear Sir:

Attached please find a copy of the resolution passed by the Frederick County Board of Supervisors, at their regular meeting on September 22, 1982, unanimously approving Notice Number 419 of the Bureau of Alcohol, Tobacco and Firearms.

Should you require additional information, please contact the office at the above address.

Sincerely yours,

Carol T. Bayliss

Carol T. Bayliss
Deputy Clerk, Board
of Supervisors

CTB:tjp

Attachment

At a Regular Meeting of the Board of Supervisors of the County of Frederick, Virginia, held on the 22nd day of September, 1982, at 7:00 P.M., in the Board of Supervisors' Meeting Room, 9 Court Square, Winchester, Virginia the following action was taken:

Upon motion made by Kenneth Y. Stiles, seconded by William H. Baker and passed unanimously, the following was approved:

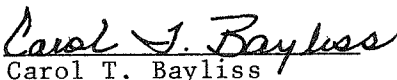
WHEREAS, the County of Frederick, Virginia is currently a member of the Lord Fairfax Planning District Commission; and,

WHEREAS, the County of Frederick, Virginia would be part of the proposed Shenandoah Valley Viticultural Area; and,

WHEREAS, the Board of Supervisors have reviewed the resolution passed by the Lord Fairfax Planning District Commission at their meeting on September 9, 1982 in support of the application to the Federal Bureau of Alcohol, Tobacco and Firearms.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Frederick, Virginia wholeheartedly endorse the above referenced resolution.

A COPY TESTE:


Carol T. Bayliss
Deputy Clerk, Board of
Supervisors



THE VINIFERA WINE GROWERS ASSOCIATION
THE PLAINS, VIRGINIA
22171

October 3, 1982

Chief, Regulation & Procedures Div.,
Bureau of Alcohol, Tobacco & Firearms
P. O. Box 385,
Washington, D. C. 20044-0385

Ref: BATF Notice No. 419
Shenandoah appellation


Dear Sir/Madam:

In accordance with your notice No. 419 of August 20, 1982,
subject, "Shenandoah Valley Viticultural Area Proposed For Va.,
West Va." the Vinifera Wine Growers Association supports the use
of this appellation by these states only.

Enclosed is a copy of our letter of today to the Secretary of the
Treasury on this subject which provides more details.

As we stated in that letter, to award the appellation to any other
state region than Virginia and West Virginia would be to flaunt history,
tradition, and logic. It would also cause vast and longterm consumer
confusion.

Sincerely,


R. de Treville Lawrence, Sr.
President & Editor

Inc. cpy. ltr.
cpy. Journal



VINIFERA WINE GROWERS ASSOCIATION

BOX P
THE PLAINS, VIRGINIA 22171

(703) 754-8564

October 3, 1982

The Honorable Donald T. Regan
Secretary of the Treasury
15th Street & Pennsylvania Ave., N.W.,
Washington, D. C. 20220

Ref: BATF, Shenandoah
appellation.

Dear Secretary Regan:

The Vinifera Wine Growers Association is a national organization with members in almost every state. Its quarterly Journal, complimentary copy enclosed, circulates to all of these and to nine foreign countries. Formed nearly ten years ago, it has been in the forefront of the Nation's winegrowing "revolution".

The Association has closely followed the controversy over the use of the name "Shenandoah" as an appellation on wines from both a California area and the large traditional Shenandoah region of Virginia and West Virginia. The 12-county area of the latter now has 16 commercial vineyards and three wineries.

In response to a notice of August 20, 1982 from the Bureau of Alcohol, Tobacco and Firearms, The Vinifera Wine Growers Association opposes the use of the Shenandoah appellation by any other region in the United States other than the Virginia and West Virginia area.

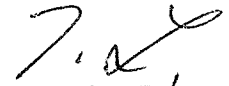
The Virginia and West Virginia region has about 2,900 square miles as compared to the approximate 20 square miles in California.

Our Association would also oppose a compromise solution of letting both regions use the Shenandoah name. This would result in consumer confusion and detrimental to the wine interests in both, rather all three, states.

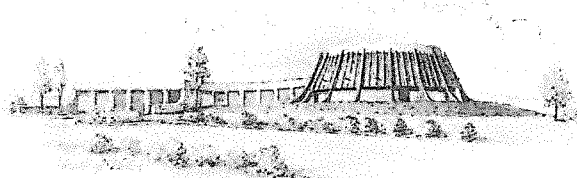
True Burgundy comes only from Burgundy, France. True Shenandoah wines must come from the true Shenandoah region well known in our history books, legends, and even songs. To award the appellation to anywhere other than the true Shenandoah Valley in the East would be to flaunt history, tradition, and logic.

A copy of this letter is being mailed to the Bureau of Alcohol, Tobacco and Firearms for its guidance.

Sincerely,


R. de Treville Lawrence, Sr.
President & Editor

Copy: BATF
Inc.; Journal



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ADMINISTERED BY VIRGINIA MILITARY INSTITUTE

1 October 1982

Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco, and Firearms
P.O. Box 385
Washington, D. C. 20044 - 0385

Notice No. 419

Dear Sir:

I wish to submit this letter in support of the petition submitted by Shenandoah Vineyards, Edinburg, Virginia, to designate a viticultural area in Virginia and West Virginia to be known as "Shenandoah Valley."

The above mentioned designated area coincides with the already famous and historically well-known Shenandoah Valley.

This particular valley of the Virginias was referred to as the Shenandoah Valley as far back as the first settlers of western Virginia and was further enhanced by "Stonewall" Jackson. The history books and federal records document this as "Jackson's Valley Campaigns."

Because the Shenandoah Valley in the Virginias is already known and respected world-wide, I feel it only appropriate that this area be approved as a Shenandoah Valley viticultural area. There would be no confusion on the part of the consumer to easily identify any labeling with "Shenandoah Valley" as originating in the Virginias.

Sincerely,

Robert S. Myers
Acting Director

RSM/bbm



TOWN OF MT. JACKSON

P.O. Box 382
MT. JACKSON, VIRGINIA 22842
(703) 477-2121

29 September 1982

Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco, and Firearms
P. O. Box 385
Washington, D. C. 20044-0385

Notice No. 419

Dear Sir,

The Mount Jackson Town Council unanimously voted to support the petition of Shenandoah Vineyards, Edinburg, Virginia to designate a viticultural area in Virginia and West Virginia as "Shenandoah Valley."

The Council's position is that it is only appropriate for the above mentioned area to be designated as a viticultural area since the area itself is known world-wide for its historical significance. The consumer would easily identify any labeling with "Shenandoah Valley" as originating in the Virginias.

Tradition and judiciousness would dictate this viticultural area to be known as "Shenandoah Valley" just as the present Shenandoah Valley has been known for hundreds of years and by millions of people.

Sincerely,

Robert S. Myers
Councilman

[REDACTED]
Lake Forest, IL 60045
September 24, 1982

Chief, R&P Division
BATF, POB 385
Washington DC 20044

re: Notice No. 419

To the Chief of the Division:

Last January 1 testified in Harrisonburg, Virginia concerning a proposal to designate an area in California as a viticultural area. For that reason, I assume you have sent me a notice of a petition to designate the Virginia Shenandoah Valley as "Shenandoah Valley." I have read the notice you have sent me (I am now living in Illinois) and offer the following comments:

1. Although your Federal Register notice is very clear, it omits the only crucial aspect of this absurd waste of public time, namely, that a place in California wishes, for commercial reasons, to take over the name "Shenandoah Valley" and have the federal government give an exclusive right to this. There is not a word in the August 20 notice which hints that the true issue is which place in the country is to be given this name. This may follow your regulations, but it violates common sense.
2. As to current grape growing, I have no doubt that the California area grows more wine grapes. Whether this will be true in ten years or fifty years, I do not know how one can say.
3. But even if one could be certain that the California area would always grow more wine grapes; in fact even if one could be certain that in the large West Virginia and Virginia area proposed for "Shenandoah Valley" absolutely no grapes would be grown, the California petition is historical, cultural, and geographical nonsense. There is no reason why a federal agency should play Orwellian games with American traditions and confuse a matter already clear. Shenandoah Vineyards, in Edinburg, Va., would not have been interested in this entire expensive and foolish procedure had you exercised common sense from the beginning. Anyone who has heard about the current dispute between the California and Va/WVa regions comes quickly to the conclusion that the Californians are commercial sharpies and that the BATF is composed of bureaucratic fools. I do not normally use such language, but that is the public perception of this issue, and it may not hurt to say it directly.
4. You ask whether the proposed area should include "the applicable word 'Virginia' or 'West Virginia.'" It should not, and it should not for the same historical and cultural reasons that should have governed this dispute all along. The region is based on a valley of a river, not on the accidents of state boundaries. Until the mid-1860's, of course, there was no West Virginia; but for perhaps a century and a half before that, and in the century and a quarter since, it was always simply "Shenandoah Valley." It should remain that way. The alternative simply opens up the way for craven compromise, with an eventual "Shenandoah Valley, California," which is as sensible as "Usa, Japan."

Sincerely,

Charles A. Miller

Charles A. Miller

EASTERN PANHANDLE REGIONAL PLANNING
AND
DEVELOPMENT COUNCIL • REGION 9

SERVING MORGAN, BERKELEY AND JEFFERSON COUNTIES

TELEPHONE 304 263-1743
121 WEST KING STREET
MARTINSBURG, WEST VA. 25401

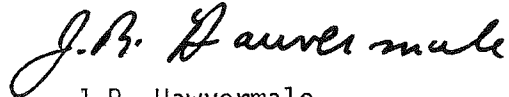
October 26, 1982

Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
Box 385
Washington, DC 20044-0385

Dear Sirs:

Please find enclosed a resolution of our council supporting the designation of specific counties in Virginia and West Virginia as the Shenandoah Valley Viticultural Area. Your notice number 419 applies to this case.

Sincerely,



J.R. Hawvermale
Executive Director

JRH:vj

cc: R.E. Duncan
Bob Pliska
Honorable Gus R. Douglas
Shenandoah Vineyards

EASTERN PANHANDLE REGIONAL PLANNING
AND
DEVELOPMENT COUNCIL • REGION 9
SERVING MORGAN, BERKELEY AND JEFFERSON COUNTIES

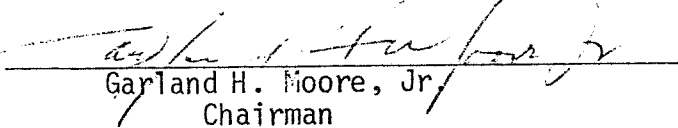
TELEPHONE 304 263-1743
121 WEST KING STREET
MARTINSBURG, WEST VA. 25401

Resolution # 2 -83

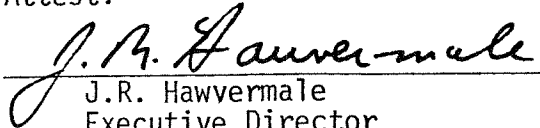
A Resolution of the Eastern Panhandle Regional Planning and Development
Council - Region 9

- WHEREAS: The Region 9 Council has been established under West Virginia law as the regional body representing Berkeley, Jefferson and Morgan Counties, and
- WHEREAS: The Region covers about 340,000 acres of the 2.4 million acres proposed for the Shenandoah Valley Viticultural Area, and
- WHEREAS: The expansion of the grape production industry is both suitable and necessary for the agricultural economy of the Region and is consistent with the goals of the Region 9 Development Program, and
- WHEREAS: The name Shenandoah Valley is nationally recognized to refer only to the Valley of the Shenandoah River as it flows through Virginia and West Virginia now
- THEREFORE, Be it Resolved That
- The Bureau of Alcohol, Tobacco and Firearms (BATF) be petitioned to approve the designation of the Virginia Counties of Frederick, Clarke, Warren, Shenandoah, Page, Rockingham, Augusta, Rockbridge, Botetourt and Amherst, and the West Virginia Counties of Berkeley and Jefferson, to include the various towns and cities located within these counties, as the Shenandoah Valley Viticultural Area

Adopted unanimously by the General Membership of the Region Council at their regular meeting on October 20, 1982


Garland H. Moore, Jr.
Chairman

Attest:


J.R. Hawvermale
Executive Director

MICHAEL N. OWEN
CERTIFIED PUBLIC ACCOUNTANT

P.O. Box 668
Pollock Pines, CA 95726
(916) 644-2337

1335 Main Street
St. Helena, CA 94574
(707) 963-7123

James A. Hunt, Research and Regulations Branch
Bureau of Alcohol, Tax, and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

Re: Establishment of Shenandoah Valley Viticultural Area

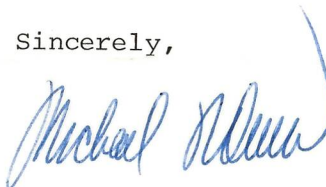
Gentlemen;

As a wine consumer and a CPA involved in the wine industry, I must protest the consideration of the establishment of a viticultural area known as "Shenandoah Valley" in Virginia and West Virginia.

1. Any viticultural area of 2.4 million acres with an altitude variation of 275 to 4,200 feet can have no distinguishable geographic features that will aid consumers in identifying wines produced in that area.
2. The number of existing vineyards and wineries in that area, is miniscule in comparison to existing vineyards and wineries in the proposed Shenandoah Valley viticultural area of California.
3. Political considerations and the intercession of un-knowledgable parties not involved in the wine industry should not influence the establishment of a viticultural area.

Please keep me informed of your progress on the denial of Virginia and West Virginia and the approval of California for the use of the Appellation of Origin "Shenandoah Valley".

Sincerely,



Michael N. Owen
Certified Public Accountant

September 23, 1982

Front Royal, VA 22630
September 23, 1982

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

Attention: Notice No. 419

Dear Chief:

I support the establishment of a viticultural area to be known as "Shenandoah Valley" to designate the grape growing area of the Shenandoah Valley of Virginia/West Virginia. The viticultural area should include all the counties listed in the application of Shenandoah Vineyards, Edinburg, Virginia, and be expanded to include all present and future Virginia cities whose boundaries are within the counties named. Virginia is the only state where cities and counties are totally separate. Therefore, the current Virginia cities of Winchester, Harrisonburg, Staunton, Waynesboro, and Buena Vista should be specifically included as well as any future cities created in these Virginia counties.

Concerning the inclusion of Clarke and Warren Counties, according to the 1975 Warren County Comprehensive Plan, in the 1860's the Belmont Vineyards of Warren County were shipping 30,000 gallons of grape wine a year plus 10,000 gallons of brandy. Clearly, Warren County and its northern neighbor, Clarke County, have the potential for wine grape production. In 1978, Clarke County's fruit, nut and berry crop had a market value of \$8.5 million according to the Census of Agriculture. I expect commercial vineyards to develop in both of these counties. Since the Shenandoah Valley of Virginia is suited for this industry and has the economic need for this agricultural use of the land, the future use of the name "Shenandoah Valley" should be reserved for this area by creation of a viticultural area.

Sincerely,



Thomas J. Christoffel, AICP

██████████
 MT. JACKSON, VA. 22842

Chief, Regulations and Procedures Division
 Bureau of Alcohol, Tobacco and Firearms
 P.O. Box 385
 Washington, D.C. 20044- 0385

Sept. 24, 1982

(Notice No. 419)

My position regarding the use of the term "Shenandoah Valley" to designate a vitacultural area was quite clearly stated in my presentation at the Harrisonburg, Virginia hearings on Jan. 12, 1982 (Notice # 391) and in my letter of July, 4, 1981.

This term can be appropriately used only in designating certain lands that were totally within Virginia in Colonial Times and within the State of Virginia during most of the first century of the United States.

1. The Shenandoah Valley was divided between Virginia and West Virginia in 1863. Since then it has been so clearly recognized. There appears to be no reason to include the words "Virginia" and "West Virginia" in the name of the the vitacultural area designation -- "Shenandoah Valley" should be sufficient, unless there is in fact a vitacultural difference as the border line is crossed. The line dividing the Valley between the two States is essentially political rather than a geographic, topographic or other physical line. Identification by State for specific vineyards or wineries is generally accomplished by address--zip code and area code.
2. The Shenandoah Valley drainage basin-wise extends upward from the mouth of the main river near Happers Ferry, W. Va. to the headwater springs of the North and South Forks and the tributaries that flow into these Forks.

Despite this I do not find it too difficult to go along with argument of petitioner -- (as stated in Federal Register of 20 August 1982 pp 36446-7) -- that based on soils, terrain, geographic features, etc. the Shenandoah Vitacultural Area could be logically extended somewhat farther southward to include those parts of the contiguous or adjacent counties that are West of the Blue Ridge but drain into the James--the parts of them North of the main James.

Historically there appears to have been some differences in local and national usage as to where to divide the great valley of Virginia as between the Shenandoah, James and Roanoke Valleys. Streams and streamlets, creeks and runs are interlaced with no sharp divides in some of the border areas. No sharply outlined geographic division appears to exist in the folded sedimentary trough between the older Blue Ridge and the newer mountains to the West until the James is reached. When going up the Valley from the Potomac, the James is the first major barrier transversing the entire geological trough. This also provides a practical definition eliminating the need for surveying a zig-zag line between runs and hollows in Augusta and Rockbridge.

3. I do not have information on current or prospective grape production in the four counties referred to in question 3. However, it seems to me Counties or portions thereof which fall within the perimeters of geologic, soils, climatic, etc. area decided upon should be included whether or not grapes are produced at this time.
- 4, 5, and 6. See responses to question 1, 2 and 3 above.


 Arthur J. Holmaas

SKYLINE CAVERNS

September 10, 1982

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

RE: Notice No. 419

Dear Sir or Madame:

Here are some of my thoughts on the matter of using the name "Shenandoah Valley" to designate the proposed viticultural area in the valley of the same name as a wine producing region.

I note in specific questions - Name - No. 1, on page 36447 of the Federal Register, vol. 47, no. 162 for Friday, August 20 - thoughts on the name designation are requested, I suggest the viticultural district be designated: "Shenandoah Valley of the Virginias." This terminology has been used for a number of years by the Shenandoah Valley Travel Association to identify, due to the fact the West Virginia Counties of Berkeley and Jefferson are included in the geographical area known as the Shenandoah Valley.

Question Two - Boundries - Dealing with the information that currently there are no vineyards in Clarke, Warren, Amherst or Botetourt Counties - This is to advise the operator of a vineyard in the extreme southwestern portion of Frederick is looking for additional lands to be leased for future production of grapes. It is my understanding the search specifically includes lands in Warren County. In addition, there is a possibility a small group of men from Front Royal, County Seat of Warren County, may form a new company to establish a vineyard in Warren County. In fact, the original plan was to have had vines already planted by this time. However, the high interest rates currently prevailing have acted to prevent active work from being started yet. This information is intended to put you on notice that vineyards in Warren County are a very real possibility in the future. I feel certain the inclusion of Warren County (and the other three counties mentioned) in the viticultural area would serve to spur interest in establishing additional vineyards in the future. Conversely, if they are left out, it could be a detriment to such future business development.

As a general comment on the boundries of the area known as the Shenandoah Valley of the Virginias, it should be noted the Shenandoah Valley Travel Association recognizes the area from the Roanoke metro area north to Harpers Ferry, W. Va. as it's area of promotional activities. This, I believe, covers an area of 26 counties in two states. The much smaller area encompassing the proposed viticultural area fits comfortably within this larger mass.



NATIONAL CAVES ASSOCIATION



September 10, 1982

In addition, the WORLD BOOK ENCYCLOPEDIA, on page 321 of Book 17, notes the Shenandoah Valley "includes the seven counties drained by the Shenandoah River, and much of the area drained by the James River west of the Blue Ridge ..." There is ample justification for including the area including the James River drained sections in the viticultural area.

It can also be noted the U. S. Government has already recognized the fact THE Shenandoah Valley lies in Virginia and West Virginia. It is a well known fact the Shenandoah National Park lies in Virginia, with it's headquarters at Luray, Virginia 22835. The Shenandoah Valley is so closely identified with Virginia as to make arguments to the contrary pointless. George Washington surveyed much of the area for his patron, Lord Fairfax. His surveyor's office is open today as a tourist point of interest in Winchester, Virginia. Washington took part in the campaigns in the French and Indian Wars using Winchester as a base. It has been said that Washington spent more time in the Shenandoah Valley than anywhere else other than Mount Vernon during his lifetime. Of course, a gentleman named Thomas Jonathan Jackson carved quite a reputation for himself during the Civil War in the Valley. The Valley was known as the "breadbasket of the Confederacy," and as long as foodstuffs from the Valley reached Robert Edward Lee and Company, the Army of Northern Virginia was a formidable opponent. After Phil Sheridan laid waste to the Valley in 1864, the end of Lee's powers was obvious - and came to an end the following April.

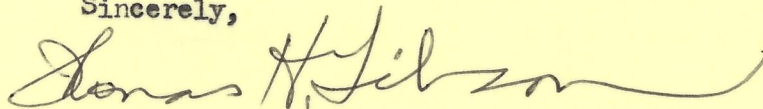
With the overwhelming historical facts connected with the Valley, no other Johnny-Come-Latelys need apply. I mentioned Winchester - it is the first English speaking settlement west of the Blue Ridge - in the Shenandoah Valley, in Virginia.

The Shenandoah River flows from Augusta County, Virginia to the Potomac at Harpers Ferry - and the Shenandoah is the largest tributary of the Potomac. It is fabled in song and story ...

It should also be noted briefly that the early French settlers in the Valley raised grapes to produce wine. Before becoming known as Front Royal, the settlement was known as LeHewtown, after an early French settler.

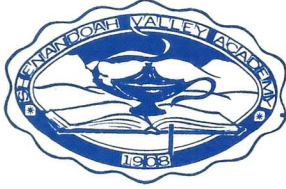
Thank you for your attention to these remarks. We look forward to receiving word the BATF has approved the Shenandoah Valley of the Virginias viticultural area.

Sincerely,



Thomas H. Gibson
Executive Vice President

THG:sj



Shenandoah Valley Academy

Route 1, Box 29 • New Market, Virginia 22844 • (703) 740-3161

January 13, 1982

Bureau of Alcohol, Tobacco and Firearms
Harrisonburg
Virginia

Gentlemen:

In respect to the current controversy over the name of the Shenandoah Valley, I have no interest in the sale of wine, but I am deeply concerned about the use of the name of the Valley.

I am assistant principal of Shenandoah Valley Academy; our property borders the Shenandoah River; I live on Shenandoah Drive, in Shenandoah County. Our students often visit Shenandoah Caverns and Shenandoah National Park. It is inconceivable to me that anyone from outside the Shenandoah Valley of Virginia be allowed to use the name.

I urge and request that the use of the name of Shenandoah Valley be limited to what has been the Shenandoah Valley for hundreds of years.

Sincerely,

William J. Strickland
Vice Principal

st



COMMONWEALTH of VIRGINIA

Office of the Governor

Richmond 23219

Charles S. Robb
Governor

September 24, 1982

Mr. Thomas George
Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 385
Washington, D.C. 20044

Dear Mr. George:

On behalf of the Commonwealth of Virginia, I hereby submit for the record an unequivocal endorsement of the petition by Shenandoah Vineyards of Edinburg, Virginia, for a Shenandoah Valley viticultural area designation. In my estimation, this is the only valid application for a Shenandoah Valley appellation of origin that you have before you.

By now you are quite familiar with the various positions taken in the heated controversy that has developed over the past year and a half. At your public hearings in Harrisonburg last January, a number of Virginians, including myself, submitted statements opposing a petition from California requesting the designation of a Shenandoah Valley appellation of origin for that state. At that time, convincing arguments for reserving the name "Shenandoah Valley" for Virginia were presented for the record.

During the 1982 Session of the Virginia General Assembly, our state legislature clearly expressed its position on this issue in passing Senate Joint Resolution 8. This resolution, which had my support, requested that your agency refuse the California petition and reserve the designation "Shenandoah Valley" for the Commonwealth in perpetuity. A copy of SJR 8 is enclosed for the record.

In support of our position, I would like to reiterate several important points. First of all, an appellation of origin is intended to provide exclusive designation for a particular area as a winegrowing region. The idea of any compromise solution that would allow both Virginia and California the use of "Shenandoah Valley" is therefore unacceptable.

Mr. Thomas George
September 24, 1982
Page 2

Second, the purpose of your agency's regulation on the designation of viticultural areas (Title 27, Code of Federal Regulations, Part 9, American Viticultural Areas) was designed to prevent consumer confusion over the geographic origin of a wine. The Shenandoah Valley is firmly fixed in the public mind as an area in Virginia of scenic beauty and historic significance. If California winegrowers were given exclusive rights to the name Shenandoah Valley or allowed to share the use of this name for merchandising their products, consumers would be confused or misled. If the purpose and intent of your regulation is to be realized, Virginia should be allowed use of this famous name that is already closely associated with the Old Dominion.

We in Virginia bear no malice toward California and do not contest that state's enological eminence. However, we believe that our state's vintners deserve a chance to establish their own wine industry by using the appropriate geographical names that will help provide product identity.

Obviously our state's fledgling wine industry will suffer more than California's well-established one should you decide to give Virginia anything less than exclusive rights to the name Shenandoah Valley. Refusal to grant Virginia's petition would create a serious obstacle to the future growth and development of our state's grape and wine industry. The 16 vineyards and three farm wineries in our Valley will be deprived of an invaluable marketing tool and stripped of their birthright as well if our petition is denied.

Looking at a broader issue, should the name Shenandoah Valley become associated with California-grown products, the resulting "identity crisis" could adversely affect the many other Virginia industries that already market their products nationally under this name.

In conclusion, I recommend that the logical solution to this controversy is to award Virginia the Shenandoah Valley appellation and give the California petitioners the already-proven-marketable "Amador" designation. Only then will justice truly be served and the intent and purpose of your regulations be fulfilled.

Thank you for your consideration of these comments.

Sincerely,



Charles S. Robb

CSR:sma

Enclosure

SENATE JOINT RESOLUTION NO. 8

Requesting the federal Bureau of Alcohol, Tobacco and Firearms to reserve "Shenandoah Valley" for exclusive use as the name of a viticultural area in Virginia.

Patrons—Nolen, Truban, and Miller; Delegates: Giesen, Hull, and Miller, K. G.

Referred to the Committee on Rules

WHEREAS, a petition has been submitted to the federal Bureau of Alcohol, Tobacco and Firearms by the Amador County Wine Growers Association of Plymouth, California, for approval of the establishment of a "Shenandoah Valley" viticultural area in California; and

WHEREAS, the approval of this request would allow the exploitation of a geographical designation that has been historically and traditionally associated with the Commonwealth of Virginia for over three centuries; and

WHEREAS, the Shenandoah Valley of Virginia is recognized throughout the world as the birthplace of presidents and inventors, and the inspiration for folklore, films, and literature; and

WHEREAS, the granting of the petition to allow Amador County to have exclusive use of the name "Shenandoah Valley" would be misleading and confusing to consumers everywhere and would have an adverse economic impact on Virginia; and

WHEREAS, there has been a tremendous growth in Virginia's wine industry, and the Shenandoah Valley of Virginia has contributed significantly to this growth; and

WHEREAS, Virginia wines, including those of the Shenandoah Valley, have already won a number of medals, as well as praise from national wine authorities; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the federal Bureau of Alcohol, Tobacco and Firearms is requested to refuse the petition by the Amador County Wine Growers Association of Plymouth, California, and reserve the designation "Shenandoah Valley" for the Commonwealth of Virginia in perpetuity.

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Official Use By Clerks	
Agreed to By The Senate	Agreed to By The House of Delegates
without amendment <input type="checkbox"/>	without amendment <input type="checkbox"/>
with amendment <input type="checkbox"/>	with amendment <input type="checkbox"/>
substitute <input type="checkbox"/>	substitute <input type="checkbox"/>
substitute w/amdt <input type="checkbox"/>	substitute w/amdt <input type="checkbox"/>
Date: _____	Date: _____
Clerk of the Senate	Clerk of the House of Delegates

VIRGINIA STATE CHAMBER OF COMMERCE
611 EAST FRANKLIN STREET
RICHMOND, VIRGINIA 23219
(804) 643-7491

50

May 22, 1981

Copy of #65
John, I replaced comment #50 with another comment.

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

Attn: Notice No. 371

Dear Sir:

The Virginia State Chamber of Commerce urges you to deny the request by Amador County, California grape growers for exclusive use of the "Shenandoah Valley" name to describe their products.

The Shenandoah Valley in Virginia has strong ties to this country's history and culture. Use of the name on products from any other location will certainly cause a great deal of confusion for consumers, regardless of the fact that the name Shenandoah might appear on a map of California.

It would certainly seem prudent to assume that the California growers could establish a reputation for themselves with the term "Amador County, California Viticultural Area" on the labels of their product. The California proposal is all the more confusing given the fact that grapes have been cultivated in the Shenandoah Valley of Virginia for more than 200 years. The Shenandoah Valley in Virginia now has its own commercial wineries, which would lead to even more confusion should the California growers be granted the use of the historic Virginia name.

The Virginia State Chamber of Commerce is vitally concerned with the decision which will be made in this matter. Please call on us if we may provide information to assist your office in arriving at the decision.


Sincerely,

Richard S. Gillis, Jr.
Richard S. Gillis, Jr.
Executive Vice President

RSGjr:rl

cc: The Hon. J. Kenneth Robinson
Mr. Meriwether German, SVTA
G. R. Dickerson, Director, BATF ✓

217


Chicago, Illinois 60610
June 23, 1981

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

Dear Sir: Re: Shenandoah Valley Viticultural Area

The Shenandoah is a river flowing 55 miles northeast from northern Virginia to the Potomac at Harper's Ferry in West Virginia and draining an area known as the Shenandoah Valley. The Shenandoah National Park, named after the river, is a scenic place occupying many square miles of Virginia and including within it some of the Blue Ridge Mountains.


It is my understanding that some unscrupulous businessmen in a little-known place in California, whose gold-grubbing predecessors there 130 years ago expropriated the name Shenandoah Valley and applied it to their hilly surroundings, are now claiming exclusive right to the name and are thereby trying to prevent the wine-growers in the real Shenandoah Valley from having title to their own place name on wine labels.

This is ridiculous!

There is not a single river in all of California officially called the Shenandoah, nor even a ZIP code for any supposed town of that name in the state.

These Johnnys-come-lately, and their unthinking supporters, should be sent packing!

Cordially,


Anthony Burrell

TED STEVENS, ALASKA
 LOWELL P. WICKER, JR., CONN.
 JAMES A. MC CLURE, IDAHO
 PAUL LAXALT, NEV.
 JAKE GARN, UTAH
 HARRISON SCHMITT, N. MEX.
 THAD COCHRAN, MISS.
 MARK ANDREWS, N. DAK.
 JAMES ABDNOR, S. DAK.
 ROBERT W. KASTEN, JR., WIS.
 ALFONSE M. D'AMATO, N.Y.
 MACK MATTINGLY, GA.
 WARREN RUDMAN, N.H.
 ARLEN SPECTER, PA.

WILLIAM PROXMIRE, WIS.
 JOHN C. STENNIS, MISS.
 ROBERT C. BYRD, W. VA.
 DANIEL K. INOUE, HAWAII
 ERNEST F. HOLLINGS, S.C.
 THOMAS F. EAGLETON, MO.
 LAWTON CHILDS, FLA.
 J. BENNETT JOHNSTON, LA.
 WALTER D. HUDDLESTON, KY.
 QUENTIN N. BURDICK, N. DAK.
 PATRICK J. LEAHY, VT.
 JIM SASSER, TENN.
 DENNIS DE CONCINI, ARIZ.
 DALE BUMPERS, ARK.

J. KEITH KENNEDY, STAFF DIRECTOR
 THOMAS L. VAN DER VOORT, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS
 WASHINGTON, D.C. 20510

November 5, 1982

The Honorable Donald T. Regan
 Secretary of the Treasury
 15th and Pennsylvania Avenue
 Washington, D. C. 20220

Dear Mr. Secretary:

Enclosed herewith is correspondence I have received from West Virginia State Delegate Clarence E. Martin, III, in opposition to the granting to a group of citizens in California the exclusive right to use the appellation "Shenandoah Valley" on the labeling of wine products.

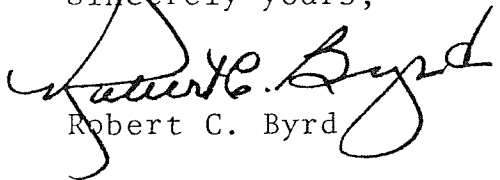
I am advised by the Bureau of Alcohol, Tobacco and Firearms that two applications have been received in this regard, one from California and one from Virginia. There was a public comment period on the proposed rule making and a public hearing in Harrisonburg, Virginia. I am informed that a final rule has been drafted and is presently under review by the legal department, after which it will be forwarded to you for approval.

As Mr. Martin's comments were received too late to be considered by the Bureau in the drafting of the final rule, I am sending his letter to you for consideration. You will note that Mr. Martin cites historical reasons for his opposition to the California application, as well as a growing wine industry in the Shenandoah Valley of Virginia and West Virginia.

I would appreciate being advised of your decision in this matter.

With kind regards, I am

Sincerely yours,


 Robert C. Byrd

RCB:gh



CH

HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE
STATE CAPITOL -- PHONE (304) 346-3456
CHARLESTON 25305

CLARENCE E. MARTIN, III, Chairman
COMMITTEE ON INSURANCE
119 SOUTH COLLEGE STREET
MARTINSBURG, WV 25401
PHONE (304) 267-8985

Other Committees:
Constitutional Revision
Judiciary

November 3, 1982

The Honorable Robert C. Byrd, U.S.S.
Senate Office Building
Washington, DC 20510

Dear Senator:

I am enclosing herewith a copy of a letter which I have sent to The Bureau of Alcohol, Tobacco and Firearms concerning their consideration of granting the exclusive use of "Appalachian Shenandoah Valley" to a group of citizens in California. Obviously, from the tone of my letter, this concerns me greatly and I think it should concern all of us who live in the Shenandoah Valley.

I would hope that you would use any influence that you might have in order to prevent the citizens of California from being granted this exclusive right. I would also hope that you might join with the other senators and congressmen from Virginia and West Virginia in introducing the appropriate resolutions in your respective house to prohibit this from taking place.

Very truly yours,

Clarence E. Martin, III

CEM, III/jq

Enclosure

P.S. Congratulations!! It is a fantastic victory.

HOUSE OF DELEGATES

WEST VIRGINIA LEGISLATURE

STATE CAPITOL -- PHONE (304) 346-3456

CHARLESTON 25305

CLARENCE E. MARTIN, III, Chairman
COMMITTEE ON INSURANCE
119 SOUTH COLLEGE STREET
MARTINSBURG, WV 25401
PHONE (304) 267-8985

Other Committees:
Constitutional Revision
Judiciary

November 3, 1982

The Bureau of Alcohol, Tobacco,
and Firearms
P. O. Box 3185
Washington, DC 20044-0385

ATTENTION: James Hunt

Dear Mr. Hunt:

Re: Notice #419

I am writing you concerning a matter which is of grave importance to both the State of West Virginia and the State of Virginia. This is a request by a group of people in the State of California to be granted the exclusive right to use "Appalachian Shenandoah Valley" as a name for their wine products.

Although it is true that there is a Shenandoah Valley in California, it is an area which was settled by people who had moved from the Shenandoah Valley of what was then Virginia and is now, of course, the Eastern Panhandle of West Virginia and Virginia. It would do a grave disservice to the people of this country, and in particular to the citizens of the Shenandoah Valley of the Virginias, should the name of Shenandoah Valley become associated with an area which no one recognizes either in fact, or in fiction, as being the Shenandoah Valley, which is referred to in history books and is a part of the history of our country. In case you are unaware, there were five revolutionary war generals who lived in what was then Berkeley County, Virginia and is now Berkeley and Jefferson Counties, West Virginia.

This area is the head of the Shenandoah Valley and is the area which opens the valley to tourists coming through the Shenandoah Valley. Travelling south, you go through Winchester, Virginia and on through the valley you come to the Skyline Drive, which is an integral part of the tourist industry of Virginia and one of the most spectacular scenic areas in our country, particularly in the fall.

Mr. James Hunt
November 3, 1982
Page Two

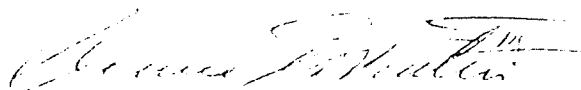
I should also remind you of the history of the Shenandoah Valley both in the Revolutionary and Civil Wars and in particular, Stonewall's campaign in "The Valley" which has received much notoriety in both military and normal history books. The Valley was known as the breadbasket of the Confederacy during the Civil War. It would be a tragedy to the history of this country as well as to the people who have lived in the Shenandoah Valley of the Virginias for centuries to ever recognize the terms of an absolute right to use that Appalachian by a group of people who live in an area which is not even remotely related to the Shenandoah Valley of the Virginias or is even understood by the people of this country as being "The Shenandoah Valley."

Furthermore, I believe it also important to the growing wine industry in this area that that name be reserved for use by the people who actually live in the Shenandoah Valley of the Virginias. Many studies have recently been conducted which indicate that the topography and the climate in this area are every bit as good, if not better, than areas in California. Once the industry is growing, the wines produced here should be equal to or exceed the wines which are currently receiving such rave notices and are grown in California.

I am sure I am joined by a great number of people who were not even aware that another Shenandoah Valley existed until the request by these people in California was recently published in this area. I cannot emphasize to you what a tragedy of history it would be to grant the exclusive use of that name to another group of people in this country whose area is not even remotely related to the great historical events which have transpired in the Shenandoah Valley of the Virginias.

I realize that my request comes past your deadline for public comment, but hope that you will give it every consideration.

Very truly yours,



Clarence E. Martin, III

CEM, III/jjq

CC: The Honorable John Warner
The Honorable Kenneth Robinson
The Honorable Robert C. Byrd
The Honorable Jennings Randolph
The Honorable Harry F. Byrd



Energy
Development
Corporation

| President

Mr. Ference -

a copy of my comments,
as requested at the hearing
on 1/13/82.

Your proceeding was
conducted courteously
and efficiently. The best
to you all in reaching
a decision.

J. B. Randel

J. B. Randel, Jr. (201) 430-7975

REMARKS BEFORE BATF HEARING ON
AMADOR WINE GRAPE GROWERS PETITION
FOR SHENANDOAH VALLEY VITICULTURAL AREA

JANUARY 13, 1982

Gentlemen:

I am James B. Randel, Jr., a partner in Shenandoah Vineyards located on mail Route 2, Edinburg, Virginia. Shenandoah Vineyards now owns about 15 acres of wine grapes, the first acreage being planted in 1976. About 60% of the vineyard is French-Hybrid grapes and 40% is Vinifera, mostly Riesling and Chardonnay. Shenandoah Vineyards leases an additional 15 acres of wine grapes in the area.

Shenandoah Vineyards, the first winery in the Shenandoah Valley, operates bonded winery no. VA-26. It produced its first wine of approximately 3000 gallons in 1977. From the 1981 harvest, approximately 12,000 gallons were produced. Physical facilities are now being completed which will allow annual production in excess of 75,000 gallons. All wines produced are cellared and bottled on the premises.

Our wines have been extremely well accepted. Even though the population density in this area is low, we sell about 75% of the production at retail in the winery. The remainder is sold essentially in certain restaurants in Virginia. As an example

of the demand, all of our 1980 white wines were sold out within seven months after release and people are buying young red wines before they are ready to drink and doing their own bottle aging. I relate these facts to show that we have a good and unique product-in demand by the consumers - and to show that we are indeed a thriving new industry with extremely good potential.

It is my understanding that the primary and overriding purpose of establishing appellations of origin is to avoid consumer confusion relating to purchase of wine.

If it is the consumer for whom the BATF was primarily concerned in establishing these regulations, it clearly follows that the petition herein cannot be granted.

Certainly the proposed viticultural area is relatively unknown to the millions of potential wine consumers. The evidence submitted in the petition is far from even prima facie, especially under the circumstances here where the knowledge of another area much better known must be overcome in the consumer's mind. Section 4.25a(e)(2) provides that the petition include "(a) evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition". The recently published specialized magazine articles and the wine store catalog submitted is certainly insufficient evidence that the name is locally and nationally known. Some who may read articles on wine may be aware of the area. But it is not enough

that a few sophisticated wine writers and consumers are aware of the area when millions of ordinary consumers are going to be thinking of another area when they see the label or advertisement. In this regard I am not sure whether petitioners were being somewhat sly or simply made a mistake on page 1 Section 1, where it is stated that they are presenting evidence that Shenandoah Valley viticultural area is known, rather than the name of the area as required by Section 4.25. It would appear to be rather difficult to prove the viticultural area is known before it is established. In any event, it would take much more than the specialized material submitted to justify granting of the petition in view of the existence of such a well-known area in Virginia.

In addition, even if a consumer wanted to know about the proposed area, there is not a source of information to which he could refer. If he looked in an encyclopedia, dictionary, or in the Library of Congress under Shenandoah, the information he would find would be in reference to the Shenandoah in the Virginias, not California.

Further, if a consumer went to this proposed area in California he would be hard pressed to know when and if he were there, since several of the boundaries proposed refer to political division lines and there are no distinguishing features visible to the eye or on the road map. Perhaps this is one reason Section 4.25(e)(1), Title 27, CFR defines an American viticultural area as

a delimited grape-growing region "distinguishable by geographic features". The proposed area does not fit that definition. On page 5 of Item F it is stated that the principle soil in the Shenandoah Valley in Amador County is the Sierra Series. On page 6 it shows the Fiddletown area vineyards are also on Sierra soils. Also I was unable to find any evidence that the climate, elevation or physical features distinguished the proposed area from the Fiddletown area, Ridge Road area, or any other area in Amador County.

As a grape grower and vintner in the original Shenandoah Valley, there is no doubt in my mind that this area will far surpass the proposed California area in grape and wine production within a relatively few years. The land, the geography, and the climate are suitable for wine grape growing and people like the wine. The land area suitable for grape growing is several orders of magnitude greater than the small area proposed herein. The decision to be made here is for literally thousands of years because once a viticultural area is established it cannot be changed in the minds of consumers. A few years now is insignificant.

We have heard much about the contention that wine grapes and wine have been produced in the proposed area for such a long period of time and in such larger quantities that consumers will know that the Shenandoah Valley is in California. You have heard opinion testimony that your decision should be based on fact, not promises. I would like to put this particular issue in the proper

perspective by the use of evidence presented in this proceeding by petitioners.

1. The acreage planted to grapes did not expand in Amador County for the hundred years prior to 1967 (Item F, page 1).
2. There was only one winery in the proposed area in 1967 (Item F, page 3). That winery started up again after prohibition with barely 12 acres of vines (Item A, page 2). The other wineries were apparently established during the 1970's and so far into the 80's, although apparently no evidence has been submitted on this.
3. The first identification of Amador County wines at retail, other than the D'Agostino winery, was a 1968 harvest marketed sometime after that by Sutter Home. (Congressman Shum^uay says the first recognition of the California Shenandoah Valley was in 1973.) Prior to that all grapes were either sold to home wine makers or blended with central valley grapes. The president of the Amador County Wine Growers Association is quoted in the May 1977 issue of Gourmet as follows: "We always knew our grapes were good but no one seemed interested. We like to sell to home wine makers

because they would pay a little more for the ton. Otherwise we just hauled them down to the big central valley wineries and they paid us central valley prices." (Item A, page 2).

4. Experimentation is still underway on the varieties of grapes suitable for Amador County and the test plot was not planted by the Agricultural Department until 1967 (Item F, page 4).

Any argument that the Shenandoah Valley in Amador County has been known for more than a short period of time and, indeed, is well known at all, for its unique wine production cannot be supported from the evidence in this proceeding. In fact, it is only a few years ahead of the original Shenandoah Valley in having even minor recognition by consumers as a wine producing area.

To summarize:

1. The name of the proposed viticultural area is not sufficiently known as being in California to permit granting of the petition.
2. The proposed area is not sufficiently distinguishable by geographical features to meet the definition of an American viticultural area, as set forth in Section 4.25(e)(1), Title 27 CFR to permit granting the petition.

3. The proposed area is not sufficiently known by consumers for its wine production to overcome their lack of knowledge of the area as a place.

As you are aware, the D. C. Circuit Court in its December 22, 1981 decision in the Wawzkiewicz case succinctly summarized the need for facts in the record when it said that there must be a "rational basis for the agency's decision in the facts of record" and a "rational connection between the facts found and the choice made".

To avoid defeating the intent of the regulations providing for the establishment of appellations of origin and to avoid consumer confusion the petition should be denied.

August 30, 1982

Chief, Reg & Proceed. Div.
B ATF Box 385
Wash., D.C. 20044-0385

Dear Sir:

The enclosed newspaper article was brought to my attention. I wish to comment on one of the 4 questions, namely the one that says Amherst county is not producing grapes.

my vineyard was started in March 1979. Prior to that, I had an experimental planting of 64 vines of 15 varieties.

Today my vineyard consists of 3 acres of vines (2,000 vines) plus $\frac{1}{4}$ acre of nursery of vines, which I sell (French Hybrids and American Hybrids and grafted *Vinifera*).

In 1981 and again this year, the output of my 2 acres of *Vinifera* vines, is and has been sold to the Rose Bower Winery in Hampden Sydney, VA.

I sell my French Hybrid grapes to amateur wine-makers in the Lynchburg & Bedford areas. My table grapes are sold

locally and in the Lynchburg farmers' market.

I am one of the officers of the Virginia Vineyards Assn, formerly known as Virginia Vineyards & Winery Assn, & before that, known as VA. Grape Growers Assn.

I have a neighbor, Dick Hansen, also of Amherst county, 3 miles away, who has a $1\frac{1}{2}$ acre vineyard, consisting of *Vinifera* & table grapes. He hopes eventually to have a winery.

I hope the above has helped to answer one of your 4 questions.

yours truly,
John V. Visich
On the "TYE RIVER" at
U.S. 29 Highway.

Publication of Virginia's Wine Petition Scheduled

By GUY PHILBIN
N-V Staff Writer

WASHINGTON, D.C. — Virginia's petition to have its Shenandoah Valley declared a viticultural area will be published tomorrow in the Federal Register.

According to an informed government source, the Bureau of Alcohol Tobacco and Firearms is considering the establishment of a viticultural area in Virginia and West Virginia to be known as the Shenandoah Valley.

This proposal, notice 419, is the result of a petition submitted by Shenandoah Vineyards in Edinburg, Va.

The petition to be published was filed with BATF by Shenandoah Vineyards owner James B. Randel Jr. in August 1981, after California vintners filed a petition asking that an area in Amador County, Calif., be designated the Shenandoah Valley Viticultural Area.

Virginia's petition includes Amherst, Augusta, Botetourt, Clark, Frederick, Page, Rockbridge, Rockingham, Shenandoah and Warren counties in Virginia and Berkeley and Jefferson

counties in West Virginia in the Shenandoah Valley.

The area consists of approximately 2.4 million acres.

The petition also includes a lengthy discussion of climate, soil, elevations and historical evidence in support of designating Virginia's Valley a viticultural, or grape-growing area.

California wine makers asked for the federal government's approval in designating California's Shenandoah Valley as their official appellation of origin in September 1980. An appellation, or name of origin, tells the consumer where a wine was produced.

In spite of receiving written comments which ran roughly 10 to 1 against the California proposal during a four-month public comment period, the BATF held public hearings on the issue in Harrisonburg and California.

The Virginia petition will follow the same procedure, with a 45-day comment period to receive comments on the proposal.

Based on the comments received, the
(Turn to Page 10, Col. 3)

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FROM PAGE 1 PUBLICATION

(Continued from Page 1)

vertising has been made.

James A. Hunt, research and regulations coordinator, said that BATF Deputy Director Stephen E. Higgins has decided on a draft for a final rule, but that Mr. Higgin's decision is still in the process of a legal review.

Following the review, the California petition will pass to the Secretary of the Treasury for approval and, if approved, be published in the Federal Register, Mr. Hunt said.

The spokesman indicated last month that the position paper he prepared on the California petition dealt with two issues: who was going to get the Shenandoah name and a dispute over the northern boundary of the proposed viticultural area in California.

Officials of the federal regulatory agency, who earlier said that a decision on the California petition would be made public in June, now say that it will be several months before a final ruling is made.

The BATF is currently considering about 40 viticultural applications, which are somewhere in the process between initial petition and final rule.

bureau will determine if there is a need for public hearings on that petition.

In the notice to be published tomorrow, the BATF has requested specific comments on four questions:

— Will the fact that the Shenandoah Valley includes portions of Virginia and West Virginia pose identification problems for consumers?

— Is the proposed southern boundary at the James River the end of Virginia's Shenandoah Valley?

— Should four counties — Warren, Clark, Amherst and Botetourt — which are currently not producing grapes be included in the viticultural area?

— Do the proposed boundaries describe an area which is only historically known, or do they describe a grape-growing region?

Written comments on the petition should be sent to Chief, Regulations and Procedures Division, BATF, Box 385, Washington, D.C., 20044-0385.

A spokesman for BATF, which has authority over the wording of wine labels, said this morning that a decision on California's request to use the Shenandoah Valley name on wine labels and ad-

T PURSUIT

(from Page 1)

ment.

the other

Summer Sale
30% OFF

Department of Alcohol, Tobacco and Fire Arms.
US Treasury
Washington, D. C.

Gentlemen:

Please do not give that California Winemaker exclusive use of Shenandoah. While there are many counties with this name, really and truly there is only one and only one original, genuine Shenandoah Valley of Virginia.

Our Court House is the oldest West of the Blue Ridge mountains---built way back before they discovered gold in California. Woodstock, Virginia Shenandoah County Seat is over 200 years old.

Next week-end take a drive out Interstate 66, turn south and then hit the back roads of Shenandoah County in the beautiful Shenandoah Valley and you'll agree with me. Some other name would be better for California or Pennsylvania or other wine.

Would you permit me to copyright and bottle "Kentucky Moonshine" here in Virginia? As a matter of fact it used to be part of Virginia.

Your veto of this request will be greatly appreciated.

Very truly yours,



9/6/82

State Capitol
Sacramento, California 95814

AD(RE) *[initials]*

Telephone: 445-3614



JAMES D. DRISCOLL
CHIEF CLERK

AK 8/25
R: P B 9/1

August 19, 1982

Advise Com.
Attains, etc.
PLEASE

Mr. G. R. Dickerson
Director of Bureau of Alcohol, Tobacco
and Firearms
Federal Building
1200 Pennsylvania Avenue NW.
Washington, D. C. 20226

Regulations *Ram*
9-3-82

Dear Mr. Dickerson:

I have been directed to invite your attention to Assembly Joint Resolution No. 79, relative to the Amador County Wine Grape Growers Association.

Accordingly, I am enclosing a copy of this resolution for your information.

Very truly yours,

James D. Driscoll
JAMES D. DRISCOLL
Chief Clerk

JDD:srs
Enclosure

1100

Assembly Joint Resolution No. 79

Adopted in Assembly June 24, 1982

Chief Clerk of the Assembly

Adopted in Senate August 12, 1982

Secretary of the Senate

This resolution was received by the Secretary of State this _____ day of _____, 1982, at _____ o'clock ____M.

Deputy Secretary of State

RESOLUTION CHAPTER _____

Assembly Joint Resolution No. 79—Relative to the Amador County Wine Grape Growers Association.

LEGISLATIVE COUNSEL'S DIGEST

JR 79, N. Waters. Amador County Wine Grape Growers Association.

This measure would memorialize the federal Bureau of Alcohol, Tobacco, and Firearms to favorably consider the application of the Amador County Wine Grape Growers Association for the designation of the Shenandoah Valley as a viticultural area.

WHEREAS, The Amador County Wine Grape Growers Association has produced quality wines from vineyards in Amador County's Shenandoah Valley for over 100 years;

WHEREAS, The Amador County Wine Grape Growers Association has made application to the federal Bureau of Alcohol, Tobacco, and Firearms for the designation of Amador County's Shenandoah Valley as a viticultural area; and

WHEREAS, Designation of Amador County's Shenandoah Valley as a viticultural area is appropriate to protect the "estate bottled" term on the Amador County Wine Grape Growers Association wine labels and is indicative of quality wine made under strict control of the vintner; and

WHEREAS, Designation as a viticultural area and labeling as "estate bottled" is important to the economic well-being of the Amador County wine making industry; and, therefore, be it

Resolved, by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California memorializes the federal Bureau of Alcohol, Tobacco, and Firearms to favorably consider the application of the Amador County Wine Grape Growers Association for the designation of Amador County's Shenandoah Valley as a viticultural area; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States; and be it further

Resolved, That the Chief Clerk of the Assembly transmit this resolution to the Director of the Bureau of Alcohol, Tobacco, and Firearms.

~~Re:~~ Shenandoah Valley wines

It seems clear to me that in light of such an even handed conflict, there should be an equal compromise.

I propose having the following designation:

for VA - Shenandoah Valley East (south?)

for CA - Shenandoah Valley West

This seems simple enough. (?)

Debbie Brattman

2/24/82

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

Re: "Shenandoah Valley"
(Editorial Attached)

The fair thing to do
is give California the name
"California Shenandoah Valley"
and
Virginia gets

"Virginia Shenandoah Valley."
Neither one gets "Shenandoah Valley."

R. A. Pastore

[REDACTED]
Keston, Va. 22091

WASHINGTON POST

8/24/82

Virginia Vineyards

GOV. JERRY BROWN of California may be proud of his state's chablis and mountain red, but the grapes of Robb may not be far behind. Thomas Jefferson tried and failed to cultivate European and then domestic wine grapes near Charlottesville 200 years ago. But modern growers have had considerably more success, and the 12-county Shenandoah Valley area of Virginia and West Virginia now boasts 16 commercial vineyards and three wineries. But *our* Shenandoah Valley isn't the only place in the country to bear that name. There's one in California, too, and growers there have been producing wine grapes for decades.

None of this should cause any problem, but it has. Because of the increasing sophistication of the American wine industry, producers have begun to designate their wine by a geographic name. True Burgundy comes only from that province of France, and purists insist that champagne comes not from Upstate New York or the hills of Northern Italy, but only from that area of France that has given its name to the wine. Following this Gallic tradition, California growers now label their wine "Sonoma Valley," "Napa Valley" or "Mendocino," for example, to assure the customer that such wine differs, in a very special way, from that bottled in, say, Arkansas. It is the Bureau of Alcohol, Tobacco and Firearms in the Treasury Department

that has the responsibility for designating these "viti-cultural areas," and the wine experts over at the bureau are now faced with a unique problem: both Shenandoah Valleys—the one in California and the one in Virginia—produce wine, and both areas have applied for exclusive use of the name.

Jack Eisen, our Metro Notes columnist, who wrote of this conflict last week, is a longtime resident of Virginia but a native of California and the descendant of a winemaker to boot. He has claimed neutrality on this issue for sentimental reasons and because, if the truth be known, he likes the California wine. But the rest of us can't afford to be ambivalent. In the name of old Jimmy Stewart movies, heart-tugging lonesome cowboy songs and the memory of Mr. Jefferson, who did his best in this as well as all endeavors, the name Shenandoah clearly belongs this side of "the wide Missouri." BATF has already held hearings—on both coasts—on the conflicting claims, but it will accept written comments from the public until Oct. 4. This area will lose a part of its proud heritage if the name Shenandoah Valley is given exclusively to the winegrowers of California. Such a transfer would ignore history, confuse the public and deprive the growing Virginia wine industry of an important commercial asset. If you agree, let them know at the bureau.

C. Sevachko

Springfield Va. 22151

8/25/82

To the official(s) concerned,

It has come to my attention through a Washington Post editorial (Tuesday, 8/24/82) that you all are ~~deciding~~ making a decision concerning the use of "Shenandoah Valley" as a regional trademark for wine. Unfortunately there are two such valleys which both produce wine and it is obvious that both can't use the Shenandoah Valley designation without confusion. I must admit my bias as a Virginian and I realize that the California argument must have some merits. But everywhere one looks for Shenandoah Valley in history and elsewhere points to Virginia's. From the French and Indian wars, establishment of fine colleges as V. Va, V. M. I and Washington and Lee, the Civil War and the creation of the beautiful Shenandoah Valley National Park; all these ~~to~~ intertwine the mystique and aura of the 'Valley' with Virginia's heritage. I wouldn't be surprised to find that California's valley was ~~named~~ ^{discovered} by someone who was reminded of Virginia's and named it after "the ~~Shenandoah~~ Shenandoah Valley".

Please end this dilemma promptly so Virginia's vineyards and wineries will have one less nuisance (our A.B.C. 'alcohol Beverage Control' laws are outdated & troublesome enough) to cope with and can concentrate on developing and improving our native stock.

Sincerely, C. Sevachko

The Alan Heils
~~Box 2, Box 274~~
Edinburg, VA 22824

Department of Alcohol, Tobacco and Fire Arms.
US Treasury
Washington, D. C.

Gentlemen:

Please do not give that California Winemaker exclusive use of Shenandoah. While there are many counties with this name, really and truly there is only one and only one original, genuine Shenandoah Valley of Virginia.

Our Court House is the oldest West of the Blue Ridge mountains---built way back before they discovered gold in California. Woodstock, Virginia Shenandoah County Seat is over 200 years old.

Next week-end take a drive out Interstate 66, turn south and then hit the back roads of Shenandoah County in the beautiful Shenandoah Valley and you'll agree with me. Some other name would be better for California or Pennsylvania or other wine.

Would you permit me to copyright and bottle "Kentucky Moonshine" here in Virginia? As a matter of fact it used to be part of Virginia.

Your veto of this request will be greatly appreciated.

Very truly yours,



9/17/82

August 24, 1982

Director, Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

As residents of Virginia, we, the undersigned wish to register our opposition to any consideration of the State of California using the name SHENANDOAH VALLEY in any way whatsoever. The VIRGINIA SHENANDOAH VALLEY is known world-wide and is a part of the heritage of the State of Virginia. Any exclusive use of the name Shenandoah Valley by the State of California would deprive Virginia and the Nation of a part of our history.

PLEASE DO NOT ALLOW THE STATE OF CALIFORNIA TO USE THE NAME SHENANDOAH VALLEY.

Name and Address

Name and Address

Mark J. Flanagan

Springfield Va 22151

Suzanne P. Taylor

Alexandria, VA 22306

Berghiana A. Kennedy

Fairfax, VA 22030

Robert L. Ashlee

Oakton, Va 22124

Ann M. McLaughlin

Falls Church, Va 22042

John Beahm

Haymarket, Va. 22069

James H. Fatah

Haymarket Va. 22069

Jeannine O. Foster

Haymarket, Va. 22069

James C. McKeever, Jr.

Fairfax, VA. 22030

Lynda Lewis

Centreville, Va. 22020

RW
recd 9/14/82

August 24, 1982

Director, Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

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PLEASE DO NOT ALLOW THE STATE OF CALIFORNIA TO USE THE NAME SHENANDOAH VALLEY.

Name and Address

Sally M. Peterson
[redacted]
Fairfax, Va 22033

Adrienne A. Burlant
[redacted]
Springfield, Va. 22152

Diana C. Fullerton
[redacted]
Fairfax VA 22032

Robert L. Smith
[redacted]
Manassas Va 22111

Bruce W. Reple
[redacted]
Fairfax, VA. 22030

Delia Jackson
[redacted]
Bunlo, Va. 22015

John Reple
[redacted]
Fairfax, VA 22070

Shirley F. Lipp
[redacted]
Fairfax, Va 22031

Gene Richter
[redacted]
Fairfax Stad VA 22037

Jusan Sturacu
[redacted]
Fairfax, VA 22031

Name and Address

Laura S. Reel
[redacted]
Haymarket, Va. 22069

Henry Wood, Jr.
[redacted]
Haymarket, VA. 22069

Olen O. Wood
[redacted]
Lurley Va 22170

Joyce A. Leonard
[redacted]
Haymarket, Va. 22069

Doris C. Decker
[redacted]
Haymarket, VA. 22069

Roberta A. Kueper
[redacted]
Haymarket, Va 22069

Rene E. Kueper
[redacted]
Haymarket, VA 22069

Ray A. Newmont
[redacted]
Haymarket, VA 22069

Janet P. Newmont
[redacted]
Haymarket, Va. 22069

Richard D. Decker
[redacted]
Haymarket, VA 22069

August 24, 1982

Director, Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

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PLEASE DO NOT ALLOW THE STATE OF CALIFORNIA TO USE THE NAME SHENANDOAH VALLEY.

Name and Address

Mr. & Mrs. Edward J. Bruner

[REDACTED]
Belplains, Va. 22025

Mr. & Mrs. Paul D. Ballard

[REDACTED]
Falls Church, Va. 22046

Denise Decker

[REDACTED]
Haymarket, VA 22069

Dee Ramsey

[REDACTED]
Arlington, Va. 22305

Charlotte K Kern

[REDACTED]
Falls Church, VA 22042

Laura L. Everton

[REDACTED]
Fairfax, VA 22030

Cindy L. Maxwell

[REDACTED]
Bunker VA 22015

David Ch. [REDACTED]

[REDACTED]
Charlottesville, VA 22021

James W. Rice

[REDACTED]
McLean, VA 22101

Richard B. Becker

[REDACTED]
Vienna Va 22180

Name and Address

Cindy Julius

[REDACTED]
Arlington VA 22204

Mr. & Mrs. Roger W. Moran II

[REDACTED]
Sterling Va 22170

Jean D. Stelman

[REDACTED]
Arlington, VA. 22207

Freda P. DeHart

[REDACTED]
Annandale, Va. 22003

ANNELIESE RING

[REDACTED]
WOODBRIDGE, VA 22191

J. KENNETH ROBINSON
7TH DISTRICT, VIRGINIA

COMMITTEES:
APPROPRIATIONS
INTELLIGENCE

WASHINGTON OFFICE:
2233 RAYBURN HOUSE OFFICE BUILDING
TELEPHONE: (202) 225-6561

Congress of the United States
House of Representatives
Washington, D.C. 20515

Oct. 4, 1982

OFFICES IN THE 7TH DISTRICT:
112 N. CAMERON STREET (P.O. Box 714)
WINCHESTER, VIRGINIA 22601
TELEPHONE: (703) 667-0990

100 COURT SQUARE ANNEX (P.O. Box 136)
CHARLOTTESVILLE, VIRGINIA 22902
TELEPHONE: (804) 295-2106

SUITE 305, 904 PRINCESS ANNE STREET
(P.O. Box 336)
FREDERICKSBURG, VIRGINIA 22404
TELEPHONE: (703) 373-0536

*Rec'd
10-4-82
R. M. ...*

Chief
Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 385
Washington, D.C. 20044-0385

Dear Sir:

Pursuant to Notice No. 419, published in the Federal Register on Aug. 20, 1982, I am writing to express firm support for a petition filed on behalf of wine grape interests in Virginia and West Virginia for federal designation of a "Shenandoah Valley Viticultural Area" as defined by the petition. At the same time, as U.S. Representative of a large part of the Shenandoah Valley known and respected throughout the world, I wish to restate my staunch opposition to the provision of the same or any similar viticultural designation for wine grape interests in or about Amador County, California, as proposed in a petition made public through Notice No. 371, published in the Federal Register on April 13, 1981.

The petition filed by Shenandoah Vineyards of Edinburg, Virginia, meets all necessary prerequisites of the BATF for establishment of the proposed viticultural area. Clearly, it would assist consumers to identify the wines produced within its boundaries, which is the principal, stated purpose of the BATF for establishment of viticultural areas in the U.S.

The questions posed by the BATF regarding the name and boundaries of the proposed viticultural area are not valid, and should be rejected forthwith. The petitioner and many others have submitted abundant evidence bearing on the name recognition and location of the true Shenandoah Valley.

Furthermore, the doubt raised by the BATF about the size of the viticultural area ignores the large viticultural areas already in existence in France, such as the Bordeaux area, upon which the BATF purports to pattern the American appellations of origin system now being implemented. To quote from the BATF's "Industry Circular" dated Dec. 24, 1980, "There is no maximum or minimum size for a viticultural area." The same document states: "A viticultural area may extend across political boundaries."

Beyond that, to question the inclusion in the proposed viticultural area of certain counties wherein it is contended no vineyards exist is to ignore the fact that these counties form part of the true Shenandoah Valley, distinguishable by the same delimiting geographical and viticultural features as those counties wherein wine-producing vineyards now exist, and it is to ignore the potential wine-producing capability of these counties. Their wine-producing potential

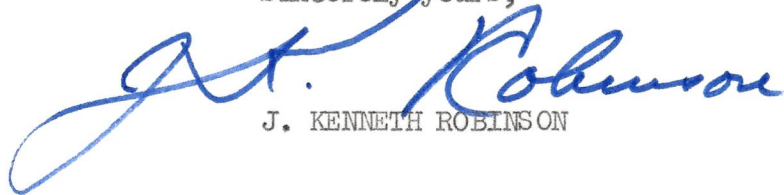
-2-

cannot be ignored when they comprise part of the historic, recognized Shenandoah Valley.

I would remind the BATF that its prior designation of a "Napa Valley Viticultural Area" makes it plain that the presence of towns, canyons, untillable land areas, and land areas committed to other uses has not precluded the provision of a viticultural area designation, and the same standards should apply in the present case.

I know of no public controversy that has developed in Virginia or West Virginia over the provision of the viticultural designation requested by Shenandoah Vineyards, Edinburg, Virginia. I urge its expeditious approval by the BATF. I further request that all hearings testimony offered at Harrisonburg, Virginia, on Jan. 12 and 13, 1982, pursuant to Notices numbered 391 and 371, published in the Federal Register on April 13, 1981, and Oct. 30, 1981, be considered by the BATF as part of my submission with this letter. A copy of said hearings is attached.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "J. K. Robinson". The signature is fluid and cursive, with a large loop at the end of the last name.

J. KENNETH ROBINSON



HOUSE OF DELEGATES

WEST VIRGINIA LEGISLATURE
STATE CAPITOL -- PHONE (304) 346-3456
CHARLESTON 25305

CLARENCE E. MARTIN, III, Chairman
COMMITTEE ON INSURANCE
119 SOUTH COLLEGE STREET
MARTINSBURG, WV 25401
PHONE (304) 267-8985

Other Committees:
Constitutional Revision
Judiciary

November 3, 1982

The Bureau of Alcohol, Tobacco,
and Firearms
P. O. Box 3185
Washington, DC 20044-0385

ATTENTION: James Hunt

Dear Mr. Hunt:

Re: Notice #419

I am writing you concerning a matter which is of grave importance to both the State of West Virginia and the State of Virginia. This is a request by a group of people in the State of California to be granted the exclusive right to use "Appalachian Shenandoah Valley" as a name for their wine products.

Although it is true that there is a Shenandoah Valley in California, it is an area which was settled by people who had moved from the Shenandoah Valley of what was then Virginia and is now, of course, the Eastern Panhandle of West Virginia and Virginia. It would do a grave disservice to the people of this country, and in particular to the citizens of the Shenandoah Valley of the Virginias, should the name of Shenandoah Valley become associated with an area which no one recognizes either in fact, or in fiction, as being the Shenandoah Valley, which is referred to in history books and is a part of the history of our country. In case you are unaware, there were five revolutionary war generals who lived in what was then Berkeley County, Virginia and is now Berkeley and Jefferson Counties, West Virginia.

This area is the head of the Shenandoah Valley and is the area which opens the valley to tourists coming through the Shenandoah Valley. Travelling south, you go through Winchester, Virginia and on through the valley you come to the Skyline Drive, which is an integral part of the tourist industry of Virginia and one of the most spectacular scenic areas in our country, particularly in the fall.

Mr. James Hunt
November 3, 1982
Page Two

I should also remind you of the history of the Shenandoah Valley both in the Revolutionary and Civil Wars and in particular, Stonewall's campaign in "The Valley" which has received much notoriety in both military and normal history books. The Valley was known as the breadbasket of the Confederacy during the Civil War. It would be a tragedy to the history of this country as well as to the people who have lived in the Shenandoah Valley of the Virginias for centuries to ever recognize the terms of an absolute right to use that Appalachian by a group of people who live in an area which is not even remotely related to the Shenandoah Valley of the Virginias or is even understood by the people of this country as being "The Shenandoah Valley."

Furthermore, I believe it also important to the growing wine industry in this area that that name be reserved for use by the people who actually live in the Shenandoah Valley of the Virginias. Many studies have recently been conducted which indicate that the topography and the climate in this area are every bit as good, if not better, than areas in California. Once the industry is growing, the wines produced here should be equal to or exceed the wines which are currently receiving such rave notices and are grown in California.

I am sure I am joined by a great number of people who were not even aware that another Shenandoah Valley existed until the request by these people in California was recently published in this area. I cannot emphasize to you what a trajedy of history it would be to grant the exclusive use of that name to another group of people in this country whose area is not even remotely related to the great historical events which have transpired in the Shenandoah Valley of the Virginias.

I realize that my request comes past your deadline for public comment, but hope that you will give it every consideration.

Very truly yours,



Clarence E. Martin, III

CEM, III/jjq

CC: The Honorable John Warner
The Honorable Kenneth Robinson
The Honorable Robert C. Byrd
The Honorable Jennings Randolph
The Honorable Harry F. Byrd

NORMAN D. SHUMWAY
14TH DISTRICT, CALIFORNIA

COMMITTEES:
BANKING, FINANCE, AND
URBAN AFFAIRS
MERCHANT MARINE AND
FISHERIES
SELECT COMMITTEE ON AGING

Congress of the United States
House of Representatives
Washington, D.C. 20515

1228 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-2511

CHRISTOPHER C. SEEGER
ADMINISTRATIVE ASSISTANT

1045 NORTH EL DORADO, ROOM 5
STOCKTON, CALIFORNIA 95202
(209) 464-7612

June 14, 1982

Mr. Stephen E. Higgins
Acting Director of the Bureau of Alcohol, Tobacco and Firearms
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20226

Dear Steve:

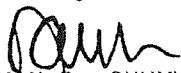
As you may recall, several months ago you indicated to me that a decision would be forthcoming in June on the Amador Wine Grape Growers Association petition to designate Shenandoah Valley as a viticultural area. I have recently been informed that BATF staff recommendations on this petition are now or will shortly be pending in the office of legal counsel and may not be reported out for another thirty days. Inasmuch as Shenandoah Valley wineries are anxiously awaiting your decision on their petition so that they can start making plans for their future marketing years, I would respectfully urge that all appropriate action be taken to expedite the processing of this petition.

It has also come to my attention that John Ferrance of your staff -- the person that my office has most closely worked with on this petition -- has been replaced by a new staff member. In case that there may be any confusion for your new staff concerning the position of the Amador petitioners, I should reiterate that they are willing to accept a decision by your agency that would have them label their wine as coming from California Shenandoah Valley. This point may not have come out clearly in the hearings record and therefore needs to be clarified.

Finally, I would appreciate being kept informed of the progress of this petition. I am especially interested in knowing when your recommendations will reach the office of Assistant Secretary John Walker.

Your attention to these requests would be greatly appreciated and I look forward to your response. With best regards,

Sincerely,


NORMAN D. SHUMWAY
Member of Congress

NDS:jb

I.K. - No Prob. (P)

W A N V

superRadio 97

The BIG #1

5000 Watts

WAYNESBORO: (703) 942-1153 STAUNTON: (703) 885-2455 P.O. BOX 1248, WAYNESBORO, VA. 22980

March 1, 1982

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P O Box 385
Washington D C 20044-0385

REBUTTAL TO HEARINGS HELD RE: NOTICE No. 391

The undersigned, writing as an individual and for Radio Station WANV, expresses the following:

1. To a great extent in the Virginia session and to a lesser extent in the California session, the chairman and members of the panel departed from the advertised notice by giving substantial weight to a proposal that "Shenandoah Valley" viticultural areas might be approved for both California and Virginia. Such excursions into new material would not be permitted under procedures of administrative law governed by evidentiary rules. They should not have been permitted here for the following reasons:

a. The opponents of the Amador County proposal were not on proper notice and unable to prepare properly to respond to the proposal.

b. No such proposal appears in the Amador County application which is the only topic of the present proceedings.

c. There was no such proposal by any Virginia entity timely filed to be considered in these proceedings, and the chairman ruled that reference to a later Virginia application would not be germane and would be out of order. (It appears that the chairman and his colleagues ignored his ruling.)

d. Even if proper to introduce extraneous material that had been neither included in the subject application nor advertised, the proposal for two widely separated areas (some 3000 miles apart) to share an appellation appears to be prohibited by Section 4.25a (a) (1) of 27 CFR Part 4. The limitations that prohibit this appear in ATF Industry Circular No. 80-15 dated 12/24/80.

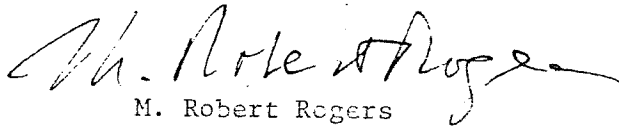
. . . continued

BATF March 1, 1982

2. In the light of the testimony at the Virginia hearing, it is incontrovertible that except in a small part of Amador County, California, there is only one Shenandoah Valley in the public mind in the United States and abroad. The Bureau has recognized this in advance in its notice No. 371 of 4/13/81, which states "The Bureau is very concerned about the likelihood of consumer confusion concerning grape origin if the name 'Shenandoah Valley' is used to identify this viticultural area. . . . The Shenandoah Valley of Virginia for which this area of California was named, is well known." (Emphasis added.)

3. Allowing a so-named viticultural area in California, even if clearly labelled with that state's name, would add credibility to the absurd proposition that there is a viable Shenandoah Valley in Amador County. The name has been applied to a small district which is not even a valley, but a dry gulch. Approval of the application in any form would be a fraud on consumers.

4. The transcripts of the hearings were not available anywhere until well into February, 1982. Under the circumstances, the cut-off date of March 1 for rebuttals appears to be unreasonable. It is requested that the cut-off date be extended until April 1, 1982, so that other interested persons may have the opportunity to file.



M. Robert Rogers
President, WANV Inc

Virginia Grape Growers Association

Rte 2 Box 100 Stanley Virginia 22851

9 July 1981

*Ran
9-10-81*

Mr. George:

On behalf of the 150 member strong Virginia Grape Growers Association I wish to register its opposition to the petition of the Amador County Wine Growers Association of Plymouth, California seeking to have a viticultural area in that State designated as "Shenandoah Valley" for use as an appellation of origin for their wine. There can be no doubt that consumer confusion would result from the use of this place-name recognized worldwide as well as nationwide, in history and folk-lore, as being synonymous with the State of "Virginia".

The confusion would not be limited to consumers. We would find it difficult to understand how a Federal regulatory body might possibly ignore an interconnected system of well known rivers and valleys which involves the Nation's Capitol and suggest, by inference, that it somehow involves the State of California. I speak of course of the fact that the "Shenandoah River", both North and South forks within, in part, the "Shenandoah Valley" feed into the Potomac River and Valley which eventually graces the banks of the Federal City known as the District of Columbia. The "Shenandoah Valley", as every secondary school-age geography and history pupil is taught, is a Valley beyond the Blue Ridge just west of where two Capitol cities existed during the Civil War, and where many battles were fought to control the breadbasket of both its armies.

The River, the Valley, The Town, the Song, and the National Park are all well known in our national history and traditions only as they relate to Virginia and not California. Nor can anyone relate the Shenandoah Music Festival, a yearly event in the Valley, or the caverns that populate the Valley with any other State.

Vineyards and winery owners in the Virginia "Shenandoah" area are not unmindful of the promotional value of such a well-known place name. As more and more vineyards and wineries develop in this Virginia area, their marketing plans will rely and capitalize upon the fact that thousands of tourists, particularly American tourists, know "Shenandoah" as a part of the Commonwealth of Virginia. To permit by regulation

9 July 1981

that which has not been acknowledged by ~~by~~ either explorer, scholar, songwriter or even the National Park Service - the use of the name of "Shenandoah" by another area of the United States would, in essence, deprive these entrepreneurs of a valuable asset. We would find it equally repugnant to have to qualify the use of the place-name "Shenandoah Valley" by appending a State name to differentiate it from its inappropriate use elsewhere.

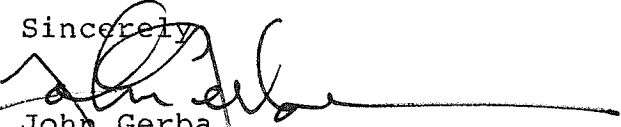
The place-name Shenandoah has a "ring" to it which calls up certain images and characteristics that are uniquely Virginian, just as the place-name "Napa" is unmistakably a part of California and the wine "scene" of that State. The basis for approval must not hinge on a threshold quantity of production from the area as we have heard mentioned. Can one imagine an appellation called Napa Vally or North Coast, Virginia regardless of quantity produced?

Lastly the Amador County petition, if approved, would prevent Virginian's from using the Shenandoah Valley place-name to fully promote its own viticultural climatic and geologic subtleties - nowhere in evidence in California - now or in the future. And this - the subtleties of place - are the essence of winemaking in fact and spirit.

If members of the Regulations and Procedures Division of the BATF would like to hear further sentiment from Virginia growers and vintners on this subject, you would be welcome to attend the first Annual Membership Meeting of the Virginia Grape Growers Association which just coincidentally is meeting on the grounds of the Shenandoah Vineyards, Edinburg, Virginia on July 25.

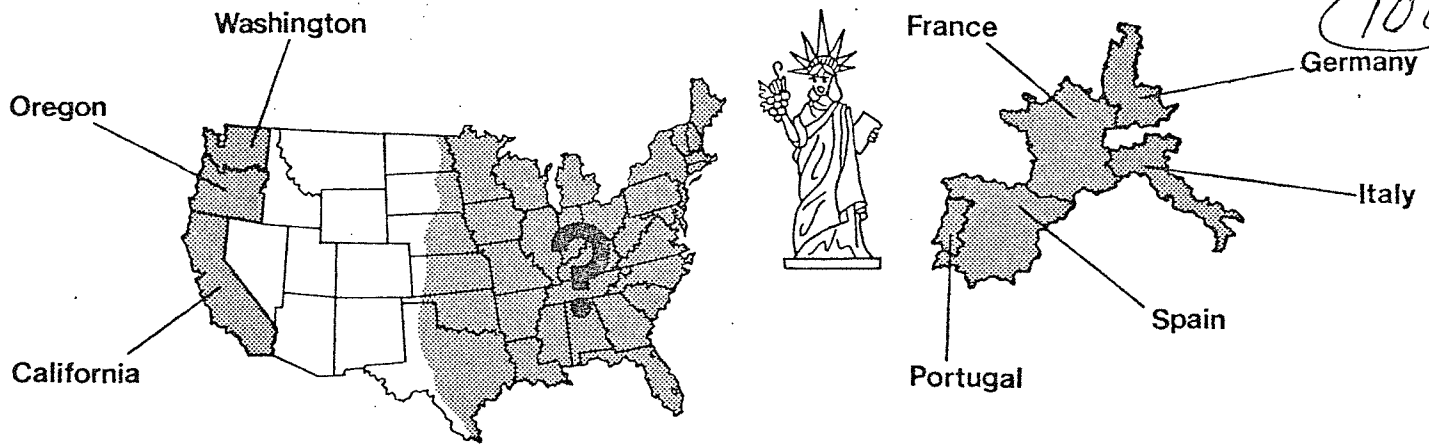
For the reasons given above and those which have been submitted to BATF by Shenandoah Vineyards, the Shenandoah Valley Travel Association and others whose views we support, we respectfully request that the subject petition be denied and that the designation Shenandoah Valley be considered only in petitions requesting viticultural areas by that name in the Great Valley of Virginia.

Sincerely



John Gerba
President

Mr. Thomas George, Chief
Regulations and Procedures Div
Bureau of Alcohol, Tobacco & Firearms
Washington, D.C. 20024



Winegrowing in Eastern America: What? They grow grapes in Virginia! Texas!....?

June 4, 1981

Dear Mr. George:

Please add my name to the list of those who feel that "Shenandoah Valley" applies to Virginia products, including wine unless otherwise qualified. History, both geographically and viticulturally, places Virginia first. The American public outside of Amador County knows only of the Shenandoah Valley of Virginia. In the 1981 Rand McNally Road Atlas, "Shenandoah" appears four times in Virginia and not at all in California.

Current wine production figures do not and will not erase this fact. Some of the world's most renowned appellations have less than twenty acres of vines, notably in Burgundy, and the Bureau would be making a grave error to let relative vineyard acreage enter into its decision.

The Shenandoah controversy is but a reminder that the Bureau should be legislating for tomorrow, not yesterday, in trying to regulate the business of today. As a consulting viticulturist trained in Europe and working in the U.S., I have been following your appellation of origin proceedings with increasing apprehension.

Perhaps the single greatest error has been the Bureau's regulation that by 1983 the term "estate bottled" may be used only for wines within designated viticultural areas. The Bureau has not allowed itself nearly enough time to competently establish viticultural areas all over the country. At the very least a county appellation should suffice if the other criteria for estate bottling are met.

Amador County is easily located by consumers and was becoming increasingly familiar to connoisseurs. Without the BATF's denial of county appellations for estate bottling, the Shenandoah Valley controversy might never have arisen. The Bureau's own decision that "Napa Valley" equals all of grapegrowing Napa County and more further supports this argument.

It was my understanding that the Bureau intended to help define clear geographical areas as an aid to both consumers and the developing U.S. wine

Mr. Thomas George
June 4, 1981
Page Two

industry. The Napa Valley ruling showed otherwise. Why decisions which will be the foundation of our youthful industry must be obfuscated by the very "history" we are trying to shake free of is not clear to me. We may as well require the use of foreign names on our labels because they are strongly supported by historic precedent and current practice.

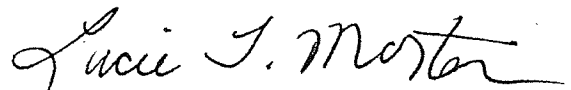
In my opinion by erring from strict geographic and topographic considerations in defining appellations of origin, the Bureau is making a fundamental error at a critical time. By admitting other than physical evidence, your office is perpetrating confusion from the past and seriously endangering future progress on both national and international scales. Nationally U.S. consumers are being misled to the point one wonders about the ultimate legality of the Napa decision. Internationally it is an embarrassment. A far more sensible solution would be to have "Napa" and "Napa Valley" appellations both able to use the term estate bottled when applicable.

In order to more rationally expedite the appellation of origin designations, the Bureau would be well advised to: place more emphasis on geography ("origin" is after all the only real issue); leave the definition of estate bottled independent of appellation; and rescind the 1983 deadline which is forcing many hasty decisions.

With the above modifications Shenandoah Vineyards in California would be permitted to use Amador County and "estate bottled." The Shenandoah Vineyards located in Shenandoah County would continue to be estate bottled now and when the multi-county Shenandoah Valley is sanctioned by the BATF.

The struggle between these small wineries is really the tip of a bureaucratic iceberg. They should be united in an effort to correct defective regulations which are creating problems not only for hundreds of vineyard owners but for your office as well.

Yours sincerely,



Lucie T. Morton



COMMONWEALTH of VIRGINIA

Office of the Governor

Richmond 23219

John N. Dalton
Governor

May 18, 1981

Mr. Thomas George
Chief of Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
Post Office Box 385
Washington, D. C. 20044

Dear Mr. George:

On behalf of Virginia's industry of agriculture, her consumers and emerging wine industry, I want to express our concern for, and opposition to the recent petition by the Amador County Wine Growers Association of Plymouth, California, for approval of the establishment of a "Shenandoah Valley" viticultural area in that state.

I strenuously object to this petition which is an exploitation of a geographical designation that has been historically and traditionally associated with the Commonwealth of Virginia for over three centuries. In their attempt to preempt the Shenandoah Valley name for their use, the petitioners state in their application, in part, "Shenandoah isn't really a valley at all, just a depression between two ridges".

On the contrary, the Shenandoah Valley of Virginia is much more than that, not only to native Virginians, but to the rest of the world. It is a birthplace of presidents, inventors, and war heroes. It is one of America's natural wonders with its panoramic beauty. It has been the inspiration for folklore, films, and literature. Its spectacular scenery annually attracts tourists by the thousands.

It is a revered repository of Civil War history and legend, and is the hub of much of Virginia's agricultural industry with many vineyards, apple orchards, poultry processing, meat packing and dairy operations. Finally, it is a focal point for Virginia's emerging wine industry. In essence, it is "The Valley", a place of cherished traditions that live in the minds and hearts of people all over the world, as well as Virginians.

Mr. Thomas George
Page Two
May 18, 1981

We recognize that Virginia's wine industry has not yet reached the same level of development as California's. However, we also recognize and sincerely hope that everyone else realizes that there is no comparison between the 2.4 million acres in the Shenandoah Valley of Virginia and the 20,000 acre "depression between two ridges" in Amador County.

We do not use California names on Virginia wines and believe that California should not be permitted to expropriate a name that is distinctly Virginia's for use in selling wine. I have attached some information which emphasizes the significance of the Shenandoah Valley and its name to the State of Virginia.

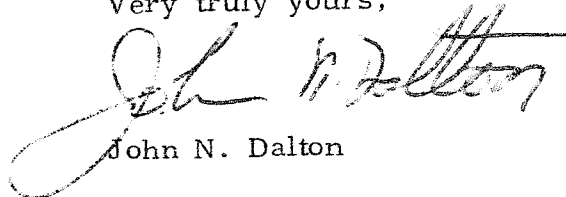
It is our understanding that the BATF labeling regulations are intended to alleviate, not exacerbate, consumer confusion over the origin of a particular wine. The Amador County petition would most certainly achieve the latter, as well as have a profoundly adverse effect on Virginia's wine industry. In addition, many other Virginia industries and business enterprises which are connected to the words "Shenandoah Valley" would be adversely affected.

Although California and Virginia are several thousand miles apart in geography and ideology, we do believe an equitable solution can be found to this problem. There can be no doubt that the Shenandoah Valley belongs to the Commonwealth of Virginia, and the use of the designation Shenandoah Valley as a viticultural area should be reserved for use in Virginia.

The Amador County petition, if approved, would prevent Virginians from using the Shenandoah Valley name to promote our own viticultural area now or in the future. Therefore, we respectfully request that the subject petition be denied and that the designation Shenandoah Valley be reserved for designating a viticultural area in perpetuity for the Commonwealth of Virginia.

With all good wishes, I am

Very truly yours,



John N. Dalton

JND/jhw
Enclosure

cc: Mr. G. R. Dickerson, Director
Bureau of Alcohol, Tobacco and Firearms

INFORMATION ON THE SIGNIFICANCE OF THE
SHENANDOAH VALLEY OF VIRGINIA: HISTORY,
VITICULTURE, GEOGRAPHY AND TOURIST ATTRACTIONS

BRIEF HISTORY

The Shenandoah Valley of Virginia, named "Daughter of the Stars," by the Indians, was first seen by a white man, John Lederer, a German fur trapper, in 1669.¹

Impetus to settle the Valley was provided by Governor Alexander Spotswood's expedition of 1716. By the early 1730's the Valley was being populated by Scotch-Irish settlers from Pennsylvania, German Lutherans and English immigrants from the Tidewater area.

In 1748, George Washington surveyed the Valley, describing it as "rich and fertile all ye way." His surveyor's office still stands in Winchester. He also laid the foundation for the Valley's thriving apple industry by requiring each of his tenant farmers to plant at least four acres of apple trees.

In 1774, Thomas Jefferson purchased Natural Bridge, now one of "the seven wonders of the world," from King George III for "20 shillings of good and lawful money."

The verdant Valley served as "the granary of the Confederacy" during the War Between the States. It was the site of General Stonewall Jackson's famous Valley Campaign of 1862. Jackson's exploits are immortalized in the Hall of Valor at the New Market Battlefield Park, New Market, Virginia. He is buried in Lexington Cemetery, not far from his restored home. General Robert E. Lee is buried at the Lee Chapel of Washington and Lee University in Lexington, Virginia.

The Shenandoah Valley is often referred to as the Valley of the Giants. Besides George Washington, it has touched the lives of three other Presidents -- Woodrow Wilson was born in Staunton; Abraham Lincoln's father was born near Harrisonburg; and Sam Houston, President of the Republic of Texas, was born near

¹The Shenandoah-Daughter of the Stars, Julia Davis, Farrar and Rhinehart, Inc., 1945, p. 29.

Lexington. Admiral Robert F. Byrd was also a Valley native, as was General George C. Marshall, World War II military leader, architect of the Marshall Plan, and Secretary of State. Cyrus McCormick invented his reaper in the Shenandoah Valley, as did James Gibbs the sewing machine.

It should be noted that the National Geographic Society has published 15 different issues of its magazine from 1926-1970 in which Virginia's Shenandoah Valley is mentioned or featured. On the other hand, California's Shenandoah Valley has never been mentioned in this publication.

VITICULTURAL

When Governor Spotswood's expedition reached the Valley in 1716, they feasted there on wild deer, turkey, cucumbers, currants and grapes.²

In 1704-5, Louis Michel, a Swiss explorer, traveled through the Valley and petitioned Queen Anne for land grants for 400-500 settlers to produce minerals, hemp, flax, wine and salt.³

In 1730, Jacob Stover, a Swiss farmer from Pennsylvania, led a three-month exploration of the Valley to study soil and topography. He was specifically interested in planting the mountain slopes in vineyards.⁴

Commercial grape growing was established in the Valley as early as 1869 according to maps from the USDA Agriculture Yearbook of 1925.⁵

Also, according to the 1880 USDA Grape Culture and Wine Production Survey, 190 acres of grapes were grown for winemaking in Warren County in the Valley. These grapes produced an average of 23,465 gallons of wine each year.⁶

² Ibid., p. 29.

³ Commercialism and Frontier, Perspectives on the Early Shenandoah Valley, Robert D. Mitchell, University Press of Virginia, Charlottesville, Virginia, 1977, p. 25.

⁴ Ibid., p. 26.

⁵ Ibid., pp. 277-281

⁶ Source: Lucie T. Morton, viticultural writer and consultant.

This production information predates viticulture in the California Shenandoah Valley, which was not documented until 1881 by J. D. Mason in his "History of Amador County," as noted in the Amador County petition to BATF.⁷

Today the Virginia Shenandoah Valley is the site of three commercial farm wineries:

Shenandoah Vineyards
James and Emma Randel
208-B, Route 2
Edinburg, VA 22824

The Vineyard
Robert Viehman
Route 5, Box 486-Y
Winchester, VA 22601

Tri-Mountain Winery and Vineyard
J. C. Geraci
Box 245
Middletown, VA 22645

with two others nearby:

MJC Vineyards (Montgomery County)
Dr. Karl T. Hereford
Route 1, Box 293
Blackstone, VA 24060

Woolwine Winery (Floyd County)
William Morrisette
Box 100
Woolwine, VA 24185

The Valley is also the site of several commercial vineyards:

Guilford Farm Vineyard
John Gerba
Route 2, Box 51
Stanley, VA 22851

Hilscher Estate Vineyard
Carl and Merle Hilscher
RFD 3, Box 274
Luray, VA 22835

Wenger Grape Farms
David Wenger
Route 4, Box 237
Waynesboro, VA 22980

⁷Federal Register, Vol. 46, No. 70, April 13, 1981.

Whithaven Vineyards
L. R. Whithaven
Route 1, Box 362
Middletown, VA 22645

GEOGRAPHICAL NOTES

The Shenandoah Valley extends approximately 200 miles from Harper's Ferry on the Potomac in the north to Roanoke in the south. It lies between the Blue Ridge Mountains on the east and the Alleghenies on the west, and embraces 10 counties: Berkeley and Jefferson in West Virginia and Frederick, Clarke, Shenandoah, Warren, Rockingham, Page, Augusta and Rockbridge in Virginia. Of the 26 million acres of land in Virginia, the Shenandoah Valley occupies about 2.4 million acres, or about one-twelfth of the state.

In Virginia, there is also the town of Shenandoah, the county of Shenandoah, the Shenandoah River, the Shenandoah Mountain, the Shenandoah Caverns, and the Shenandoah National Park. Many Valley businesses use the name, such as Shenandoah Meat Packers, Shenandoah Magazine and, of course, Shenandoah Vineyards. In the Winchester area alone there are 38 businesses listed which use the Shenandoah name or derivative thereof. Such widespread usage is not found in Amador County, California.

POINTS OF INTEREST IN THE VALLEY

The Luray, Grand, Dixie, Skyline and Shenandoah Caverns offer unique and beautiful sights of nature's handiwork. The Luray Caverns are considered the largest and most popular in the United States.

The Skyline Drive and Blue Ridge Parkway meander along the crest of the Blue Ridge and offer breathtaking vistas. These drives are especially popular in the fall when thousands of people gather to see the foliage.

Shenandoah National Park comprises 212,304 acres of forests with cascading waterfalls, wildflowers, hiking trails, campgrounds and over 200 species of birds and 50 species of animals.

Natural Bridge in Rockbridge County is one of the seven natural wonders of the world.

Natural Chimneys in Augusta County is site of the nation's oldest continuously held sporting event, the annual jousting tournament (first held in 1821).

Woodrow Wilson's birthplace, a Presbyterian manse, stands in Staunton complete with his 1919 Pierce-Arrow presidential limousine.

Famous resorts such as the Homestead, which is known for its recreation and hospitality, are located throughout the Valley.

Festivals held annually in the Valley include the Winchester Apple Blossom Festival in the "Apple Capital of the World;" the Virginia Poultry Festival in Harrisonburg; the Shenandoah Apple Harvest and Crafts Festival; and the Shenandoah Music Festival at Orkney Springs.

Museums and theatres include Middletown's Wayside Theatre, the Henry Street Playhouse in Lexington, the summer Passion Play at Strasburg, and the Roanoke Transportation Museum with its collection of steam and diesel locomotives.

Seven colleges are located in the Valley. These include Virginia Military Institute and Washington and Lee University in Lexington; James Madison University and the Eastern Mennonite College in Harrisonburg; Mary Baldwin College in Staunton; Bridgewater College in Bridgewater; and the Shenandoah College and Conservatory of Music in Winchester.

Some of the other Valley points of interest include the National Trust's 1787 Belle Grove at Middletown; Abram's Delight in Winchester; the Tuttle and Spice General Store near Mount Jackson, and Gristmill Square at Warm Springs.

Sausalito, CA 94965
September 28, 1982

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 385
Washington, D.C. 20044-0385

Re: Notice No. 419; Shenandoah Valley viticultural area

Sir:

The Shenandoah Valley of Virginia and West Virginia does not merit consideration as a viticultural area because it does not exist as a specific, coherent grape growing region.

Section 4.25a(e)(i), Title 27, CFR defines a viticultural area as a delimited grape growing region distinguishable by geographic features. Further, Section 4.25a(e)(2)iii requires that these geographic features distinguish the viticultural features of the proposed area from surrounding areas. The August 20, 1982 Federal Register states that "ATF feels that the establishment of viticultural areas... will allow wineries to better designate the specific grape growing area where their grapes come from..."

No evidence was submitted with this petition that would establish that this area is a specific grape growing region. The "extensive bibliography" referred to by the petition contains no viticultural information. I find no references to viticulture in this Shenandoah Valley of Virginia or West Virginia in any dictionary or encyclopedia. No mention of viticulture is made in any of the fifteen different issues of the National Geographic Society magazine referred to by the petitioner as having articles whose subject is this Shenandoah Valley. The petitioner has only submitted evidence to validate an uncontested claim that the Shenandoah Valley of Virginia and West Virginia exists as an historic area.

To be established as a viticultural area, however, it must first exist as a specific grape growing region. This implies that some minimum viticultural activity occur in the petition area. Moreover, this viticultural activity must have a uniformity of geographic viticultural features that can be distinguished from surrounding areas. It must be recognizable as distinct, separate and different because of its unique viticultural attributes.

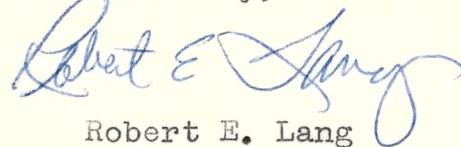
The 2.4 million acres enclosed by the petition boundaries include only 129 acres of wine-grapes. Vineyards comprise only 0.00005 of the petition area. It is a viticultural vacuum with a vineyard density of only 50 parts-per-million. Large portions of the proposed area are, in fact, devoid of any viticultural activity at all. Further, the few acres of various grapes that

are grown in this huge area are distinguished from each other by specie, varietal, and substantial geographic differences in location, elevation, soils and micro-climate. Therefore, these disparate vineyards do not share the commonality of viticultural characteristics required by section 4.25a(e)(2)iii to identify the viticultural area and to distinguish the viticultural features of the proposed area from surrounding areas.

Words outnumber the vines in this petition proceeding; it is dilute to the point of being an exercise without essential content and, as such, has become a "Massanutten" as a viticultural area.

However, it would appear that there are considerations other than mere viticulture that require satisfaction for a viticultural area to be established. I assume that the consumer is to be given the opportunity to identify and purchase wines from grapes that are grown in the viticultural Shenandoah Valleys of California, Virginia and West Virginia. I oppose any requirement that would add the applicable word "California," "Virginia" or "West Virginia" to the viticultural area name. It would unnecessarily lengthen the appellation, causing label design problems that would discourage the use of the appellation by wineries in labeling and advertising. Moreover, such a requirement would be redundant; according to section 4.25a(e)(3)iii, the requirements for use of a viticultural area designation on a label include a specification that the wine be "fully finished within the state, or one of the states, within which the labelled viticultural area is located..." Further, section 4.35(c) specifies that the post office address of the premises where such finishing took place be designated on the label. Therefore, when a viticultural area is designated on the label, the state of origin is already also required to appear on the same label. No consumer confusion could occur. It would be repetitious to require the state names to be tacked on to the appellation.

Sincerely,



Robert E. Lang

WILLIAM F. DOERING
[REDACTED]
FALLS CHURCH, VIRGINIA 22044

September 27, 1982

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

Dear Sir:

This is in response to Notice No. 419, which appeared in the Federal Register of August 20, 1982, regarding "Establishment of Shenandoah Valley Viticultural Area." I write as a consumer familiar with the area under review and likewise with the systems of appellations of geographic origin in France, Germany, Italy, and other European countries.

The proposed "Shenandoah Valley" viticultural area would contain 2.4 million acres. This would be an enormous territorial district by any standards. Justification for so large an area would, in my view, require the existence of extensive vineyards throughout the area, and historical evidence for a reasonable period showing them to be an established industry. In fact, the vineyard area is very small and is also recent. Earlier efforts, which did not have the aid of modern technology, ended in failure. To hold that the present 129 acres of vineyard "characterize" an area of 2.4 million acres is ridiculous. The proposal does not meet criterion (b) of Section 4.25(e)(2) in that the Shenandoah Valley in its entirety is not an area of viticulture.

Further, the range of geographical differences within the Valley -- altitude, temperature ranges, topography, soil variation -- as described in Notice No. 419 appear to be much too great and varied as to constitute a relatively homogeneous environment expected to confer relatively characteristic and uniform qualities on the grapes and the wines made therefrom. In my view, the petitioner has not shown beyond reasonable doubt that the proposal satisfies criterion (c) of Section 4.25(e)(2).

It is possible that, at some future date, there may be significant amounts of viticulture stretching from Winchester, Virginia, to the James River. Even if they should develop, it is probable that application of the criterion of environmental homogeneity would result in the subdivision, for viticultural area purposes, of the area.

For these reasons, the petition should be denied. The Bureau should, however, indicate its receptivity to submission of a further petition benefiting from the Bureau's ruling, possibly for an area which is more delimited in name as well as size, for example, "Northern Shenandoah Valley of Virginia."

Viticulture and wine production in the area popularly know as Shenandoah Valley should be encouraged. To that end, the Bureau should decline to confer exclusive use of the designation, "Shenandoah Valley," to the petitioners from the area of the same name in California (reference: Notice No. 371 of April 13, 1981).

Sincerely yours,

William F. D. D. D.

Carl C. Hilscher
Valley of Virginia Vineyard
[REDACTED]
Luray, Virginia 22835

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P.O. Box 385
Washington, D. C. 20044-0385 (Notice No. 419)

Dear Sir:

Following are my comments regarding the proposed establishment of a Shenandoah Valley Viticultural Area:

The long range value to the consumer in establishing an appellation of origin, in theory at least, is to aid him in satisfying his wine palate by building a recognition that wine from area A is somehow different from that produced in area B. On the side of the vintner and grower the value is in the fame and monetary rewards they receive from being within a highly reputable and famous appellation. Witness the European experience, for if they are fortunate enough to be located in an area where all the elements of nature favorably combine to produce a characteristically superior grape--and one should not forget, it all starts with the grape--their product is more eagerly sought after in the market place. All of which means that the naming of a viticultural area should be taken with care, not be diluted by compromise measures, be distinctive, easily recognizable, and once named, jealously guarded.

Therefore, I do not believe that state names should be included in the name of the proposed area. As the petitioner has aptly demonstrated, the Shenandoah Valley is so well known nationally and internationally as being that area of northern Virginia and eastern West Virginia that no further identification is needed. To add qualifiers would leave the door open for lesser known areas having designs on the name "Shenandoah" to apply for designations as viticultural areas thereby further aggravating the already controversial issue of "which place is the real Shenandoah."

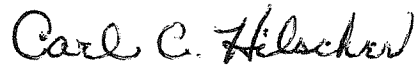
The boundaries proposed by the petitioner describe an area which is known historically only, and not necessarily as a grape growing area; apples and peaches, yes, but not grapes. Having said the foregoing, it should be pointed out that grapes of quality are being successfully grown here today. Whether, at this time, wine made from grapes grown within the 2.4 million acres can be discerned by the consumer as being different from that made from grapes grown in the rest of Virginia or at different locations within the Valley is questionable. Unfortunately, the regulation requiring the establishment of appellations of origin is ahead of the growing experience and viticultural background of the State. The situation becomes more difficult when one considers the naming of new areas, not heretofore considered capable of growing a respectable grape suddenly show promise. Nevertheless, the area the petitioner is outlining makes about as much sense as any at this early stage of the game. While weather, soil and elevation are mentioned, our long-range experience with how these elements specifically give a "Valley" character to the grape is so limited that these boundaries must, of necessity, be considered somewhat arbitrary and not necessarily based upon what is known about how local natural

phenomena affect the grape. I would hope, therefore, that actions taken now by the BATF are not planted in concrete, and that as we gain experience and develop or happen upon certain distinguishable characteristics in our wines that the boundaries may be amended to reflect these newly-found refinements.

Finally, I would amend the boundaries suggested by the petitioner to exclude the large amounts of parklands and forests. I see no benefit to the consumer nor the producer in having these included, plus to do so appears to dilute the area specificity that the BATF is trying to achieve.

I appreciate the opportunity to comment on this proposal.

Sincerely,



Carl C. Hilscher
Owner

GUILFORD RIDGE VINEYARD Rte 2 Box 117 Luray, Virginia 22835

1 October 1982

To: Chief, Regulations & Procedures Div
Bureau of Alcohol, Tobacco & Firearms
P.O. Box 385
Washington, D.C. 20024-0385

Subject: Comments on BATF Notice #419
Shenandoah Valley Viticultural Area Establishment

Thank you for providing the opportunity to comment on Notice #419, the establishment of a Shenandoah Valley viticultural district in Virginia. The views provided are those of owners and employees of Guilford Ridge Vineyard.

Guilford Ridge Vineyard was established in the Fall of 1971 when ground was prepared for planting in the Spring of 1972. This makes Guilford Ridge Vineyard one of the "older" operating vineyards in Virginia. The vineyard has generally served the home winemaking market with occasional sales to wineries.

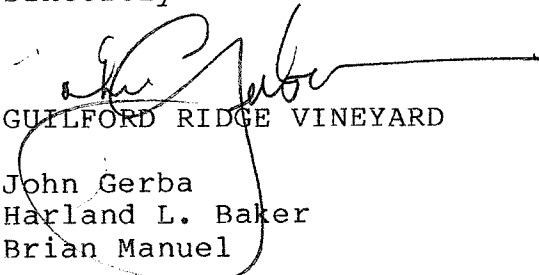
There are two reasons for our interest in the BATF's action contained in Notice #419. First the potential prestige, and resulting prices, associated with grapes grown by Guilford Ridge Vineyard will be greatly influenced by the appropriateness or inappropriateness of boundaries designating a viticultural district in its vicinity - as much so as it would affect the prestige and prices of the products of wineries within the same boundaries. Second, the owners of Guilford Ridge Vineyard expect to establish a winery themselves in the near future and would therefore be keenly interested in establishing a logical identity now for the wine it intends to produce in the prospective viticultural area in which it is located as well as for the grapes grown by others it might wish to utilize.

Most of the controversy to date, which has rivited the attention of commentators, the media, and public officials within the State of Virginia, has focused on the ethical question of establishing a competing "Shenandoah Valley" viticultural area in California. John Gerba, one of the owners of Guilford Ridge Vineyard, as the External Relations spokesman for the Virginia Vineyards and Wineries Association devoted almost his

entire testimony on this issue before the BATF hearings in Harrisonburg, Virginia held earlier this year.

Very little comment has been heard on the merits of the boundaries or viticultural attributes of the proposed district in Virginia. Most of the concerns expressed in the attached comments focus on the issues of the boundaries and viticultural attributes of the proposed viticultural district in Virginia as described in BATF Notice #419.

Sincerely



GUILFORD RIDGE VINEYARD

John Gerba
Harland L. Baker
Brian Manuel

Generally Guilford Ridge Vineyard supports the petitioners in obtaining a viticultural district in such timely manner as to allow them to utilize the provision of the law governing the use of the term "estate bottled" starting in 1983. It disagrees however with the boundaries proposed in the petition and offers suggestions for redrawing them and for renaming the resulting modified viticultrual district that may emerge from this process.

We have utilized the questions posed by BATF in the notice as the structure for making our comments and outlining our concerns on this proposal.

The six specific points we wish to share with the petitioner and BATF include:

Name:

- 1 There should be only one region of the Country awarded the exclusive legal rights to the use of the place-name "Shenandoah" as a viticultural district designation;
- 2 The only regional claimant that BATF should recognize for the exclusive rights to "Shenandoah" is for that Valley lying immediately West of the Blue Ridge and East of the Allegahnies in the Virginias;
- 3 The number of viticultural districts within the Valley of Virginia permitted to use the place-name "Shenandoah" within its name need not be limited to a single district.

Viticultural Features:

- 4 The petition does not sucessfully argue viticultural attributes, or other surogate horticultural attributes, in laying a foundation for the establishment of a district containing common growing conditions.

Boundaries:

- 5 The proposed viticultural district is too large and contains too much land permentantly committed to non-cropland use.
- 6 Defining a precise viticultural boundary to an area as large and diverse as the Shenandoah "Valley" in Virginia is premature.

Our specific arguements follow:

APPELATION OF ORIGIN - NAME

POINT 1: There should be only one region of the Country awarded the exclusive legal rights to the use of the place-name "Shenandoah" as a viticultural district designation.

There is no question that the place-name "Shenandoah Valley" should be reserved for the use of Virginians (or other neighboring States as claimed by the petitioner in the Notice #419). Even though there are several precedents in other grapegrowing regions of the world for permitting multiple viticultural areas having elements of their place-name in common -- there is no example of this which would allow two regions to share common name-identities more than one-hundred miles apart much less two areas which are separated by three thousand miles, several intervening regional cultural distinctions, a desert and a continental divide.

The fame of the place-name "Shenandoah Valley", like so many other place-names in history, has been honored by being adopted by many entities including governmental jurisdictions and private institutions. But this phenomenon should not lessen the rightful recognition and claim for the original place-name when it's legal usage is to highlight uniqueness -- as in the case for distinguishing viticultural districts. The names of viticultural districts are like business trademarks. "Look-alikes" in viticultural district names like trademarks will cause both consumer confusion and headaches, heartaches and losses of revenue for producers.

POINT 2: The only regional claimant that BATF should recognize for the exclusive rights to "Shenandoah" is for that Valley lying immediately West of the Blue Ridge and East of the Alleghannies in the Virginias;

There has been overwhelming evidence presented in the petition and in recent public hearings held by the BATF that the name Shenandoah Valley is not only known locally - but recognized nationally and internationally as being mostly or wholly within Virginia. Therefor there is no need for any qualifying State designation to be appended to the viticultural district name. There is overwhelming arguement on the other hand for denying the use of the place-name "Shenandoah" as a viticultural area designation in California.

This situation points out the need for BATF to do two things: deny the Amador County petitioners use of the place name "Shenandoah Valley", and develop guidelines on how conflicting claims for the use of a common place-name will be resolved in the future. High on the priority of criterions in any proposed guidance should be notions that national or international recognition shall take precedence over local usage and that long term historic usage shall take precedence over more recent usage.

POINT 3: The number of viticultural districts within the Valley of Virginia permitted to use the place-name "Shenandoah" within it's name need not be limited to a single district.

As a potential winery, Guilford Ridge Vineyard would like to ensure that it has the opportunity to propose a smaller district within the valley area more descriptive of the growing conditions encountered on the northern end of the South Fork of the Shenandoah River, and hopefully, the taste and aroma differences of the grapes grown there as well.

There are many examples throughout the world where there are "families" of viticultural districts sharing a common root in their place-name. The Pouilly in the Loire Valley is one such example. In this situation, there are several distinct districts all having the name of the regional town "Pouilly" as a part of its identity. The vast area that strongly identifies with "Shenandoah Valley" within Virginia would suggest that there is a good chance that a "family" of viticultural districts could arise within the overall valley utilizing the place-name "Shenandoah" with other qualifiers for their respective identifying name.

Since current BATF regulations do not rule out several districts to be established in close proximity to one another, or even nested within one another, it is our wish that the BATF clarify this point in this ruling.

VITICULTURAL FEATURES

POINT 4: The petition does not sucessfully argue viticultural attributes, or other surogate horticultural attributes, in laying a foundation for the establishment of a district reflecting common growing conditions.

The Shenandoah Valley in Virginia and West Virginia has several macro climatic differences. Peach bloom in the Spring progresses over a two week period or longer from its southern to northern extremeties. Apples do extremely well in the northern end while the more desirable locations further south lie outside of the Valley. The types of recommended seed varieties for corn, grain or much of anything else grown in the valley differs with lattitude - not just the preferences of County Extention Agents.

Several areas within the Valley suffers or benefits (whichever crop one grows) from "rain shadows". These are areas that receive much less precipitation than neighboring areas because of the irregular mountain terrain and their effects on the prevailing Westerly winds throughout the Valley.

If these climatic differences affect the growing conditions for all other crops in the valley, one would assume that grape growing would not be immune from this situation. The district as described in Notice #419 is not a coheasive growing region. It is therefor not likely to be a coheasive viticultural

growing area either. The Valley is more likely several areas horticulturally and viticulturally in search of a common identity. Some of these sub-areas would center about Winchester, Edinburg, Luray, Waynesboro and possibly several others.

The proposed petition is more successful in defining a historic boundary to the Shenandoah Valley rather than defining the boundaries of a viable viticultural area. These boundaries should be restudied.

BOUNDARIES:

POINT 5: The proposed viticultural district is too large and contains too much land permanently committed to non-cropland use.

Notice #419 would create a "viticultural" area of 2.4 million acres for which a proven worth for specific grape cultivars has hardly begun. The only value we see in designating such a huge area is that it would permit a winery within such an area to obtain the greatest quantity, quality and variety of grapes and yet have the resulting blends qualify as "estate bottled" wines. Guilford Ridge Vineyard strongly believes this was not the purpose of the viticultural area regulations. Even with more tightly drawn boundaries, wineries will not be prevented from purchasing grapes from outside the viticultural district within which it is located if it desires to make a more "generic-region" type wines.

A second reason that the size of this district is improperly drawn is that it contains vast amounts of land permanently dedicated to non-cropland use. Lands within the proposed boundaries include parts of the Shenandoah National Park, and may include parts of the George Washington National Forest and other permanent wildlife and forest enclaves among other permanent uses. They should be eliminated from any district designation.

POINT 6: Trying to define a viticultural area as large and diverse as the Shenandoah "Valley" is premature.

There could be such great quality and quantity differences associated with so huge an area as proposed as to render the purpose of the designation meaningless at this time.

In the future the BATF will undoubtedly be petitioned to establish additional viticultural districts in the "Valley". Each of these future districts will also undoubtedly include the name "Shenandoah" as part of its identity. Eventually, as recognition comes to the wines produced by these distinct though related areas, the public and wine experts may eventually come to recognize a "Shenandoah Valley" style such as it recognizes a Bordeaux, Burgandy, Piedmont, and Rhine styles among others.

Once this happens, this style recognition can be utilized by wineries who wish to promote "generic-region" types of wine much like is done by producers in the Loire Valley, the Rhine Valley, Bordeaux region, Burgandy region and numerous others areas throughout the world. At that time, it would be appropriate for BATF to entertain a petition on the merits of an expanded "regional" Valley designation.

RECOMMENDATION:

We strongly recommend to the petitioner in this notice, other Shenandoah Valley petitioners that may follow, and to the BATF that the following take place:

Viticultural Area:

- grant the petitioners a viticultural district designation in time to utilize the term "estate bottled" when this requirement comes into being in 1983; and

Boundaries:

- request the petitioners to amend its proposal to to more tightly circumscribe vineyards surrounding Edinburg and the Northern reaches of the North Fork of the Shenandoah River which will exclude lands dedicated to permanent non-cropland use; and

Name:

- grant the petitioners the use of a viticultural district name to include "Shenandoah" in conjunction with a qualifying local area designation (such as Edinburg, Rappahannock Co, North-central, ect) along with the name "Shenandoah"; and
- deny the use of the qualifying term "Valley" as a part of the viticultural district name; and finally
- deny the use of the place-name "Shenandoah" in any manner to the Amador County California petitioners.

This concludes the comments by GUILFORD RIDGE VINEYARD on BATF Notice #419. We will gladly answer any questions for the BATF that may arise out of these comments.



Meredyth

September 13, 1982

The Honorable Donald T. Regan
 Secretary of the Treasury
 15th & Pennsylvania Avenue NW
 Washington, D.C. 20220

My Dear Secretary Regan:

This letter is about the question now being decided of whom to permit use of the name Shenandoah in marketing wine. I write as Chairman of the Virginia Wineries Association, a Director of the Association of American Vintners, and President of Meredyth Vineyards, Middleburg, Virginia. You'll find enclosed a copy of my speech at a BATF hearing in Harrisonburg, Virginia.

The question is one of identity. The purpose of the BATF is to inform the public, to minimize confusion though the wine business is vast, complicated and in many instances esoteric and mysterious to average people.

People who are average with respect to wine may be - often are - educated and very intelligent but still confused by some of the present labeling regulations. We think adding qualification to a name already known throughout the whole country as the Shenandoah Valley of Virginia would only add to the confusion.

Virginia has a tremendous investment in the name Shenandoah. Virginia's tourism industry made that plain during the Harrisonburg hearings. Who thinks of California at mention of the name Shenandoah? Mel Jefferson of our Department of Agriculture and Consumer Services even found as he traveled from San Francisco to California's Shenandoah Valley that most Californians actually think of the Shenandoah Valley as in Virginia. Has there been a poll of the entire California wine industry? It would be interesting to see if most commercial wine-makers there think another place name like Burgundy, Chablis and Rhine should be corrupted to identify a California wine.

But, these are practical considerations. What is right? We Virginians are proud to give our wines Virginia names. Virginia's rights to the name Shenandoah date back to the era when America's heritage was born; the Valley's identity as that land of transcending beauty where so much of the Nation's history was written seems by standards of right and wrong to be the prior claim and the one that should be preserved. It belongs to Virginia.

Meredyth Vineyards
 P. O. Box 347, Middleburg, Virginia 22117

(703-687-6277)

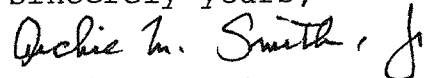
Meredyth Vineyards
Archie Smith - 2

Should it be taken away? I haven't heard anybody argue that Virginia should be deprived of the name altogether. But, should Virginia even be deprived of the name Shenandoah in part, through authorizing its use by a valley in another state, and then requiring Virginia wineries to qualify the name on their own labels? Well, Virginia's Shenandoah Valley needs no elaboration to the vast, vast majority of American citizens. Such a qualification would be a concession to California, and there seems no need or justification for it except to serve the purposes of a few wineries in Amador County, California. They must be quixotic, even for wine growers, for the question is much bigger than they are.

To us, it sounds like a potential windfall for California at our expense. Few had ever heard of the California valley until its wineries challenged Virginia. Is there a Smithfield, California, and will meat processors there try to make Virginia ham producers qualify the name Smithfield? The logic would be the same.

Please consider this far-reaching question and throw the weight of your opinion against it. Thank you.

Sincerely yours,



Archie M. Smith, Jr.
President

Copies: Mrs. Lou Ann Whitton
Virginia Department of ACS
Division of Markets
P. O. Box 1163
Richmond, Virginia 23209

Mr. James Randel
Shenandoah Vineyards
Rt. 2, Box 280B
Edinburg, VA 23943

Mrs. Lorraine B. Keenan
THE STAR-EXPONENT
7 Culpeper Street
Warrenton, Virginia 22186

Walter Luchsinger, Secretary
Virginia Wineries Association
Piedmont Vineyards
P. O. Box 286
Middleburg, Virginia 22117

'God Only Made One Shenandoah Valley'

(Editor's Note: The federal government will decide, possibly by July, whether Virginia or California will win the Shenandoah Valley designation for its wines. Archie M. Smith, Jr., president of Meredyth Vineyards in Middleburg, Va., made the following statement during a hearing in Harrisonburg, Va.)

My name is Archie Smith. I'm president of Meredyth Vineyards, near Middleburg, Virginia. Though we're not located in the Shenandoah Valley, I'm involved in the question today as Chairman of the Virginia Wineries Association, and of course as a loyal Virginian.

Let me explain something: The association I represent, the Virginia Wineries Association, is for commercial wineries. We are vineyardists too, of course. I explain that because there's another association called the Virginia Vineyards and Wineries Association that represents growers.

Jim Randel, whose Shenandoah Vineyards is in the Shenandoah Valley, tells me his wines are often confused in the marketplace with wines by the same name from California. That confusion results because the name "Shenandoah" simply means this valley between the Alleghenies and the Blue Ridge Mountains to nearly everybody. I'm sure you heard about that.

It came as a surprise to me to hear there really was a valley in California called, Shenandoah. Well, why not? We have a Lexington in Virginia and Kentucky has one too, both populated by reasonable, civilized people, stable people. As a Californian pointed out in Jackson, California, Virginians moving south and west proliferated the names of a surprising number of Virginia towns. For example, there seems to be a West Point in every state in the Union, even in Amador County, California.

But I've never heard of any other Shenandoah Valley except in Amador County, California. I wonder why. Maybe the reason is that most people know that God only made one Shenandoah Valley.

You all know the history. Jackson and Lee aren't buried in the Shenandoah Valley of CA. Thomas Jefferson, that early winemaker, didn't invest in real estate in the California valley. On the other hand, Phil Sheridan did indeed march through the Shenandoah Valley of Virginia and lay waste, because it was known then as The Breadbasket of the Confederacy. But even he didn't try to take the name away from us.

Californians do make superb wine. Nobody questions that. But, that isn't the issue. They've also invested money in the name of their little valley. But that's not the issue either.

ARCHIE M. SMITH, JR.



Identity is the issue.

Nomenclature becomes a confusing practice in California. For example, we call some California wines Chablis and other Burgundy or Rhine wine.

That's been going on so long that most of the consuming public hasn't an inkling what a Burgundy wine really is. People we've met in public tastings and at the winery, with appalling frequency, think Burgundy means just red wine, and Chablis to them is anything white, cool and alcoholic. Add a little sugar and that turns it into Rhine wine. They've been confused by the labels, not informed.

Explain to such people that Burgundy is actually part of France, and Chablis itself a part of Burgundy, while the Rhine is in Germany, and that only adds to the confusion. If you'd like my opinion, we all should quit playing fast and loose with identities and confusing the public. We should avoid calling wine from Amador County, CA, by the name Shenandoah. The issue here is identity.

The issue just isn't how much the Californians have invested. How many dollars do you have to invest before you can claim a name? That worries me. You don't make wine in Richmond, CA, do you? We really couldn't change the name of our capitol.

Instead of how much they've invested, the question is whether the consuming public throughout the country should be further confused.

Jack London, one of many Californians I admire, scoffed at externalisms like titles and empty ceremonies and superficialities that preoccupy so many people. But a name is no superficiality. A name in marketing is of the essence. It actually becomes identity. Talk about investing in a name! Think what Virginia's travel industry has invested through the years in the name Shenandoah.

Shenandoah has meant a valley in the Appalachians to most Americans for so long that I'll bet if you sampled the

public you'd find that hardly anybody, relatively speaking, has even heard of the Shenandoah Valley in California. Mel Jefferson of our Department of Agriculture and Consumer Services found that to be true even in California, just between the airport and Amador County. Shenandoah to them meant the Shenandoah Valley of Virginia.

It seems to me the surest way to confuse people would be to try to tell them the Shenandoah isn't in Virginia, where they have good reason to think it really is, and say that where wine is concerned the BATF or its successor intends to rewrite history and geography and stipulate that this valley we're in now is actually in California.

Will we have one Shenandoah Valley for the wine industry and another Shenandoah for everything else? Not if we hope to avoid further confusing the public.

One gentleman in California made an argument that sounds, to me, tangential to the issue of identity. He said Virginia only promised to develop a wine growing industry. Please let me lay that one to rest. I'm here to tell you that Virginia already has a wine industry.

Our Virginia Wineries Association numbers seventeen commercial wineries, or wineries about to become commercial, and according to Leon Adams...you know Leon Adams, that noted Californian, dean of all American wine writers and founder of the California Wine Institute...according to him a phenomenal expansion is in store for the Virginia wine industry in the next decade.

Any confusion set up today will only become worse as Virginia's wine growing industry expands.

Wherever you ladies and gentlemen find a home, somewhere inside the Federal Government, you'll surely understand the marketing and winemaking issues involved.

Marketing strategy, by the way, indicates to me that the Californians are making a serious mistake in positioning their product in the markets by using the name Shenandoah. It's only going to make them sound second-best, like also-rans. Two advertising writers named Ries and Trout said in their book, Positioning, that the first company to occupy a position in the mind is going to be practically impossible to dislodge. The Shenandoah Valley of Virginia is already too well established in people's minds. Fortunes of advertising would be inadequate.

"If you want to be successful in love or in business," says the book, Positioning, "you must appreciate the importance of getting into the mind first." Marketing history shows that me-tooers usually lose out. The best thing you can do for the Californians is to deny their request for exclusive use of a Virginia place name and force them to fall back on one of those many beautiful Spanish names in California. Thank you.

VIRGINIA

DAL PORTO RANCH
Box 30, Fiddletown Road
Plymouth, California 95669

September 22, 1982

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D. C. 2004-0385

Gentlemen:

This letter is being addressed to you by individuals who have a vested interest in grape production and are vitally interested in a Viticulture Appellation for a previously submitted application in the State of California.

Our comments on the application submitted by the Shenandoah Valley of Virginia are as follows:

NAME: The residents of California's Shenandoah Valley are willing to accept the qualifier of "California" preceding the valley name. The wineries in the area definitely want their product distinguished from that which is produced in Virginia. The Virginia applicant should be willing to compromise also, with Virginia and West Virginia on their appellation and labels. This really shouldn't produce too much of a hardship on the three (3) wineries existing in Virginia, not if fourteen (14) wineries in California can conform.

AREA OF CONCERN: According to the petition, as submitted, Virginia's Shenandoah Valley will cover areas of both Virginia and West Virginia. I would like to refer you to Appendicies A and B included with this comment. These references supply indisputable evidence that the southern portion of the area, including that in West Virginia, was not known as "Shenandoah Valley, but as, "The Great Valley of Virginia" until some time during, or at the end of, the Civil War.

Bearing this thought in mind, it would seem the Shenandoah Valley in California which was established in 1852 would predate a considerable portion of the Virginia petitioner's claim to historical rights. It is not the intent of the California applicants to presume on the historical areas of Virginia, these petitioners are basing their appellation request on viticulture and operating wineries in the Shenandoah Valley area of Amador County, California.

VITICULTURE: A comparison of the viticulture areas of the two Shenandoah Valleys, California and Virginia, have been submitted in various criteria several times to the Bureau.

A quick recap would be this:

Acreage: by the end of 1982 - Virginia - 216 acres
by the end of 1982 - California - 1,400 acres.

Wineries: Virginia - 3
California - 14

According to the most informative source we have been able to obtain, there is very little actual viticulture production in Virginia, yet the area encompassed in the petition is vast. The elevation and climatic differences would surely make certain areas definitely unsuitable for grape production.

In our opinion, we feel that the application covers an historical area rather than a viticulture area. The majority of the population in the western United States is not even aware of any viticulture production in Virginia.

It is sincerely felt by the writers of this letter that the Virginia Chamber of Commerce and Board of Trade are attempting to capitalize on "free" publicity to incite more tourist interest in an already well-known historical area, rather than the furtherance of a small, local industry, which is not, at this writing, allowed to ship their product out of state.

In the hearings held in Virginia last January, one received a very graphic and illuminating lecture on history of the valley, but very little on viticulture, which was the prime subject, supposedly, of these hearings.

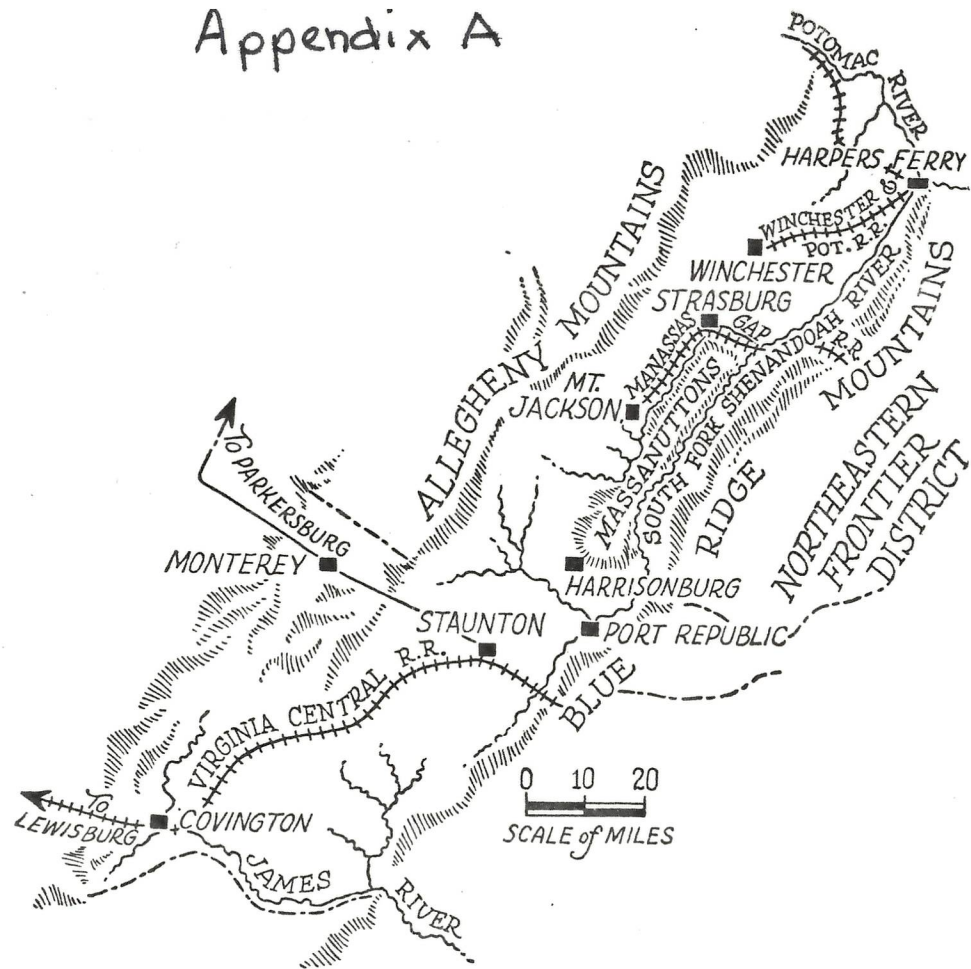
We would sincerely appreciate being retained on your mailing list for any future Notices, or for possible public hearings if they are deemed to be necessary. Thank you.

Very truly yours,


Frank P. Dal Porto, Jr.


Enid J. Dal Porto (Mrs.)

Appendix A



The Shenandoah Defensive Area

Soon to become renowned in military parlance as the Valley District was the Shenandoah Defensive Area, the second of the State. This lovely section between the Blue Ridge and the Allegheny Mountains traditionally sets its southern boundary where the James River crosses it near the line of Botetourt County, but the country South of Botetourt is almost identical in geology with that to the North. Despite cross ranges and divergent watersheds, the "Great Valley," as some of the early geographers styled it, runs southwestward into Tennessee.

With the Shenandoah area, three mountain counties to the westward, Highland, Bath and Alleghany, had strategically to be included. The

Page 689

the course of the rivers, the strength of the hills and the labor of man divided Virginia.¹⁷

The Northeastern Frontier District as shown on the map, p. 687, was a crude triangle with depth and extreme width of about sixty-five miles. It lay between the Blue Ridge, the Potomac and the Rappahannock-Rapidan as far downstream as Fredericksburg, and it had high strategic importance. The Federals of course would seek to protect Washington, and when they were ready for the offensive they probably would utilize the Orange and Alexandria Railroad, which was the simplest, easiest overland line of advance from Washington as a general case.¹⁸ To accomplish those two objects, the enemy might be expected to occupy the Northeastern area.

Defensively, that area had certain advantages. It offered a fair line along Bull Run and Occoquan River, which form the boundary between Fairfax and Prince William Counties. As the southern end of the area, and delimiting it, was the line of the Rappahannock and Rapidan. All these streams were readily fordable at various points, but they were sufficiently strong to make an enemy hesitate. In relation to Maryland and to Washington, a strategic advantage still greater was afforded this Northeastern area by the proximity of the Shenandoah Valley. So long as a defending force held both the line of Bull Run-Occoquan and the lower Shenandoah Valley, each of these positions covered the other.

The chief defensive weaknesses of the Northeastern area were four. In the event that the control of the Potomac were lost, as it probably would be, only one rail line of supply would be available, the Orange and Alexandria. Second, in the same contingency of the loss of the Potomac to the enemy, the line of Bull Run-Occoquan could be turned from Aquia Creek. If, third, an enemy in the Shenandoah Valley advanced twenty-five miles southward from Harpers Ferry and seized the passes or "gaps" of the Blue Ridge with its spurs, the position along Bull Run would be untenable. Finally, South of that stream, until the Rappahannock was reached, there was no natural defensive position of strength.

¹⁷ Needless to say, this first attempt to define the strategic areas of Virginia in terms of weapons and transport of 1861 is made in the knowledge that it must be tentative and subject always to dispute and to revision. The last thing the writer would do in so complicated a field would be to pretend to finality or even to aver that the present sketch of the strategic divisions of Virginia is the best or the most logical. The reader will understand, of course, that tanks, long-range guns, other modern weapons, aircraft and transport have changed substantially the strategic problems presented by the terrain of Virginia.

¹⁸ For the relation of this line of advance to the severance of rail communication with Staunton and the upper valley of the Shenandoah, see *infra*, p. 691.

"Lee's Lieutenants", Volume I
by Douglas Southall Freeman

Published by
Charles Scribner Son

By the time McClellan was concentrated on the peninsula, and ready for his movement, so were the Confederates. Fifty-five thousand in breastworks faced McClellan's 100,000, with a single brigade left near Fredericksburg as an observation force—all that stood between Richmond and McDowell's 50,000 directly from the North. Here entered the element unknown to Lee and Jackson, which they acted as if they had known:

When McClellan sailed away from Alexandria, Lincoln insisted that the general leave a sufficient force to guard Washington. By McClellan's plan, McDowell was to move directly south from Washington to Richmond and come in from the north as the main force struck from the east. With the James River to the south of Richmond and sparsely populated hilly country to the west, the capital would have been forced to withstand a siege from two sides in which, with no natural defenses, it would be doomed.

The troops left to guard Washington were second-flight, not fully trained or equipped, but adjudged by McClellan to be more than sufficient for their purpose, since the whole Confederate forces east of the Blue Ridge would of necessity be concentrated against him at Richmond. The few scattered Confederate forces west of the mountains, the largest of which was Jackson's 3000, would have their hands more than full guarding their own country against Union forces in the Valley and in the Western mountains.

Lincoln did not agree with McClellan. He was afraid for Washington and reluctant to turn McDowell loose. Though Lee and Jackson could not have known of Lincoln's fear, they did recognize that at all hazards McDowell must be kept away from McClellan and Richmond. Their juncture would make the defense of the capital just about hopeless.

To accomplish the end of keeping the Union forces separated, Lee had to persuade the President, and Lee and Jackson had to circumvent Joe Johnston. For, when Retreatin' Joe came to take personal command on the peninsula, he did not relinquish his command of northern Virginia, which included Jackson in the Valley.

First off, Johnston wanted to bring every soldier in Virginia to the peninsula and to strip the Southern coastal positions in order to concentrate all Eastern Confederate forces in one grand battle. Judging by the way strategic coastal positions had already fallen to the U. S. Navy and amphibious forces, to strip the newly and more strongly fortified positions would be inviting the Atlantic coast, essential if supplies from abroad were to be landed, to share the same fate as the Mississippi.

Even if the nation's foreign supply were to be risked, along with disheartening and endangering occupation of coastal cities and land, mathematics were clearly against Johnston's concentration plan. If all the

than 20,000 and the Unions had more than 60,000, with approximate superiority in heavy weapons, simple addition would show the fatuity of Johnston's plan.

Lee won the presidential support against Johnston's idea of concentration. Lee's purpose in concentration was to keep the enemy scattered, a feeling he and Jackson shared intuitively.

When Johnston was thwarted in his plan to draw all troops to the peninsula, he wanted to evacuate Yorktown immediately. This would mean the evacuation of Norfolk also, with its navy yard and the *Merrimac-Virginia*. As Johnston showed when he destroyed the supplies at Manassas, such considerations were outside his concern. More directly from a military standpoint, retreat would bring the Union armies close to Richmond, which of all things Lee wanted to avoid. Again Lee prevailed on the President (with an assist from Randolph, the new War Secretary) to get Johnston's agreement to defend at Yorktown at least as long as possible.

When Johnston agreed, he had no intention of carrying out the plans. It has been used against McClellan that Johnston found Magruder's fortifications so puny that, he said, "No one except McClellan would have hesitated to attack." Coming from Retreatin' Joe, who rarely in four years heard his own bugler blow "Charge," this remark serves as a disparagement less of McClellan than of Magruder's defenses. Johnston was giving the reasons why he could not follow the President's plans and fight. His heart was set on retreating and no power on earth could stop him. Against all wishes and again abandoning feverishly collected heavy guns—this time fifty-three—Johnston started the dreaded retrograde movement through the spring mud to Richmond.

Johnston's retreat from Yorktown began on May 4. At the same time Stonewall Jackson opened an obscure action which grew into what came to be called the Valley Campaign, and was designed to hold McDowell from McClellan in the fight for Richmond.

4 Appendix B

The immensely fertile and beautifully contoured rolling country of the Shenandoah Valley spans about thirty miles from the Blue Ridge Mountains to the Alleghenies; and from Lexington in the south to the Potomac (including the then northernmost county in Virginia), the Valley Pike ran along the floor for about 165 miles.

The Valley was settled by Germans, Irish, and Scotch-Irish, Quakers and Mennonites, coming down the familiar route from Pennsylvania, and by Virginia yeomanry leaving the tidewater section. The earliest settlers

Page 169

"The Land they Fought For"
by Clifford Dowdy Doubleday Publication

WILLIAM F. DOERING
████████████████████
FALLS CHURCH, VIRGINIA 22044

TOTO
R&P *10/19*
Rm
Regulations *10-18-r2*

September 27, 1982

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

Dear Sir:

This is in response to Notice No. 419, which appeared in the Federal Register of August 20, 1982, regarding "Establishment of Shenandoah Valley Viticultural Area." I write as a consumer familiar with the area under review and likewise with the systems of appellations of geographic origin in France, Germany, Italy, and other European countries.

The proposed "Shenandoah Valley" viticultural area would contain 2.4 million acres. This would be an enormous territorial district by any standards. Justification for so large an area would, in my view, require the existence of extensive vineyards throughout the area, and historical evidence for a reasonable period showing them to be an established industry. In fact, the vineyard area is very small and is also recent. Earlier efforts, which did not have the aid of modern technology, ended in failure. To hold that the present 129 acres of vineyard "characterize" an area of 2.4 million acres is ridiculous. The proposal does not meet criterion (b) of Section 4.25(e) (2) in that the Shenandoah Valley in its entirety is not an area of viticulture.

Further, the range of geographical differences within the Valley -- altitude, temperature ranges, topography, soil variation -- as described in Notice No. 419 appear to be much too great and varied as to constitute a relatively homogeneous environment expected to confer relatively characteristic and uniform qualities on the grapes and the wines made therefrom. In my view, the petitioner has not shown beyond reasonable doubt that the proposal satisfies criterion (c) of Section 4.25(e)(2).

It is possible that, at some future date, there may be significant amounts of viticulture stretching from Winchester, Virginia, to the James River. Even if they should develop, it is probable that application of the criterion of environmental homogeneity would result in the subdivision, for viticultural area purposes, of the area.

For these reasons, the petition should be denied. The Bureau should, however, indicate its receptivity to submission of a further petition benefiting from the Bureau's ruling, possibly for an area which is more delimited in name as well as size, for example, "Northern Shenandoah Valley of Virginia."

Viticulture and wine production in the area popularly know as Shenandoah Valley should be encouraged. To that end, the Bureau should decline to confer exclusive use of the designation, "Shenandoah Valley," to the petitioners from the area of the same name in California (reference: Notice No. 371 of April 13, 1981).

Sincerely yours,

William F. Driscoll

SHENANDOAH VINEYARDS

Route No. 2, Box 208B
Edinburg, Virginia 22824

(703) - 984-8699
(201) - 635-7012

October 1, 1982

Address Reply To:

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D. C. 20044-0385

Re: Notice No. 419
Shenandoah Valley Viticultural Area

Dear Sir:

These comments are filed on behalf of Shenandoah Vineyards and Shenandoah Vineyards, Inc. (Shenandoah Vineyards), both of Edinburg, Virginia, in response to certain specific questions posed by the BATF in its notice No. 419 regarding the establishment of the Shenandoah Valley Viticultural Area.

Shenandoah Vineyards is of course the petitioner in this matter and has addressed certain of the specific questions in the petition. Therefore, the comments here will be limited to those questions which either present new issues or extend issues beyond those contemplated.

The proposed viticultural area name should not include Virginia or West Virginia.

The fact that the Shenandoah Valley extends across the state boundaries would appear to have no bearing on whether a political subdivision should be attached to the viticultural area name. There is no evidence in this proceeding: (1) that the valley in Virginia is not the same Shenandoah Valley as in West Virginia; (2) that the climatic and soil conditions are different as they relate to grape growing; (3) that there are not similar geographical features defining the valley; (4) that the Shenandoah Valley ends at the state lines; (5) nor that consumers through local, national or world usage would know that the valley had been changed by fiat of order. It is clear that one of the basic reasons for providing for viticultural areas was to avoid political subdivisions as designated grape growing areas in favor of areas that have common geographical, geological, and climatological significance for the growing of grapes.

In addition, if it can be said that the consumer would be confused because the valley crosses a state line, who will be the judge as to whether he would be confused if it crosses a county line or a township line? The illogic is evident. If the concept of viticultural areas is to be worthwhile, the areas must be kept viticultural areas. And in this specific case there is no evidence to justify doing otherwise.

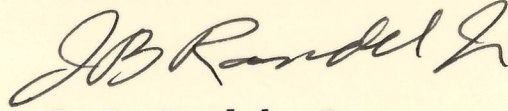
The proposed boundaries describe both a historically known region and a grape growing region.

It is clear from the petition that the portions of the counties of Warren, Clark, Amherst, and Botetourt: (a) are in the Shenandoah Valley, as known to the public; (b) have the same soil and climatic conditions as other parts of the valley; and (c) are suitable for growing grapes which would produce the same characteristics as other grapes grown in the valley. Further, there will undoubtedly be vineyards established in those counties, if not already. From what viticultural area would they be designated? Certainly they would be from the Shenandoah Valley and the area could not be distinguished, under the BATF Regulations, from the Shenandoah Valley. The result - another filing for those growers to be included in the Shenandoah Valley viticultural area. Those counties should be included now.

The BATF has repeatedly stated that political divisions should not be used for the establishment of viticultural areas. Following this, it would not appear to matter whether certain counties are now growing grapes but whether the area comprising those counties, or a part thereof, is located in a geographical area of similar characteristics suitable for growing grapes of a like character and which area can be readily identified by the purchasing consumer. The purpose of the regulations must be kept well in mind if chaotic situations are to be avoided. For example, it would be patently absurd to remove all the land from already established viticultural areas on which grapes are not now being grown or, taken further, on land which grapes will never be grown, such as cities, industrial areas, residential areas, naturally untillable land and land that is simply not suitable for grapes. There are many precedents in BATF decisions for leaving presently unproductive lands in a viticultural area. We know of none for

removing them and believe it unwise to establish one here.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "J B Randel Jr". The signature is written in a cursive, flowing style.

J. B. Randel, Jr.
Co-Owner



September 24, 1892

Chief, Regulations and Procedures Division
Bureau of Alcohol, Tobacco and Firearms
P. O. Box 385
Washington, D.C 20044-0385

Dear Sir,

I write to oppose the petition for the establishment of an American Viticultural area in Virginia and West Virginia. I am opposed to this petition because it fails to meet the criteria set forth in Sections 4.25a(e)(2)a, and c.:

a.: Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition. Most who are familiar with the East Coast associate the Shenandoah Valley with that portion of Virginia between the Blue Ridge and Allegheny Mountains from Winchester to Staunton. This beautiful valley is rich in history and is, indeed, well known. Most people would be very surprised to find portions of the James River watershed and especially portions of West Virginia and outside of the drainage of the Shenandoah River included in the Shenandoah Valley.

c.: Evidence relating to the geographical characteristics (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas. The creation of such an enormous viticultural area encompassing every small vineyard in central Virginia and West Virginia, leaves no adjacent areas of grape growing for comparison.

In California we have seen dramatic differences in the character of grapes and the resulting wine with very slight differences in microclimatic factors such as soil, altitude, wind direction or rain fall. In the Cote d'Or in France it is a long-established fact that a few feet of distance makes the difference between a wine of superb quality, demanding the highest prices, and a wine of average quality. The French Appellation Controlee system is based on the performance of vines over long periods of history and the consumer has great confidence in the meaning of such viticultural delineations. For us in America to promote large sweeping areas as discrete viticultural appellations would be a gross disservice to the consumer.

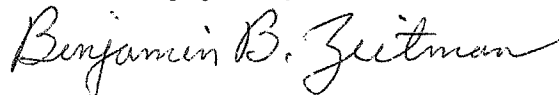
(2)

How can an area over 150 miles in length, with altitudes from 275 to 4,200 feet and scores of different soil types and other climatological features have grapes of unique and uniform characteristics? The petitioners cite climatological data from the central portion of this proposed, enormous viticultural area and do not include data from its extremes in the North and South. How could anyone claim that this 2.4 million acre area -- with about 0.00005% in grapes, two counties devoid of vineyards and containing one of our large National Parks -- is a discrete viticultural area? When I drive through the main part of the Shenandoah Valley of Virginia and all I see are lovely scenic vistas, civil war areas and farms. When I drive through Napa, Sonoma or even the large North Coast area in California, the main thing I see and the principal agricultural activity is grape growing.

I do not object to the establishment of viticultural areas in Virginia and West Virginia, but I believe they should be limited to specific areas where the microclimates and viticulture are distinguishable from surrounding areas as required in the Federal regulations. I fully support the efforts of the grape growers in Edinburg, Virginia to have an American Viticultural Appellation and to use Shenandoah Valley of Virginia as its designation, but they, more than anyone else, should insist that their proposed area be representative of the grapes that distinguish their product from others in that State.

The Bureau of Alcohol, Tobacco and Firearms should be commended for its efforts in promoting the establishment of American Viticultural areas. The delineation of discrete wine grape growing regions will give the consumer valuable information on the characteristics of the wine. I feel the Bureau has gone out of its way to be fair in its deliberations to date. The approval of this petition for the huge area described would erode the concept of American Viticultural Appellations.

Sincerely yours,

A handwritten signature in cursive script that reads "Benjamin B. Zeitman". The signature is written in dark ink and is positioned below the typed name.

Benjamin B. Zeitman



JILL WRIKKE H

(Response, pl)

*sch
8/19*

R+P Div 8/23

*mm.
Rulings Br 8/23
STZ*

August 15, 1982

Mr. Steven Higgins, Director
Bureau of Alcohol, Tobacco & Firearms
1200 Pennsylvania Aveune NW
Washington, D.C. 20004

*Research + Regs Br.
ATTN: Jim Hunt*

Dear Mr. Higgins,

I was unable to make the appointment with you last week because my father's death caused me to cut short the business trip. I hope my Washington wine broker was able the cancel the appointment. At any rate, I am sorry that we could not meet since two issues of importance are on my mind.

The first of course is the resolution of the Shenandoah Valley name. I understand that you are still under intense political pressure from the Virginians and that the near dissolution of your agency has also been a factor in the deley of action. Based on the type of testimony at the two hearings (viticulture out West and history in the East) I am confident that our petition for the appellation will be granted. My only other concern has to do with the actual name: I hope the BATF is still considering either "Shenandoah Valley" or "Shenandoah Valley of California" for the appellation. I believe it would be ill-advised to use "California Shenandoah Valley" since that would be very similar to the trade name of California Shenandoah Vineyards winery.

My other concern has to do with the excessive bimonthly paperwork that small wineries and the Treasury Department must encounter -- Form 2050. I feel the government would save considerable money and time if Form 2050 was due on a bimonthly, monthly or quarterly basis keyed to actual tax paid removals (sales). There are certain times when my tax payment is less than \$1.00. Besides the time required to fill out these forms and travel to town to photocopy and mail the letters, I am sure that Treasury staff have more productive things to do, especially given the hiring freezes and lack of personnel. Surely a solution can be made whereby the government can maximize the return on the exise tax collected -- the Board of Equalization in California has been doing that for some time.

Rulings Branch will handle 8/23/82

I will be in Washington, D.C. for another sales trip in the Spring. Hopefully I will have the pleasure of seeing you then.

Sincerely yours,

Ben Zeitman

Ben Zeitman

August 24, 1982

Dear Gentleman or Madame,

I am writing to urge you to allow the winegrowers of Virginia to use the name of the Shenandoah Valley in their wine production. Virginia's land was named and settled two hundred years before California's valley. At the time George Washington was surveying in the Blue Ridge, this region of California belonged to Mexico. It would be an insult to three hundred years of Virginia's heritage to allow the Californians to use that name. The Virginians are entitled to the name of Shenandoah Valley having had it first.

Thank You,

Chris Clotworthy



Virginia Travel Council 7619 Brook Road P. O. Box 15067 Richmond, Virginia 23227
Telephone: 804/266-0444

September 30, 1982

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

Attention: Re Notice No. 419

Gentlemen:

Here is a resolution approved by the Executive Committee of the Virginia Travel Council. The Council is a non-profit travel association representing the private sector of travel in Virginia.

We would greatly appreciate your serious consideration of this request.

Sincerely,

Robert P. Nelson
President

RESOLUTION

RESOLUTION BY THE EXECUTIVE COMMITTEE OF THE VIRGINIA TRAVEL COUNCIL,
ENDORISING ACTION BY THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS (BATF)
TO DESIGNATE AREAS IN VIRGINIA AND WEST VIRGINIA AS THE SHENANDOAH
VALLEY VITICULTURAL AREA.

WHEREAS, The Virginia Travel Council is a non-profit Corporation conducting programs to increase travel to and within the Commonwealth of Virginia; and

WHEREAS, it has come to the attention of the membership of the Virginia Travel Council that a small group of vineyard operators in California has requested the BATF to designate an area of that state as the "Shenandoah Valley Viticultural Area," and

WHEREAS, the designation of such an area, 3,000 miles from the true Shenandoah Valley located in Virginia, and including two counties in West Virginia, has the potential to create considerable confusion in the minds of visitors seeking to visit the true Shenandoah Valley, and


WHEREAS, numerous reference works such as the WORLD BOOK ENCYCLOPEDIA; ENCYCLOPEDIA AMERICANA: RAND McNALLY COSMOPOLITAN WORLD ATLAS and the NATIONAL GEOGRAPHIC ATLAS OF THE WORLD all refer to the Shenandoah Valley as being located in northwestern Virginia and the eastern pan handle of West Virginia, thus making the location of the true Shenandoah Valley clearly identified as being in the east, and

WHEREAS, the establishment of a wine producing industry in the true Shenandoah Valley plus other areas of Virginia, has been watched with keen interest by travel interests making up the membership of the Virginia Travel Council, and has been heartily endorsed by the Virginia Travel Council; and this wine producing industry is fully compatible with Virginia's travel interests,

NOW THEREFORE BE IT RESOLVED, by the Virginia Travel Council, that the Federal Bureau of Alcohol, Tobacco and Firearms approve the application of Shenandoah Vineyards, Edinburg, Virginia, to designate the Virginia Counties of Frederick, Clarke, Warren, Shenandoah, Page, Rockingham, Augusta and Rockbridge, Botetourt and Amherst (including the various cities and towns located within these counties) and the West Virginia Counties of Beckley and Jefferson (including the cities and towns located within these two counties) as the Shenandoah Valley of the Virginias Viticultural Area.

~~BE IT FURTHER RESOLVED THAT A COPY OF THIS RESOLUTION, SUITABLY EXECUTED~~
BY THE PROPER OFFICERS OF THE VIRGINIA TRAVEL COUNCIL, BE FORWARDED TO
THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS IN WASHINGTON, D.C.

Adopted this 27th day of September, 1982.


Robert Parker Nelson
President

110(KF) —

██████████
Virginia Beach
Virginia 23451

W
1/7
9/8

August 24, 1982

Bureau of Alcohol, Tobacco and Firearms
Treasury Department
200 Granby Mall
Norfolk, Virginia 23510


Regulations —

Dear Director:

Please accept this letter of concern from a native Virginian, one who grew up on the edge of our Shenandoah Valley. I understand that you will consider written comments in your decision to grant exclusive rights to either Virginia or California for its wine growing designation.

Virginia is the birthplace of our nation. She also has produced many of her presidents, second to no other state. One of our country's founders, himself the third President, Thomas Jefferson had a dream of wine making from vineyards grown in our own soil. While it's true that California has grown Shenandoah Valley grapes for decades, it's also true that Virginia has done so for centuries. The name is very special for Virginia and all its residents. It conjures images of patriotism, founding fathers, struggles for independence, and national pride and unity. California, on the other hand, has similarly got many areas that conjure images, especially for winemaking: Napa, Mendocino, Sonoma, for example. They surely do not need to use Shenandoah Valley. It both hurts our chances in Virginia for future winemaking efforts and acceptance and also dilutes the dream that Mr. Jefferson began at our nation's start.

Please consider carefully the full ramifications involved. I think your intelligent decision will be to allow Virginia to continue both our country's and its tradition. Shenandoah Valley is Virginia.

Very truly yours,

Sean Brickell