

Kathy Sharp

Part 1

From: Native Spirits Winery <info@nativespiritswinery.com>
Sent: Sunday, January 07, 2018 4:14 PM
To: Kathy Sharp
Subject: Written comments concerning Proposed rules relating to Wineries
Attachments: ABLE Comments.docx

Kathy, I am attaching a copy of some comments and input regarding Proposed rules offered by ABLE. I understand these need to be to you no later than 5:00pm today. If possible, please confirm receipt prior to the established deadline.

Thank You
Rick Vollmer
Native Spirits Winery
Norman, OK

Comments regarding proposed rule changes for OK Wineries and Winemakers. Prepared by Rick Vollmer, Owner, Native Spirits Winery. Norman, OK

Reference Sect 45:25-1-1 On this section, we support comments submitted by OGIC.

Ref. Sect 45:25-1-2 Public Event is defined broadly and Includes “festivals” thereby making separate definition unnecessary.

Ref. Sect 45:25-1-2 Why is this separate definition of festival necessary? Current law allows Wineries to sell both on premises and off premises. This proposed change appears to place limitations on that ability. Further, the term “temporary” appears to be an ambiguous term and is not clearly defined and would also appear to limit current law.

Ref. Sect 45:25-1-3 We are not sure of the purpose of a separate definition for “Tradeshows.” Tradeshows generally are public events. We also support the OGIC comments on this section.

Ref. Sect 45:25-1-5 On many occasions, wineries do not know 30 days in advance of festivals they may attend. This provision also creates additional paperwork that is of dubious value or use by ABLE. Allowing list to be amended would be a reasonable compromise. We also support the submitted comments by OGIC on this section.

Ref. Sect 45:25-3-3 Self distributing wineries already are required to post prices monthly thru ABLE. The Short Form is used when previous price schedule is unchanged for the next reporting period. Any price changes already require a new completed long form.

The requirement to publish and distribute a complete price list to all customers over the past 60 days appears duplicative to ABLE's current posting requirement and in our view, is an onerous burden on small wineries. It is not clear whether this proposed change would be in place of current posting requirements, or would replace current requirements. We believe such a change would result in small wineries incurring hundreds of man hours of administrative labor over the course of a year, and perhaps as much as \$10,000 in both direct and indirect costs.

Ref. Sect 45:25-5-3 Fed Ex already requires such a label on all alcohol shipped. Prior approval by the Director appears unnecessary. Unless ABLE creates and distributes such shipping labels, it is not clear whether wineries will be required to create and use their own label. If so, it would seem to result in a wide variety of labels by many different shippers with little consistency between them other than the basic statement and size.