

To: The House Committee on Federal and State Affairs

SB379 Opponent

March 28, 2012

Submitted by: Justin Johnson
Golden Road Estate Vineyard
21925 Golden Road
Linwood, KS 66052
(913) 957-0101

Chairman Brunk and Honorable members of the Committee,

I (Justin Johnson) appear today to oppose SB379 as a starting small vineyard and a member of the Kansas Viticulture and Farm Winery Association.

My interest in wine and grapes is fairly recent. As a brief history - I am a Missouri native, but attended the University of Kansas and later took a position with an electrical contractor in Lenexa, KS. In 2003, I took a promotion which moved me to the St. Louis, MO area. This is where my passion for wine began – being in the Herman, MO area. I enjoyed the wineries and briefly thought about making wine myself. In 2008, I was able to move back to the Kansas City area with my employer. At this time, my passion for wine had grown stronger and I began to try my hand at making wine. I was ready to settle, now being back in the area that I call home. My passion had grown so much that I decided I wanted to find a place to plant grape vines and work towards opening a winery. I visited many wineries and vineyards in the area on both sides of the state line and became a little frustrated. I learned that a lot of the Missouri wine I enjoyed was no more than juice that was imported... I became an **informed consumer!**

I felt **deceived** by the Missouri wineries – thinking that I was enjoying Missouri wine from grapes grown in Missouri. This was not always the case. A lot of wine was made from juice imported from other states – even juice that could be from a grape grown in Missouri was sometimes imported from New York, California or other states.

Kansas was different – setting its self **above** the surrounding states. With 60% Kansas grown fruit, I felt the wineries were truly making Kansas wine as well as **SUPPORTING KANSAS AGRICULTURE** and **all** the trickle down businesses therein. They **were not deceiving the consumer** who

House Federal & State Affairs

Date: 3-29-12

Attachment #

46

grown nor the tourist who truly wanted a Kansas wine – wines that have won numerous medals. And yes, there are Federal guidelines that require there be 75% of fruit from the state to be called a ‘state’ wine... however, this is not explained to the consumer – all they see is the address on the back – with the state listed, thus thinking they are **buying local and supporting local!**

I did have concerns with the 60% requirement since I do wish to have a winery in the near future. These were **EASILY ANSWERED and put to rest** by the existing wineries. My major questions were:

- What happens if my crop is hit with late frost, 2-4-D or pest infestation?
 - o Informed by Kansas wineries that you can get a variance to import if needed – I since have learned with research that **NONE** have been denied!
- If, for some odd reason, I want to make wine from a grape that cannot withstand the climate in Kansas?
 - o I can get a **Kansas Manufacture’s** license (Winery can hold both licenses). Which **anyone who wants to use less than 60% can get!**

After long debating and **MANY** questions, I decided to buy property in Leavenworth County in late 2009. This was to the dismay of my uncles who farm other crops in Missouri, but **they also agreed** it was in my best interest to **buy property in Kansas** since they actually **SUPPORT the growers**, and are not only for big business.

In April 2011 I planted 2 acres of 6 different varieties of grape vines. At this time, I plan to expand and eventually open a winery. If SB379 is passed, I am not sure that I will continue. It will be just like every other state around us. The larger growers will be the only ones that can survive. If you look at the numbers such as Iowa, the acres go up very slightly, but the number of growers decline greatly leading me to believe that the small growers are pushed out (Hence larger growers of Kansas pro SB379). I will not be able to recoup my investment into Kansas Agriculture within the 7 years planned. It does take an investment of nearly \$16k per acre to plant grape vines.

Therefore, I ask you to not accept the change of the 60% requirement down to 20% – keep this law associated with helping the small growers of Kansas. The large wineries and big businesses have an option (the Manufacture’s license)– they just want the best of both worlds.

Thank you,
Justin Johnson

46-2