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Press Release


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FOR IMMEDIATE RELEASE: August 9, 2011

AFTER PUSH FROM SCHUMER, FEDS TO HELP GET NY-MADE WINE ON THE SHELVES FASTER – PLEDGE TO WORK WITH WINERIES TO STREAMLINE APPROVAL PROCESS FOR WINE BOTTLE LABELS

Huge Backlog In Wine Label Approvals Has Been Sapping Wineries' Business

Schumer Today Announced That The Alcohol, Tobacco, Tax and Trade Bureau Has Pledged To Work With NY Wineries And Develop Faster Approval Process To Help Them Get Wine On Shelves More Quickly – Will Immediately Begin New Approval Process To Help Custom Winemakers Get Faster Approval For Wedding, Birthday, Special Event Labels

Schumer: This Is A Good First Step Towards Uncorking Wineries' Potential

Today, U.S. Senator Charles E. Schumer announced that the federal government has agreed to work with New York's wineries to correct delays in the process of approving new labels for wine bottles, which has been hindering their business. The Alcohol and Tobacco Tax and Trade Bureau (TTB) must approve labels that will cover bottles of wine produced at over 300 wineries throughout New York State, before those bottles are shipped out and sold. Over the last two years, wineries across New York say the backlog is making it significantly harder for wineries to get their product on store shelves. The TTB has sent back labels asking wineries to fix one issue, and then after that problem is fixed they have asked for additional changes, creating a back and forth that results in weeks of backlogs and causes production schedule problems for wineries. After Schumer called on the TTB to work with local wineries to come up with new ways to approve the wine labels more quickly, the TTB agreed today to work with New York wineries to do exactly that. The TTB also said that they would immediately begin approving template labels for custom winemakers, preventing winemakers from having to go back to the federal government every time they make a slight change to the artwork or names on a label for a special event like a birthday or a wedding. By agreeing to streamline the process for submitting certain types of labels and working with local wineries on their concerns, Schumer believes that industry stakeholders and the TTB can reduce the average amount of time required to approve labels. This should bring greater stability to wineries' business, and help them better plan production cycles.

"It's time to uncork the full potential of our wine industry in New York, and this is a good first step in that direction," said Schumer. "We have barrels and barrels of wine just waiting to hit the shelves, but bureaucratic red tape is keeping them out of our stores. That's why I asked the federal government to work with our wineries to figure out how we can make this process faster, and get New York-made wine flowing faster. I'm pleased the TTB has agreed to immediately streamline the process for our custom winemakers, and I'm eager for them to start meeting with local winemakers to figure out new and innovative ways to make even bigger strides. This is going to make a big dent on the amount of time it takes to get our wine from grape to glass."

The wine-producing industry is expanding rapidly in New York, with over 300 wineries and hundreds of employees. The number of new labels submitted to TTB for approval has increased in recent years as wineries expand their product line or offer custom label designs for special events such as weddings, birthdays and other special occasions. The approval and processing of these wine labels is done through the Alcohol Tobacco Tax and Trade Bureau's (TTB) Certificate of Label Approval (COLA). A label must be approved by TTB before it can be sold on the shelves in New York.

Here is a region-by-region breakdown of New York wineries:

- In the Capital Region there are 17 wineries
- In the Hudson Valley there are 34 wineries
- In the North Country there are 17 wineries

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- In Central New York there are 21 wineries
- In the Rochester/Finger Lakes region there are 87 wineries
- In the Southern Tier there are 58 wineries
- In Western New York there are 35 wineries
- In New York City and on Long Island there are 85 wineries

According to U.S. wine industry experts, as recently as ten months ago approval of a new label took as little as one day if electronically-filed and as little as one week if filed by paper application. However, New York wineries have recently reported that it can take at least one month to receive approval of an electronically-filed COLA application and two to three months for a paper application. Often, when wineries finally do receive feedback, it is with a rejected label and the necessary corrections, and at that point labels must be resubmitted and the COLA process must begin again. The TTB told Schumer itself that they have noticed a significant increase in the typical amount of time it takes for them to respond to requests for label approvals.

This lengthy label approval process creates delays that are hindering winery businesses across New York State, and subsequently harming what could be a rapidly expanding economic force on the New York economy. Local wineries reported a variety of negative results on their business operations due to the label backlog, including difficulty in establishing a smooth production schedule, as well as limited retail and wholesale sales and delayed wine releases. What is more, there are many New York wineries just opening for business that have a whole host of labels in line for approval. In these cases, new wineries report to Schumer's office that the delayed label approvals nearly pushed back their openings by an entire season. Schumer notes that every day that a label is delayed costs the winery in delayed or lost sales and thus reduces the amount of federal excise tax collected on those wine sales.

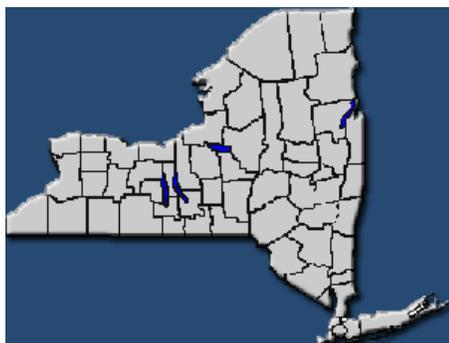
In a personal letter to TTB Administrator Manfreda, Schumer called on the Bureau to work with the wine industry to identify ways to streamline the COLA process and avoid unnecessary delays, so that label approvals can keep pace with the ever-growing wine industry in New York. In Her response to Schumer, the TTB administrator said, "TTB would be happy to work with them [New York wine industry members] directly to address their specific issues." As the TTB begins to work with industry stakeholders, Schumer will stress the need for improvement in the label correction phase. Many New York wineries have received back rejected labels from TTB with a request to correct one issue, only to make that change and receive notification of a new correction. This creates a back and forth or ping-pong effect that can result in weeks of backlogs and headaches for these wineries, and prevents bottles from hitting the shelves. Schumer asks that the TTB clearly identify all of the issues that need to be addressed on the first rejection of approval.

In the case of customs personalized labels the TTB agreed with Schumer's request to streamline the process saying, "Effective immediately, TTB will not require resubmission of labels due to changes in graphics or artwork." In the past, TTB permitted wineries to simply apply once for approval of a custom label template to ensure it contained the required regulatory and safety warnings, after which the winery could customize and personalize the artwork on the front of the labels to suit the specific event. TTB then changed course to require individual approval of labels when changes were made to graphics and label components apart of the regulatory and safety warnings. By working with industry stakeholders to find ways to streamline approval of these custom labels TTB could, in turn, help ease the current backlog of COLA applications.

New York is one of the top states impacted by this labeling backlog, and the industry is suffering as a result. The wine-producing industry is fast expanding, and in New York State alone there are 300 wineries with 47 satellite retail stores in 49 counties that employ hundreds of workers and are major economic drivers for tourism and agriculture. Since wineries cannot sell their product without first securing a label approval, it is critical to minimize delays within the COLA process that threaten to curb the growth of this industry.

TTB oversees labeling and permitting and collects Federal excise taxes on alcohol products. In this role, TTB promotes consumer protection and helps level the playing field for companies by ensuring federal laws and regulations are upheld industry-wide.

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