

Requested by SENATE COMMITTEE ON BUSINESS AND GENERAL GOVERNMENT

**PROPOSED AMENDMENTS TO
SENATE BILL 830**

1 On page 1 of the printed bill, line 7, delete “and (4)” and insert “to (5)”.

2 On page 2, after line 11, insert:

3 “(5) Subsections (2) to (4) of this section do not apply to a wine label that
4 bears all or part of the name of an American viticultural area located in this
5 state as a brand name, if the brand name was established on or before De-
6 cember 31, 2017.”.

7 In line 12, delete “(5)” and insert “(6)”.

8 In line 14, delete “(6)” and insert “(7)”.

9 Delete lines 19 through 45.

10 On page 3, delete lines 1 through 21 and insert:

11 “**SECTION 4.** Section 2 of this 2019 Act is amended to read:

12 “**Sec. 2.** (1) As used in this section, ‘American viticultural area’ means
13 a delimited grape growing region approved under 27 C.F.R. part 9.

14 “(2) Except as provided in subsections (3) to (5) of this section, if a wine
15 label bears the name of an American viticultural area that is located in this
16 state and uses a single grape variety as a type designation, **the wine must**
17 **be produced entirely from the grape variety used as the type desig-**
18 **nation.**[:]

19 “[*(a) At least 95 percent of the wine, by volume, must be derived from the*
20 *grape variety used as the type designation; and*]

21 “[*(b) The percentage and name of each grape variety used must be listed*]

1 *on the label as provided under 27 C.F.R. part 4.]*

2 “(3)(a) **Except as provided in paragraph (b) of this subsection**, the
3 Oregon Liquor Control Commission, by rule, may identify American
4 viticultural areas that may be used on a wine label without subjecting the
5 label to the [*requirements of*] **requirement in** subsection (2) of this section.
6 The commission shall solicit and consider recommendations by Oregon
7 winemaking associations associated with an American viticultural area be-
8 fore determining whether the commission should identify the area in rules
9 adopted under this [*subsection*] **paragraph**.

10 “(b) **A wine label that bears the name of an American viticultural**
11 **area identified by the commission under paragraph (a) of this sub-**
12 **section and uses Pinot Noir as the type designation is subject to the**
13 **requirement in subsection (2) of this section.**

14 “(4)(a) The commission, by rule, may classify a grape variety as an exempt
15 variety. A wine that uses an exempt variety of grape as a type designation
16 is not subject to the content requirement in subsection (2)[*(a)*] of this section.
17 However, at least 75 percent of the wine, by volume, must be derived from
18 the exempt variety of grape as provided under 27 C.F.R. part 4. **The per-**
19 **centage and name of each grape variety used must be listed on the**
20 **label as provided under 27 C.F.R. part 4.**

21 “(b) **The commission, by rule, may classify a grape variety as a**
22 **nonexclusive variety. A wine that uses a nonexclusive variety of grape**
23 **as a type designation is not subject to the content requirement in**
24 **subsection (2) of this section. However, at least 95 percent of the wine,**
25 **by volume, must be derived from the nonexclusive variety of grape as**
26 **provided under 27 C.F.R. part 4. The percentage and name of each**
27 **grape variety used must be listed on the label as provided under 27**
28 **C.F.R. part 4.**

29 “[*(b)*] (c) The commission, by rule, may establish standards for wine labels
30 that bear the name of an American viticultural area the commission has

1 identified as exempt under subsection (3) of this section and that uses a
2 single grape variety as a type designation.

3 “[*(c)*] **(d)** The commission shall solicit and consider recommendations by
4 Oregon winemaking associations regarding:

5 “(A) Whether a grape variety should be classified as an exempt variety
6 under paragraph (a) of this subsection; [*and*]

7 “**(B) Whether a grape variety should be classified as a nonexclusive**
8 **variety under paragraph (b) of this subsection; and**

9 “[*(B)*] **(C)** Appropriate standards for wine labels described in paragraph
10 [*(b)*] **(c)** of this subsection.

11 “(5) Subsections (2) to (4) of this section do not apply to a wine label that
12 bears all or part of the name of an American viticultural area located in this
13 state as a brand name, if the brand name was established on or before De-
14 cember 31, 2017.

15 “(6) The commission may not assess a penalty for a violation of subsection
16 (2) of this section if the violation is the inadvertent result of a production
17 error.

18 “(7) The commission may not impose a civil penalty for failure to list a
19 grape variety as required under subsection [*(2)(b)*] **(4)(a) and (b)** of this
20 section if the unlisted grape variety is less than one percent of the wine.”.

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