

**Assembly Bill No. 87**

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Passed the Assembly May 10, 2007

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*Chief Clerk of the Assembly*

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Passed the Senate September 5, 2007

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 25240 of, and to add Section 25244 to, the Business and Professions Code, relating to alcoholic beverages.

## LEGISLATIVE COUNSEL'S DIGEST

AB 87, Blakeslee. Alcoholic beverages: California county wine.

Under existing law, the Department of Alcoholic Beverage Control regulates the licensing, enforcement, and administration of the alcoholic beverage control laws. Existing law requires any wine labeled with a viticultural area appellation of origin established pursuant to federal law, other than the viticultural area "Napa Valley," that is located entirely within the County of Napa to bear the designation "Napa Valley" on the label in conjunction with the area designation of the wine, as specified.

This bill would declare the intent of the Legislature to protect the Paso Robles wine-growing area and prevent confusion among consumers.

This bill would provide that any wine labeled with a viticultural area appellation of origin established pursuant to federal law when the appellation includes the term "Napa Valley" does not need to bear the additional designation of "Napa Valley."

This bill also would require any wine labeled with a viticultural area appellation of origin established pursuant to federal law, other than the viticultural area "Paso Robles," that is located entirely within the "Paso Robles" viticultural area name to bear the designation "Paso Robles" on the label in conjunction with the area designation of wine. This bill would provide that any wine labeled with a viticultural area appellation of origin established pursuant to federal law when the appellation includes the term "Paso Robles" does not need to bear the additional designation of "Paso Robles."

The Alcoholic Beverage Control Act provides that a violation of its provisions is a misdemeanor, unless otherwise specified. This bill by creating a new crime, would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) That wine produced in Paso Robles from grapes grown in the Paso Robles region has national and international recognition.

(b) That Paso Robles was designated a viticultural area in 1983 by the federal government, and that designation authorizes growers and vintners, whose wine is derived from at least 85 percent of grapes grown in the Paso Robles region, to label their wines as Paso Robles wines.

(c) California's Central Coast is geologically different from other California winegrowing regions. The proximity of the Pacific Ocean, orientation of numerous canyons and valleys, and varying elevations produce many different distinct microclimates, including the largest variation between high daytime and low nighttime temperatures of any region in California because of the cool marine air that flows east through the Templeton Gap and south along the Salinas River Valley from the Monterey Bay.

(d) Since the early 1990s, Paso Robles wines have proven consistent gold medal winners and have been featured regularly in the top rankings of national and international wine reviews. A milestone in the worldwide recognition of Paso Robles as a premier wine region came in 1997 when a local product was named one of the top 10 wines in the world by the Wine Spectator.

(e) In the last eight years, the number of wineries in the Paso Robles wine country has tripled from 50 to 170, mostly due to an increase of boutique and small family owned vineyards and wineries. The appellation's burgeoning reputation has also lured a number of winemakers from France, Australia, South Africa, and Switzerland who are eager to find new applications for their winemaking skills.

(f) The likely proliferation of smaller, separate viticultural area designations, while highly desirable within the developing Paso Robles region, has the potential of diminishing the historical, agricultural, and economic importance of the Paso Robles winegrowing area and confusing consumers.

(g) Thus, it is necessary to require wines produced within the boundaries of the existing Paso Robles appellation to be labeled as being derived from that region, if the wine label indicates that they are produced within a separate viticultural area within Paso Robles wine country, to preserve consumer identification and understanding of the name “Paso Robles” and to protect this important state agricultural resource and wine products derived from that area.

SEC. 2. Section 25240 of the Business and Professions Code is amended to read:

25240. (a) Any wine labeled with a viticultural area appellation of origin established pursuant to Part 9 (commencing with Section 9.1) of Title 27 of the Code of Federal Regulations, other than the viticultural area “Napa Valley,” and which is located entirely within a county of the 29th class, shall bear the designation “Napa Valley” on the label in direct conjunction therewith in a type size not smaller than 1mm less than that of the viticultural area designation provided neither designation is smaller than 2mm on containers of more than 187ml or smaller than 1mm on containers of 187ml or less. This requirement shall apply to all wines bottled on or after January 1, 1990.

(b) The department may suspend or revoke the license of any person who violates this section.

(c) This section shall not apply to any wine labeled with a viticultural area appellation of origin established pursuant to Part 9 (commencing with Section 9.1) of Title 27 of the Code of Federal Regulations when the name of the appellation includes the term “Napa Valley.”

SEC. 3. Section 25244 is added to the Business and Professions Code, to read:

25244. (a) Any wine labeled with a viticultural area appellation of origin established pursuant to Part 9 (commencing with Section 9.1) of Title 27 of the Code of Federal Regulations that is located entirely within the “Paso Robles” viticultural area shall bear the designation “Paso Robles” on the label in direct conjunction

therewith in a type size not smaller than 1mm less than that of said viticultural area designation, provided neither designation is smaller than 2mm on containers of more than 187ml or smaller than 1mm on containers of 187ml or less.

(b) The department may suspend or revoke the license of any person who violates this section.

(c) This section shall not apply to any wine labeled with a viticultural area appellation of origin established pursuant to Part 9 (commencing with Section 9.1) of Title 27 of the Code of Federal Regulations when the name of the appellation includes the term "Paso Robles."

(d) This section applies only to wine that is bottled on or after January 1, 2008.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.





Approved \_\_\_\_\_, 2007

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*Governor*