

**Idaho State Department of Agriculture**

**02.01.04 Rules Governing the Idaho Preferred® Promotion Program**

**June 26, 2018 at 1:00 pm**

**Leah Clark, Facilitator**

Present: Ashlee Struble, Idaho Wine Commission; Roger Batt, Idaho Wine Commission; Moya Dolsby, Idaho Wine Commission; Leah Clark, ISDA; Owen Moroney, Office of Attorney General – ISDA; Dallas Burkhalter, Office of Attorney General – ISDA; Amy Johnson, Department of Lands; Janis Perry, ISDA.

**AGENDA ITEMS**

**WELCOME**

Leah Clark convened the meeting at 1:05 pm. She explained that this rule change is to Section 200.04 of IDAPA 02.01.04 Rules Governing the Idaho Preferred® Promotion Program. The change was initiated by a petition from the Idaho Wine Commission. She stated that her role, as manager of the Idaho Preferred® Program, is to facilitate this public meeting. She then had those in attendance introduce themselves.

As petitioner, Moya Dolsby described the federal labeling designation for Idaho wines to have “Idaho” on the label is 75% Idaho grapes. For the specific American Viticultural Area (AVA) to be listed, 85% of the grapes must be from that designated area. She stated that in 2017 when nearly 75% of the Idaho grape crop was lost, it negatively affected the membership to require 95% of the grapes be grown in Idaho. She said the Idaho Wine Commission feels that it makes sense to follow the federal guidelines for the Idaho Preferred® label.

Leah Clark indicated that currently twelve winery members are in the Idaho Preferred® voluntary program of the fifty-five wineries in the state. This rule change would affect those twelve members. However, other wineries may be able to become members if the rule changes.

Amy Johnson asked when the 95% standard was set. Leah Clark explained that in 2005 the Idaho Preferred® Program set more specific guidelines for various products with suggestions from the commissions. During that time the federal labeling guidelines have not changed. However, Moya Dolsby did say that states, such as California, have made the labeling guidelines stricter.

Leah Clark indicated that the department has received four letters opposed to the rule change with one of those an Idaho Preferred® winery member. One letter in support of the rule change has been received from an Idaho Preferred® member for other crops, but not for his wine. Leah questioned whether there was confusion on what the rule actually applies to since it does not apply to the wine label.

In response to Moya Dolsby’s question of what happens now, Leah Clark explained that written comments can be submitted through tomorrow. Then a proposed rule will be published followed by another comment period. A pending rule would be published in the fall.

Dallas Burkhalter stated that this rulemaking session was scheduled for an hour, so comments could be accepted until 2 pm.

Leah Clark adjourned the meeting at 1:20 pm.

Respectfully submitted by Janis Perry.