

March 27, 2012

SB379 Opposition

House Federal & State Affairs Committee

Dear Chairman and Committee,

I have a 16 acre vineyard and boutique winery (Holy-Field Vineyard & Winery) in Basehor, KS. **I am strongly opposed to SB379.** SB379 changes the Kansas Farm Winery law and removes the farm from farm winery. The intent is to remove the agricultural requirement (60% Kansas grown grapes) from the Kansas Farm Winery license to only 20%. We are a farm winery and we grow our own grapes. Changing the ag requirement from 60% to 20% takes the Farm out of Farm Winery. Wineries that don't want to use 60% Kansas grown grapes already have an option for a different license; it is called a Manufacturer's License. It seems that the people who want to take the farm out of farm winery don't want to be a manufacturer of wine because then they lose the Tasting Room and self distribution benefits that were intended for a value added agriculture product produced by a Farm Winery. Farm wineries in Kansas are also allowed to hold both a farm winery license and manufacturer's license. Even if a farm winery can not meet the 60% ag requirement they are eligible for a variance from the Director of Alcohol Beverage Control. It is my understanding that a variance has never been denied and as recently as 3 weeks ago a variance was granted to a winery upon their request. Please help us keep the agriculture in Kansas wine and choose to vote against SB379.

1. If the folks proposing this legislation put half as much effort into a vineyard of their own, they wouldn't need to change the law. It is wrong to change the law to comply with the fact that the proponents don't want to do the work. I have been testifying against this exact same piece of legislation since 2004. That is 8 years and plenty of time for people to have planted grapes and had several harvests. There are options for people who don't want to comply with the fruit requirement. Leave the farm in farm winery.

A brief was written by the Office of the Revisor regarding what changes to the farm winery bill could cause. I have attached the brief. It specifically states that any change in the amount of the ag requirement could cause a legal challenge. This is because the further Farm Wineries are removed from ag, the more we are like manufacturer's. If we become too much like a manufacturer, then we could potentially lose our rights to self distribution. This will harm the farm wineries and put the interest of manufacturer's over the interest of Kansas farmer's.

We are farmers and proud of our true Kansas agricultural product (wine). Wine is a regional product and we believe it should be made with grapes grown in Kansas otherwise it is simply fermented juice imported from another state. Our wines have been distinguished with numerous international wine awards, and all of these wines were made from grapes that were grown in Kansas dirt with this farmer's hands. Keep Kansas wine a Kansas product and support the farmer's and winemaker's who grow the grapes. **Please vote NO on SB379.**

Thank you. Les Meyer, Holy-Field Vineyard & Winery 18807 158th St. Basehor, KS 66007.

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Date: 3-29-12

Attachment # 25