



This column and next month's will be dedicated to a frank discussion of the Bureau of Alcohol Tobacco and Firearms. If you have anything to do with production or distribution of these items or you are involved in a strange, non-mainstream religion you know them simply as BATF. This is far from an exposé since this information is documented in many sources, but most often it is people in the trade who truly know the insidious nature of this beast (that is, when they are not on the front page for killing lots of people in Waco).

In this issue I will provide some history and background on the creation and development of BATF and the actions they take that create havoc for wineries, in particular.

The Rise of the BATF

You have probably already guessed that this agency is the modern-day version of the T-men who were charged with preventing the spread of hooch during Prohibition. This 14 year period (1920-1933) was marked by the likes of Eliot Ness and his Untouchables ("If one of theirs sends one of yours to the hospital, you send one of theirs to the morgue!" Thank you very much Mr. Connery) chasing after the drug runners of the time and generally (the movie be damned) being not so effective. BATF was given oversight of firearms as well as liquor since guns were involved in the transportation of booze. Why tobacco was included, since it was and tenuously remains a legal product, is somewhat unclear. I guess the thinking was that the type of people they were hiring for the Treasury Dept. and subsequently BATF would never figure out that cigarettes were actually bad for you, and that cigarette manufacturers were (and proudly remain) some of the worst bastards on the planet.

In 1933 the government realized that people were going to drink, and having a law against it was ridiculous when a lot of money could be made regulating it. (Apparently politicians in the 30's were not as caught up in making practical issues into moral issues as the politicians of today, who can't see the hemp for the THC.) So the 21st Amendment was passed re-legalizing the production, distribution, etc. of alcoholic beverages. To this day this amendment is the most bizarre statement contained in the Constitution. It states; "The transportation or importation into any State, Territory or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is prohibited." Huh?

This sentence means the federal government granted the states autonomy to do as they wish in regards to intoxicating spirits, but at the same time forbids the violation of states' laws. So, the federal government has the authority to enforce laws that the states choose not to. This is the only instance in which federal agents are authorized to provide back-up or proxy enforcement. States can create laws and choose whether or not to enforce them. The Feds can, at their discretion, enforce the laws created by any given state at any given time. It is a confusing mess.

Patchwork Legislation

What this has done is create a patchwork quilt of laws regarding importation, distribution, sales and even ownership of wine and spirits. States have different laws on many topics, (speeding, jaywalking, zoning, etc.) but laws pertaining to legal trade of legal substances across state borders makes for a nightmare for businesses and consumers. This is one of many things that gets me very worried when old Newt and his gang start talking about turning everything back to the states. There is something about a "smoothness" in laws from state to state that I find mighty attractive. Don't get me wrong, I am all for states and localities having a big role in the decision-making process but to allow states to create legislation that will affect other states is a dangerous game. I always thought the United in front of the States was a pretty good idea.

Anyway, as it exists now there are regulations all over the place that have been passed essentially by people with lots of money to benefit themselves (what a surprise). If you think that's wineries, think again. The joke goes, "How do you make a small fortune in the wine industry?" Answer, "Start with a big one." For every Gallo (and there's only one) there are hundreds of smaller wineries that are just small businesses. For the most part laws regulating liquor are passed for the benefit of the distributors and/or the state itself.

Examples: Until September of 1995 it was illegal for a winery in the state of Oregon to ship wine to a consumer who lived in Oregon. If you lived in Oregon and wanted wine from a California winery, no problem. You could go to that favorite Oregon winery of yours and buy it and bring it home but they could not send it to you. Oregon is one of 13 states that have what is called reciprocal laws. They essentially say that it is okay for a consumer to buy directly from the producer. If you know anything about the Oregon Liquor Control Commission (OLCC), you probably know that there is a hierarchy that is set up (like most states) where the distributor buys from the producer, sells to the retailer who sells to the consumer.

In states such as Georgia and Nevada a winery must have a distributor (in Oregon that is not required although the distributors are pushing hard

for it). Once you settle upon a distributor (you can only have one) you cannot change distributors without written permission from the state government. Sweet deal, huh?

In Washington the state sends out a form to many Oregon wineries insisting that any winery which shipped wine to a consumer in the state of Washington (no more than 2 cases allowed) must provide the state with the names and addresses and quantities of everyone shipped to. Hello, Neo-Prohibitionism.

In Florida, right now the Kingpin of worst states with respect to free trade of wine and spirits, if you want to move to Florida and bring your wine collection you must write to the state and ask for special permission to do so and then pay a \$2.35/gallon tax on the amount of wine that you bring in. This is a wine you have already purchased for your own consumption. If you have an arsenal that would make a small country fearful of you, bring it on down, no questions asked. Florida has asked for the BATF's help to enforce their incredibly stringent laws. Shipments of wine have routinely been seized and destroyed in Florida because someone did not follow proper procedures.

Believe me, the list goes on and on. This is supposedly a free nation. Alcohol, to the chagrin of an increasingly large number of people, is legal, but treated like an illegal substance. Our society is headed in a bizarre direction. The war on drugs and alcohol has become a war on thought. Kids are increasingly exposed to the idea that sex, drugs, and alcohol are the wrong choices in all cases. Condoms can't be distributed in schools, wine and beer are made to be pariahs and marijuana is the devil's weed. Yet violence is an essentially acceptable form of expression and entertainment in our society. I have to deal with the ramifications of political bodies turning practical choices (the consumption and enjoyment of wine) into moral crusades and I know that what goes on is not good for business, consumers or the way our country works.

Since this is such an uplifting topic I will continue it next month and get into the other insidious ways that the BATF and states have collaborated to make enjoying the alcoholic beverage of your choice increasingly tangled and difficult.

Recommended Wines for the Month: After all that nastiness you very well may need a nice glass of wine. It is no secret that I loath the month of February. It is a cold, dark month that all too frequently dumps bad weather and snow on us. There are no true holidays, only one complete fake made up by Hallmark. My recommendation is to call in with Februaryitis, pull the shades, lock the doors, have the neighbors pick up your mail (it's all bills and maybe Valentine's Day cards) and only open the door for the pizza delivery person. Have lots of wine on hand and appear again in March which is a fine and decent month.

Trafford Tawny Port: Port is always something to have on hand. A good glass of Port can completely brighten one's outlook on life. The Trafford Port comes at the measly price tag of \$11. It is a lighter style Port but it has wonderful flavors. It is lightly sweet with flavors of raspberry, dried cherries and caramel leading into a pleasurable finish of gingerbread and cinnamon. You can enjoy this one over several days as the high alcohol percent will keep it from oxidizing.

Rosemont Shiraz 1994: One of the truly great deals in wine available today! Shiraz is the Australian version of Syrah and I frankly like it better from down under than I do from France. This is a big wine that is chewy and complex. Black cherries, leather, coffee and bitter chocolate are prominent in the mid-palate and the finish is softly tannic with touches of spice and cedar. The Wine Spectator gave it a "90" and it comes for \$10 or less.

Adelsheim Pinot Noir 1994 Oregon: Maybe the most consistent producer of high quality wines in Oregon. Year after year this winery has top flight wines. Their most recent release of Pinot noir is from the famed 1994 vintage. This is a subtle wine. Nice flavors of black cherries, blackberries and a big rush of currants are complemented nicely by an earthy quality that makes it understated, yet elegant. Drinkable now but better in a year or so. A good value from an excellent producer in a wonderful vintage. \$20.

The Wine Shack

Cannon Beach
In Coaster Theater Courtyard
Established 1977

Featuring Northwest, California & Imported Wines
Collector Wines From 1875
Through Current Vintages
Featuring Over 1000 Wines
Wine Racks, Glasses & Wine Related Items

Wine Tasting
Every Saturday Afternoon
1-5 PM
Different Wines
From Around The World
Each Week

Open 11 AM-5 PM - Closed Tues.

436-1100
124 N Hemlock
P.O. Box 652, Cannon Beach OR 97110

THE BEAUTY OF THE BEACH

is in a warm sunset a cooling breeze a playful ocean wind at the water's edge...and a lovely bottle of wine from that shiny little shop on the main drag in Cannon Beach operated by Laurel Hand.

IN STOCK: The very best of Oregon Wine, many imported items, imported and domestic beers, entertaining events, recommendations and friendly service.

Laurel's Cannon Beach Wine Shop
263 N. Hemlock
(503) 436-1666

BISTRO

Memorable Meals Of Honorable Mention

RESERVATIONS: 436-2661
263 N. HEMLOCK • CANNON BEACH

MIDTOWN CAFE

1235 S. HEMLOCK
Cannon Beach
7 AM - 2 PM
Breakfast & Lunch
Closed Jan 2 - Feb ?

THE RIVERHOUSE

Casual Dining
Overlooking the Nestucca River

Spirits • Hot Sandwiches
Fresh Seafood Dinners • Home Baked Desserts
Live Music Every Saturday Night
(503) 965-6722 PACIFIC CITY, OREGON

I took the good times, I'll take the bad times;
I love you just the way you are.
Billy Joel

Cafe de la Mer

Northwest Best Places

Award of Excellence
The Wine Spectator

1287 S. Hemlock
P.O. Box 45
Cannon Beach, OR 97110
(503) 436-1179

Icetime

GLASSWORKS

JIM KINGWELL

POST OFFICE BOX 382
CANNON BEACH, OR 97110
PHONE 503 436 2389

Where to get an Edge

Cannon Beach: Jupiter's Rare and Used Books, Osburn's Grocery, The Cookie Co., Coffee Cabaña, Bill's Tavern, Cannon Beach Book Co., Hane's Bakerie, The Bistro, Midtown Café, Once Upon a Breeze, Knoodlz & Cleanline Surf

Manzanita: Manzanita News & Espresso, Bayside Gardens, Cassandra's, Pacific Coast Books & Coffee & Nehalem Bay Video

Rockaway: Sharkey's

Tillamook: Rainy Day Books

Pacific City: The River House

Oceanside: Ocean Side Espresso

Lincoln City: Trillium Natural Foods, Driftwood Library, & Eats 'n' Stuff

Newport: Oceana Natural Foods, Don Petrie's Italian Food Co., Café DIVA, Cosmo Café, Bookmark Café, Newport Bay Coffee Co., Cuppatunes, Bay Latté, Ocean Pulse Surf Shop, Coastal Coffee Co. & Canyon Way

Eugene: Book Mark, Café Navarra, Eugene Public Library, Friendly St. Market, Happy Trails, Keystone Café, Kiva Foods, Lane C.C., Light For Music, New Frontier Market, Nineteenth Street Brew Pub, Oasis Market, Perry's, Red Barn Grocery, Sundance Natural Foods, U of O, & WOW Hall

Corvallis: Not Necessarily News, & The Environmental Center

Salem: Heliotrope, Salem Library, & The Peace Store

Astoria: KMUN, Columbian Café, The Community Store, & Café Uniontown

Seaside: Buck's Book Barn, Universal Video, & Cafe Espresso

Portland: Act III, Barnes & Noble, Belmonts Inn, Biblot Art Gallery, Bijou Café, Borders, Bridgeport Brew Pub, Capt'n Beans (two locations), Center for the Healing Light, Coffee People (three locations), Common Grounds Coffee, East Avenue Tavern, Food Front, Goose Hollow Inn, Hot Lips Pizza, Java Bay Café, Key Largo, La Patisserie, Lewis & Clark College, Locals Only, Marco's Pizza, Marylhurst College, Mt. Hood CC, Music Millennium, Nature's (two locations), NW Natural Gas, OHSU Medical School, Old Wives Tales, Ozone Records, Papa Haydn, PCC (four locations), PSU (two locations), Reed College, Third Eye, TransCentral Library, & YWCA

Long Beach, WA: Pacific Picnics

Nahcotta, WA: Moby Dick Hotel

Duvall, WA: Duvall Books

Seattle, WA: Elliot Bay Book Co., Honey Bear Bakery, New Orleans Restaurant, Still Life in Fremont, Allegro Coffeehouse, The Last Exit Coffee House, & Bulldog News