FORKED TENDRILS: LLANO ESTACADO WINERY AND THE RISE OF THE MODERN TEXAS WINE INDUSTRY

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CHAPTER I

INTRODUCTION

Wine and wine-grape production has a long past. Historically, its roots trace back to Asia Minor and Western Europe. Over the centuries cultivated varieties of grapes spread across the world. When they settled the New World, especially Texas, among the plants European colonists and Spanish missionaries carried cuttings of grapes with them. From the cultivation of grapes by these early settlers, a nascent wine industry developed in the United States, either by families or joint-corporations. Passage of the Eighteenth Amendment on January 15, 1920, temporarily ended America's flirtation with a productive wine industry.

However, in the late 1960s and early 1970s, Americans began to re-discover wine. Almost every state in the United States experienced an expansion and development of vineyards and wineries. This "wine revolution" strongly affected several states, including California, New York, Washington, Oregon, and Texas. In Texas, largely to the efforts of two college professors from Texas Tech, an entirely new wine and grape industry emerged.

Almost twenty years later, Texas became the fifth largest wine-producing state in the country, following California, New York, Washington, and Oregon.[1] Several questions arise as to what caused the development of the wine and grape industry in Texas. Of the existing books and articles dealing with the history of the Texas wine industry, all have largely ignored the leadership role that Llano Estacado Winery demonstrated in helping to

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[1] Texas Wine Marketing Research Institute, *A Profile of the Texas Wine and Wine Grape Industry—1995,* (Lubbock, TX: Texas Tech University, 1995), 5.

create an entirely new industry. Such an industry which would have been severely hindered without its existence.

In light of the relative youth of the modern Texas wine industry, two works that do discuss the history of the industry's reemergence are wide in scope. Both texts briefly discuss the creation, operation and location of each winery in the state. Sarah Jane English's, *The Wines of Texas: A Guide and a History* (1986, 1989, 1995), gives the reader a good overview of the history of the Texas wine industry. Several of her passages are quoted in this work. But English ignores the work of Clinton McPherson and Robert Reed and the legislative and legal hurdles that they overcame.[2] She briefly discusses the historical role of Llano Estacado Winery, but limits the analysis to a three-page discussion. Frank Giordano's *Texas Wines and Wineries* (1984) gives the reader a somewhat deeper under-standing of the creation of Llano Estacado, but limits its discussion to two pages of text.[3]

Robert C. Overfelt has written several articles about the Texas wine industry, including a detailed monograph of Texas's oldest winery, *The Val Verde Winery: Its Role in Texas Viticulture and Enology*. But, the author largely ignores the development and contribution of Llano Estacado Winery.[4] Thomas Pinney's *A History of Wine in America: From the Beginnings to Prohibition* (1989) is an excellent text for tracing the history of wine in

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[2] Sarah Jane English, *The Wines of Texas: A Guide and a History* (Austin, TX: Eakin Press, 1986, 1989 and 1995).

[3] Frank R. Giordano, Jr. *Texas Wines and Wineries* (Austin, TX: Texas Monthly Press, 1984).

[4] Robert C. Overfelt, *The Val Verde Winery: Its Role in Texas Viticulture and Enology,* monograph #75, (El Paso, TX: Texas Western Press, 1985).

America; however its contents go far beyond the scope of this thesis.[5] The Texas Wine Marketing Research Institute, based at Texas Tech University, annually writes a research report entitled *A Profile of the Texas Wine and Wine Grape Industry*. The contents of their annual reports consisted mainly of marketing and economic data pertaining to the Texas wine industry, including information about wine production, consumption, winery tourism, and wine sales in package stores and restaurants in Texas. The publications of that institute include no historical analysis of the industry.[6]

Historians who have discussed agriculture and the history of the South Plains also ignore the development of a wine-grape industry in the area. In 1959 Leota Lightfoot Matthews wrote a master's thesis entitled, "The History of the Lubbock Experiment Station, Substation No. 8," which focused primarily on early agricultural experiments with cotton and sorghum on the South Plains, but ignored grape production entirely.[7] Another work dealing with agricultural history of the South Plains was Delmar Hayter's thesis, "South Plains Agriculture: 1880-1950." Written in 1981, Hayter discusses farm machinery technology and agricultural techniques on the South Plains; but Hayter fails to address the introduction of grapes and instead focuses

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[5] Thomas Pinney, *A History of Wine in America: From the Beginnings to Prohibition* (Los Angeles, CA: University of California, 1989).

[6] Texas Wine Marketing Research Institute. *A Profile of the Texas Wine and Wine Grape Industry—1993, 1994, 1995* (Lubbock, TX: Texas Tech University, 1993, 1994, 1995).

[7] Leota Lightfoot Matthews, "The History of the Lubbock Experiment Station, Substation No. 8" (master's thesis, Texas Technological College, 1959).

upon farm technology used in the production of cotton and sorghum.[8] One work that does focus specifically on the Texas wine and wine-grape industry is Otis W. Templar's *The Texas Wine Growing Industry: A Geographic Bibliography.* But Templar's work contains a compliation of bibliographic entries, with just four pages of historical analysis.[9]

Finally, there is also an absence of the wine and grape industry in works that discuss the history of Lubbock and the South Plains. Written in 1989 by historian Donald R. Abbe, Paul H. Carlson, and David J. Murrah, *Lubbock and the South Plains: An Illustrated History,* fails to mention or recognize the origins or existence of grape agriculture or a wine industry on the South Plains.[10] Lawrence L. Graves wrote a book in 1986, entitled *Lubbock: From Town to City,* but limits his discussion about wine and grape production to one paragraph.[11] Given the absence of information dealing with the topic, the development of Llano Estacado Winery and its impact in helping to create a modern wine industry in Texas has been neglected by historians, whether amateur or professional.

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[8] Delmar Hayter, "South Plains Agriculture: 1880-1950" (master's thesis, Texas Tech University, 1981).

[9] Otis W. Templar, *The Texas Wine Growing Industry: A Geographic Bibliography,* ICASALS Publication No. 87-1, (Lubbock, TX: International Center for Arid and Semiarid Land Studies, Texas Tech University, 1987).

[10] Donald R. Abbe, Paul H. Carlson, and David J. Murrah. *Lubbock and the South Plains: An Illustrated History* (Northbridge, CA: Windsor Publications, 1989).

[11] Lawrence L. Graves, *Lubbock: From Town to City* (Lubbock, TX: West Texas Museum Association, 1986).

General histories of Texas also fail to examine the creation of the wine industry in the state. Almost immediately after the creation of Llano Estacado Winery, McPherson and other Texas wine enthusiasts began lobbying the Texas State legislature to update the state's antiquated liquor laws in relation to production, marketing, and sales. Consideration of the social and economic factors during the this time (late 1970s and early 1980s) are discussed in David G. McComb's *Texas: A Modern History* (1989) and James Lamare's *Texas Politics: Economics, Power and Policy* (1989).[12] However, both authors fail to address the specific changes in economic structure and social attitude of Texans that led to the development of a wine industry. During this time, the Texas economy changed from a dominant petroleum and agricultural economy to one that supported new technological and industrial ventures. The only conclusion that can be inferred from both McComb and Lamare's general economic and social description is that as Texas' economy changed, a large influx of professional and white-collar workers entered the state—shifting its demographic makeup. This movement caused the state's majority Protestant population to become more amenable to the development of a wine industry in Texas.

All of these works leave gaping hole, with a few general texts discussing the modern Texas wine industry. Those works that do address the industry, neglect or comment sparsely on the development and leadership role of Llano Estacado. This work constitutes an effort to fill that gap by examining Llano Estacado's role in the creation of a new Texas industry.

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12 David G. McComb, *Texas: A Modern History* (Austin, TX: University of Texas Press, 1989) and James Lamare, *Texas Politics: Economics, Power and Policy,* 3rd ed., (St. Paul, MN: West Publishing Co., 1989).

In this work I will examine the historical development of Llano Estacado Winery and the modern Texas wine industry—each chapter discussing the chronological evolution and creation of both—and the central role that Llano Estacado played in supporting a nascent industry. Chapter II focuses on the complexity of growing wine and table grapes in Texas and indicates the problems experienced by the first individuals who sought to cultivate this crop in Texas. Chapters III and IV introduce the reader to the way in which the development of a backyard decorative grape led to expanded experimental vineyards and wineries across the state. Chapters V and VI focus on the creation of the first modern winery in Texas; the legislative lobbying efforts to change antiquated, state liquor laws; and the ways in which Llano Estacado Winery influenced the development of the entire Texas wine and grape industry. Since no previous work has been written on this topic, much of the research and interpretations are based upon oral interviews with the original participants.

Over a period of twenty years, the state of Texas witnessed a transformation in its agricultural commodities and the creation of a new industry. Three thousand acres of vineyards and twenty-six wineries are now scattered throughout the state.[13] As a demonstrated leader, Llano Estacado Winery supported the modern Texas wine industry, in a manner similar to the way that a forked tendril supports a grapevine along a trellis support. Without such a buttress, the modern Texas wine industry would have struggled and its inception delayed.

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13 Texas Wine Marketing Research Institute, *A Profile of the Texas Wine and Wine Grape Industry—1995,* 9.

CHAPTER II

OBSTACLES AND DIFFICULTIES OF GROWING WINE AND TABLE GRAPES IN TEXAS BEFORE 1968

Immediately following America's involvement in World War II, a horticulturist named W. W. Yocum planted an orchard of trees and stone fruits on an experimental farm plot at Texas Technological College. Included among Yocum's fruit experiments were several varieties of grapes. Yocum's main purpose was to experiment and conduct research on these plants; he was eager to prove that his crops could supplement the South Plains' predominant cotton and grain industries. Overall, Yocum failed in his experiments on grapes. The subsequent expansion of the college, which forced Yocum to replant his orchard and small vineyard almost continuously, was an important factor in the failure.[1] Growing grapes on the South Plains of Texas was a possibility, but the young grape vines needed time to develop fully and mature.

Establishment of an agricultural industry in a given area of the United States involves several obstacles and requires several environmental needs. The most basic of these needs are the availability of water, proper climatic conditions, elevation, technical and applied knowledge, resistance to diseases and pests, and the vigor of the crop. The wine-grape industry is no exception.

This chapter will discuss the difficulties of establishing a wine-grape industry in Texas before 1960. Such difficulties included the complexity of

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[1] Dr. William Lipe, interview by author, tape recording, Lubbock, TX., 21 February 1995.

grape culture, the limited amount of applied and experimental research on grapes, political and demographic factors, the lack of substantial and consistent government funding, the disappointing quality of grapes, and the environmental problems, which all hindered growth. By failing to achieve progress in any of these areas, the wine-grape industry in Texas before 1960 was severely limited.

Complexity of Viticulture

Grape culture, or *viticulture,* is a very complex, high-tech form of agriculture. While growers are susceptible to a high probability of failure, opportunities are greater than for any other crop.[2] The return for such endeavor can also be financially rewarding. In order to appreciate the complexity of problems that affect grape growers—such as climate, soil conditions, propagation, training and disease—the following pages give a brief description of the complexity of grape growing.

Viticulture originally began in Asia Minor, in the region between the Caspian Sea and Black Sea. According to renown viticulture expert A. J. Winkler, "[t]hat region, most botanists agree, is the home of *Vitis vinifera,* the species from which all cultivated varieties of grapes were derived before the discovery of North America."[3] The botanical genus *Vitis* includes two sub-

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[2] Sarah Jane English, *The Wines of Texas: A Guide and a History,* 3rd ed. (Austin, TX: Eakin Press, 1995), 26.

[3] A. J. Winkler, James A. Cook, W. M. Kliewer and Lloyd A. Lider, *General Viticulture,* rev. ed. (Berkeley, CA: University of California Press, 1974), 1.

genera: *Euvitis*—true grapes—and *Muscadinia*.[4] For the purposes of our discussion, reference will be made to only the sub-genera *Euvitis*.

The shoots of *Euvitis* have bark that is longitudinally striate-fibrose, which shed into long strips at maturity. Pith, spongy tissue in the stems of most vascular plants, whose function is chiefly storage, is interrupted in the nodes by a diaphragm (knotty-looking joints). Forked tendrils, stems modified into a slender coiling sensitive organ serving to attach a plant to its support, are present along with mostly elongated flower clusters. Berries adhere to the stem in clusters and do not detach one by one as they mature.[5]

Cultivation of *Vitis vinifera* grapes occurs predominately in the warm temperate zone, between 34' and 49' north and south latitude. Winkler and others write that, "[v]arieties of *V. vinifera* are deep-rooted plants that fully explore the soil to six to ten feet or more if root penetration is not obstructed by hardpan, impervious clay substratum, toxic concentration of salts, or a free water table."[6] There is considerable transpiration, or water evaporation from the leaves. The quantity of water required for normal growth and for fruiting of a mature vine varies from fifteen to fifty acre-inches of water per year.

Propagation of the vine can be accomplished in various ways. However, not all of them are useful to a grower. According to wine and viticulture expert Alexis Lichine, "[i]n order that they may reproduce, vines must be pollinated; and they may or may not be pollinated by plants of the same variety. If not, the seedlings will not be of the same variety as the parent, they will be

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[4] Ibid., 16.

[5] Ibid.

[6] Ibid., 71.

hybrids."[7] Since additional expense and equipment is needed, such as greenhouses and potting sheds, growers use a more practical method—vine canes. Lichine continues, "[v]ine canes—cut in autumn or winter from the dormant vine and kept until spring in sawdust or sand—are placed in fertile ground until the roots develop. The rooted portions are of American or hybrid stock, *V. vinifera*-bearing wood is grafted onto them."[8] To avoid death of the plants and to promote healthy, growing vines, extreme care and handling must be given to the nascent vine canes.

After the vine canes are planted, the young plants take at least three years before the vine will produce fruit of any significance. During the first year, the young vines develop an extensive root system and growers prune them severely in the winter. During the second year, the trained vine grows in vertical, fashion, fastened to its supporting stake. Growers trim outgrowing shoots, leaving only a single vine parallel to the stake. In the third year, the grower trains the vine to develop into a "T" shape with single, opposite shoots. At this point, the grower fastens the shoots to a trellis or wire support. Afterwards, the vine's pruning and training remain continually in the same manner, the "T" shape or *cordon* method. Such a growing method allows the grower the ease of harvesting his crop by either human or mechanical means.

Pruning of the vine is essential. Growers accomplish this during the winter dormancy season. In the early spring, sap begins to flow, due to an increase from the soil and sun's temperature and build-up of nutrients in the vine. Bud break occurs; the young shoots of the vine put forth leaves and

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[7] Alexis Lichine, *New Encyclopedia of Wines & Spirits* (New York: Alfred A. Knopf, 1974), 31.

[8] Ibid., 32. The reasons for this will be discussed on pages 16-18.

later, flower clusters. If pruning is ignored, the quantity of the grape will increase, but at the same time the quality of the grape will decrease. The increased production can be explained by the given amount of proper nutrients and water within a given vine. If there are more clusters of grapes than a vine can normally sustain, the clusters are denied vital nutrients and sugars, thus lowering the overall quality of the grapes.

The vine flowers for a period of about two weeks and a slow progress of maturing growth follows. The grapes are green in color due to the high abundance of chlorophyll. Lichine writes that, "[t]he next stage, usually starting in August, is the *véraison,* when the grape changes color, turning from the early green to its final red-purplish hue, or translucent greenish-white, after which the final maturing will occur."[9]

Grape growing can be a very complex and long term process. The grower will not see a marketable yield until the third or fourth year. A grower must pay close attention to his crop, possess a working knowledge of viticulture, and utilize advanced technology, such as fertilizers, irrigation, and treatments for disease and pests.

When European settlers began planting their *Vitis vinifera* grape cuttings in America and Texas, problems occurred. Poor treatment of the graftings during their passage from Europe and a lack of scientific knowledge about viticulture sealed the fate of *vinifera* vine stock. The main culprit responsible for *vinifera*'s early failure was climate and disease.[10]

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[9] Ibid.

[10] Thomas Pinney, *A History of Wine in America: From the Beginnings to Prohibition* (Los Angeles, CA: University of California, 1989), 408-409.

V. vinifera varieties [with their native rootstock] are difficult to grow east of the Rocky Mountains because they are susceptible to freezing in the north, nematodes, and Pierce's disease in the south.[11] Nematodes are microscopic worms that feed and bore into rootstock, thus obstructing water flow and other vital nutrients to the vine.[12] Pierce's disease is confined to the United States and northern Mexico. Studies show that the disease is found in many plants, shrubs, grasses, and weeds. The disease spreads naturally by three or more species of sharpshooter leafhoppers and by spittle insects. First attacking the leaves, the pathogen causes the leaf to dry up and appear as if scalded or burned. In the next growing season, delayed growth occurs and eventually the vine is rendered useless. The decline of the root system develops in a similar fashion. Diseased vines should be removed from the vineyard and destroyed.[13]

An example of a failed attempt to grow grapes in Texas occurred in 1855 when a group of French colonists immigrated to the Dallas/Fort Worth area with the intent of forming a utopian socialist colony. Naming their colony "La Reunion," the colonists tried planting their native *vinifera* grapes with the hopes of producing wine. Notwithstanding their socialist ideals, which conflicted with the capitalistic views of the natives, the colony

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[11] The Texas South Plains especially suffers from freezes. Late freezes in the April after bud break are troublesome.

[12] English, *The Wines of Texas: A Guide and a History,* 3rd ed., 25.

[13] J. H. Freitag, "Host Range of the Pierce's Disease Virus of Grape, as Determined by Insect Transmission," *Phytopathology* 41 (1951): 921-934.; A. J. Winkler, H. W. Hewitt, N. W. Frazier, and J. H. Freitag, "Pierce's Disease Investigation," *Hilgardia* 19 (1949): 207-264.

eventually failed. One reason for the colony's failure was the harsh, varying Texas climate—which killed the young vines.[14]

Some Texans and immigrants did not entirely resist the attraction of trying to grow *vinifera* grapes. Witnessing the successful plantings of "Mission grapes" by Franciscan monks at Isleta, San Elizario, and Socorro Missions in West Texas, farmers in the area sought to plant grapes. Called "El Paso" or "Mission" grapes, these Spanish vinifera grapes were, "cultivated and pruned... by the Indians, whose wines defray the necessary expenses of the celebration of the Sacrament in the mission."[15] Using the experience of the Spanish monks, farmers began planting small vineyards in and around El Paso, Texas. As stated by wine historian Thomas Pinney, "[b]y the end of the century, we hear of large plantings—200 acres—of *vinifera* around Laredo, on irrigated lands bordering the Rio Grande, and of a group of Italians attempting to grow *vinifera* around Gumison, Texas."[16]

As attempts to grow *vinifera* met with only limited success in West Texas and failure in the rest of the state, one individual began slow and deliberate research on native Texas rootstock graftings.[17] The work of

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[14] William J. Hammond and Margaret F. Hammond, *La Reunion: A French Settlement in Texas* (Dallas, TX: Royal Publishing Co., 1958), 85-86.

[15] Robert Overfelt, *The Val Verde Winery: Its Role in Texas Viticulture and Enology* (El Paso, Texas: Texas Western Press, 1985), 3.

[16] Pinney, *A History of Wine in America: From the Beginnings to Prohibition,* 408.

[17] A successful grape planting of *vinifera,* using Spanish vinifera brought by monks in the early 1760s, was reported in El Paso in 1853. For more information see English, *The Wines of Texas: A Guide and a History,* 12-13.

Thomas Volney Munson contributed heavily to Texas viticulture. Munson was the first to be encouraged by government assistance for his research efforts in Texas with native *Vitis* species and its rootstock. Munson also established a working knowledge of *Vitis* species and their habitats, a knowledge that future researchers would build upon.

However, according to Lichine, "his [Munson's] own work is of somewhat limited importance to the wine maker, since it was oriented more toward table grapes rather than wine."[18] Furthermore, Munson paid for much of his own research, and little of it was utilized by growers. Without government assistance to help promote Munson's findings and in turn make the knowledge available to growers, a feasible and successful wine grape industry in Texas could not develop.

Thomas Volney Munson

A native of Illinois and born in 1843, Munson received his education at the University of Kentucky and intended to teach at the university. After one year's teaching, Munson fell ill and worked in Louisville for some years as a nurseryman as a means of regaining his health. He was familiar with the many native *Vitis* species of the Midwest and Upper South and began to take a keen professional interest in their possibilities. In 1873, Munson migrated to Lincoln, Nebraska, to continue his business as a nurseryman. Pinney indicates that, "[h]e experimented with grapes in the frigid blasts and searing droughts of that country of extremes for a few years, but was then glad to

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18 Lichine, *New Encyclopedia of Wines & Spirits,* 337.

accept the invitation of a brother to transfer his business to the north Texas town of Denison, on the Red River."[19]

With the help of his son, Munson started his nursery business in 1876, initially with forty-five acres, and devoted special attention to his grape stock. For the next thirty-seven years until his death, he operated the firm of T. V. Munson & Son and began to locate, identify, and catalogue the different varieties of native *Vitis* grapes. Lichine praised Munson's efforts by stating "Munson all but revolutionized hybridization (the crossing of one species of grape with another) by his zealous efforts to bring in new families of grapes species"[20]

Munson was a prodigious field worker and for many years during the grape season he traveled extensively. As quoted by Roy Renfro, he went "by train... some 75,000 miles, reaching into every state and territory in the United States in North America, except six, and considerably into Mexico."[21] On the journeys, Munson indicated he "hunted grapes from train car windows, jumping off to collect specimens at every stop in the wood, to water or coal, or cool a hot-box, or wait for other trains; I [Munson] rode horseback many days in each year at grape time for several years in Texas and Oklahoma hunting for choice varieties to move into my vineyards as parents of new families."[22]

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19 Pinney, *A History of Wine in America: From the Beginnings to Prohibition*, 408-409.

20 Lichine, *New Encyclopedia of Wines & Spirits*, 209.

21 Roy E. Renfro, ed., *The T. V. Munson Memorial Vineyard Report*, 2 vols., in *Texas Wines and Wineries*, ed. Frank Giordano (Austin, TX: Texas Monthly Press, 1984), xi-xii.

22 Ibid.

From his promising research, Munson envisioned the possibility of Texas becoming a grape growing region. He even encouraged the development of a table-grape industry in Texas. In his view "...Texas, a territory rather larger than France, with far greater area of tillable surface, and soils, sites and climate equally favorable, should make grape growing one of the leading industries."[23] Furthermore, Munson accomplished notable work in the description and classification of native varieties. His published works received high praise from such universities as Harvard and Cornell. Pinney states, "[h]e made an ambitious, comprehensive display of the native and foreign grapes for the Colombian Exposition at Chicago, and he wrote several treatises on grape classification and grape varietals."[24]

However, Munson's greatest passion was for the breeding of native grapes, especially Texas *Vitis* species. Munson introduced over three hundred new varieties, derived from hybridization and from crosses making use of native vine stock.[25] He tried to create grapes that would defy endemic diseases and aimed to create a series of table grapes and wine grapes suited to all regions of the country.

One of Munson's distinctive additions to the repertoire of American grape hybridizing was the use of *Vitis candicans,* commonly referred to as the Mustang grape. The Mustang grew wild through North and Central Texas. Munson used its rootstock to successfully graft two species from Bell County,

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23 Ibid.

24 Pinney, *A History of Wine in America,* 409-410. Specific works include T. V. Munson, *Foundation of American Grape Culture* (New York: Orange Judd Co., 1909).

25 Ibid.

Texas, to European *Vitis vinifera.*[26] Munson's contribution gained worldwide attention during the phylloxera epidemic, which during the late nineteenth century almost wiped out the entire European wine industry.

Phylloxera

In or around 1870, wealthy English and French gentry for display in their botanical gardens imported some American grape *Vitis* species. Imbedded in the wood of the imported vines, a root louse—phylloxera—entered Europe. Many American *Vitis* species are resistant to this root louse, especially *V. candicans.* But European *V. vinifera* was not immune and rapidly succumbed to the deadly parasite. Maynard Andrew Amerine writes:

> The destruction of European vineyards between 1870 and 1900 is *unparalleled* in agricultural history. Virtually all the vineyards of France were destroyed during this period, most of the vineyards of Spain were ruined before 1910, and the root louse caused widespread damage to the vineyards in Austria, southern Germany, Italy, Rumania, southern Russia, and other parts of the world.[27]

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[26] Lichine, *New Encyclopedia of Wines & Spirits,* 209. Referred to as the Delicatessen, this unexceptional red hybrid grape is said to have derived its name from the large number of different grape varieties that went into it.

[27] Maynard Andrew Amerine, *Wine: An Introduction* (Los Angeles, CA: University of California Press, 1977), 21-22, emphasis mine. Phylloxera develops in four stages or forms. The *sexual form* originates from the eggs laid by the winged insect on the lower surface of the young leaves. After the male and female mate, the male dies. The female lays just one large, winter egg in the dead bark of the trunk. During the *leaf form,* in the spring and after bud break, one insect hatches out of the winter egg. It crawls up the young shoot and begins to suck on the lower surface of the young leaf. In this area, the insect then lays a number of eggs out of which insects are again hatched. Reproduction is parthenogenetic, involving no sexual activity.

During the devastation, the French government sent a commission to the United States. It was to find a root stock that would be resistant to phylloxera. The commission employed the services of Munson and supported his research to meet their objectives. Texas wine historian Frank Giordano stated:

> Munson came to the aid of France's wine-grape growers by shipping carloads of resistant rootstock [*V. candicans*] to the Old World. Onto those roots the famous European grape varieties—Cabernet Sauvignon, Chardonnay, Pinot Noir, White Riesling, and the other staples of the world's finest vineyards—were grafted, thereby saving them from the phylloxera scrouge.[28]

Assisting Munson was his friend and fellow viticulturist, Hermann Jaegar. For his contributions, the French government awarded Munson the French Legion of Honor Cross of Mérite Agricole in 1888 and made him an honorary member of the Sociétié des Viticulteurs de France.

During the *root form* these insects hatch in autumn, enter the soil, and reach the roots, which they puncture and suck for nourishment. Here they are devastating. These root-lice propagate themselves directly on the roots for several generations, year to year, without passing into the other form. When the food supply of rootstock is diminished, the autumn eggs hatch in larvae which hibernate under the bark of thick roots. Spring arrives and the larvae mature into the *wing form.* At this stage, the root louse leaves the roots through the soil cracks in search of new vines. They fly to other vines and lay the two kinds of eggs referred to earlier as the *sexual form.* The rootstock of *V. candicans* is highly resistant to phylloxera. For extended discussion see D. P. Pongràcz, *Rootstocks for Grape-vines* (Capetown, South Africa: David Philip, 1983).

28 Frank Giordano, *Texas Wines and Wineries,* xii-xiii.

After Munson's death in 1913, the family continued Munson's research. Having received a sporadic boost in funding by the French government for research in wine grape cultivation, the Munson family wanted to continue its experiments. However, two obstacles severely curtailed its efforts: the lack of continued outside funding and the passage in the spring of 1919 of the Eighteenth Amendment to the United States Constitution.[29]

Prohibition became the law of the land, and after 1919 growers plowed up many vineyards. Several states enacted provisions to the law, such as excluding the manufacturing of wine for sacramental and religious purposes.[30] Many Texans at the time were of Protestant faith and the economic need for table and wine grapes declined. Active research in grape and wine-grape cultivation did not occur for the next fourteen years.

While Munson's efforts are praiseworthy, Munson's research was not widely published. The work did not include the application of modern twentieth-century technology. Instead, Munson employed a trial and error method. Moreover, he conducted on his research on a wide scope. As stated earlier, he attempted to breed grapes suited to all regions of the country. The broad approach largely ignored the varying climatic conditions in Texas. His failure to limit his research to Texas' climate led for almost twenty years to a hiatus in wine-grape research in Texas.

Munson also experimented with all types of fruits, including stone fruits and tree fruits. He paid special attention to table grapes, with some limited focus on wine grapes. While both types of grapes can produce wine, palatable wine comes from wine grapes. With the exception of his

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29 *US Const,* Amend XVIII, § 1.

30 *US Const,* Amend XVIII, § 2.

accomplishments with the wine-grape industry in France, Munson produced no research on other wine-grapes.

Finally, Munson completed his research strictly on his own. After letting his son take over the family's nursery, he devoted his remaining years to botanical research, becoming a leading authority on the classification of grapes and a vice-president of the American Pomological Society. The only consistent financial support Munson received was the profit made by the nursery he worked with his son.

Table and Wine-Grape Research in Texas, Before 1968

After Munson's death, several research efforts on grapes and *Vitis* species emerged in Texas. For several reasons, all of the undertakings were government sponsored. Research conducted on grapes can be long, tedious, and exhausting. Multiple factors play a part in trying to analyze wine-grape performance and to create improvements in wine-grape quality. Such factors are climate, soil, structure and physiology, reproduction and propagation, pruning and training, irrigation, weed and erosion control, fertilizer application, and treatments for grape diseases and pests. Furthermore, private or wealthy farmers made no attempt to develop viticulture at this time. The predominant cash crop on the South Plains was cotton, followed by sorghum or grain. Attempts to grow grapes on an experimental basis by private entrepreneurs was non-existent, due to the lack of research, high expense, and lack of expected private gain. Growers were largely ignorant about grape cultivation and instead focused on staple crops such as cotton and grain.

As wine grape research progressed in California, so did modern scientific research. Areas of study in which there were significant advances in

knowledge were agronomy, horticulture, and entomology. Research and experiments largely done by the University of California at Davis helped lead the way. Experts used new fertilizers and application techniques, advanced trellis wire supports, improved insecticides, fungicides and pesticides, and advanced irrigation techniques to promote research and knowledge. The advancements in these sciences led many wine grape researchers to request more financial support to conduct their experiments. Spurred by advancements in applied scientific approaches, the opportunity to experiment and try new methods gave researchers added knowledge—all in the hopes of improving wine-grape quality in Texas and the South Plains.

Under the Land Grant Act of 1862, the Agriculture Extension Service (federal) and internal state competitive grants, the government supported the undertakings of researchers. According to one of Texas' first wine-grape enthusiasts, George Ray McEachern, "[t]hese researchers went about their research slowly, deliberately, methodically, and in an exacting way—in small units. I think being deliberate is a big part of why we have succeeded."[31] The investigators' research in turn was published throughout the state, giving detailed information about grape cultivation and adaptability to growers. Slowly, the wine grape industry in Texas began to produce results. However, the results of such research were limited and of small quantity.

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31 George Ray McEachern, as quoted in English, *The Wines of Texas: A Guide and a History,* 3rd ed., 26. McEachern is an extension horticulturist and grape specialist at Texas A&M University. He is considered one of the pioneers of the modern Texas wine industry.

Texas A&M University Research

Texas A&M University was the first government institution to begin research on grapes in Texas and on the South Plains. After the United States government repealed the Eighteenth Amendment in December of 1933, renewed interest in grape cultivation appeared. Funding for grape research was limited and in the early 1930's, the Munson family turned over all of its grape variety stocks to Texas A&M. Supported by federal and state funding, researchers at Texas A&M's Extension Service began to conduct experiments throughout the state, exploring whether or not a grape industry could develop.[32] Throughout the state of Texas, Texas A&M built several experiment stations. Of greatest importance to this discussion, Texas A&M helped to build one on the South Plains and established another in Southeast Texas.

Located on the Texas South Plains and built in 1909, Experimental Sub-Station Number Eight began research efforts poised to develop alternative-crop usage for West Texas farmers. The original site was in East Lubbock, north from 19th street and inside the current Loop 289. Researchers at the substation looked at every possible crop alternative on the Texas South Plains, including grape cultivation. Records indicate that investigators were trying to develop alternative crop uses of land on the South Plains and seeking to alleviate the dominance and high water needs of cotton and grain.[33]

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[32] English, *The Wines of Texas: A Guide and a History,* 3rd ed., 21.

[33] Lipe, interview. Records of Experiment Sub-Station No. 8 can be found at the Texas Agriculture Experiment Station, Lubbock, Texas. For more information about Sub-Station No. 8, see Leota Lightfoot Matthews, "The History of the Lubbock Experiment Station, Substation No. 8" (master's thesis, Texas Technological College, 1959).

However, in 1937 Texas A&M dropped its research efforts for alternative-crop usage in Lubbock and began focusing on improved cotton and grain production. William N. Lipe, a former researcher at the Texas Agricultural Extension Station in Lubbock, Texas, gave the following reason: "I guess Texas A&M had decided that the program had lived out it usefulness, based largely on the fact that growers at the time were satisfied with growing cotton and grain products."[34] Texas A&M did not renew its interest with grape experiments on the South Plains until 1968.

In the early 1930s, horticulturist Ernest Mortensen became one of the first individuals to foster applicable wine grape research in Texas. Texas wine historian Sarah Jane English writes, "[a] highly intelligent man, Mortensen grew up in an agricultural environment. After receiving a master's degree from Texas A&M, he developed the Texas A&M Winter Garden Research Center, in Southeast Texas, near Crystal City."[35] Using Munson's donated *Vitis* and hybrid varieties, Mortensen tried to hybridize disease-resistant, native *Vitis* rootstock. He discovered several cultivars and rootstocks which were resistant to indigenous diseases and pests, specifically insects and nematodes. English continues, "Mortensen selected healthy vines from the wild throughout South Texas, recognizing the importance of developing native roots. The LaPryor rootstock was the product of his work."[36]

Unfortunately, the cultivars with which Mortensen experimented lacked acceptable fruit quality for wine production. Mortensen tried to

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[34] Lipe, interview.

[35] English, *The Wines of Texas: A Guide and a History,* 23.

[36] Ibid.

produce *V. vinifera* cultivars on its own roots (self-rooted), but he failed. Cotton rootrot and Pierce's disease eventually terminated his efforts.[37]

After working at Winter Garden Research Center for twenty-two years, Mortensen left Crystal City in 1952. According to English, "Mortensen was well on his way to making Texas a leader in viticulture research and grape production. But in the early 1960s, a change in government priorities led to bulldozing the grapes, ending the program."[38]

During the period 1937 to 1968, there were two reasons for the absence of research on grape cultivation. English cites them both. First, the dismal results of attempts to grow Thompson seedless grapes in South Texas contributed. "In the 1950's, several South Texas farmers planted Thompson seedless, a *vinifera,* for the early U.S. table grape market. They formed the Lower Rio Grande Valley Grape Growers Association, and at least five large vineyards were planted."[39] The South Texas vineyards died from three afflictions: freeze or frost damage, cotton rootrot, and Pierce's disease. In the

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[37] Ernest Mortensen and U. A. Randolph, "Grape Production in Texas," *Texas Agriculture Experiment Station,* Circular 89, (1940): 1-2. For specific analysis of grape cultivar results in the area, see N. P. Maxwell, "Propagating Vinifera Grapes in South Texas," *Texas Agriculture Experiment Station,* PR-2145, (1960): 2-4; Ernest Mortensen, "Nursery Tests With Grape Rootstocks," *Journal of American Society of Horticulture Science* 36 (1939): 153-157; R. L. Perry, H. H. Mollenhauer, and H. H. Bowen, "Electron Photomicroscopy Verification of Pierce's Disease of Grape Plants From Texas," *Plant Discovery Report* 58 (1974): 780-782; Ernest Mortensen, "Grape Varieties," *Texas Agriculture Experiment Station Annual Report* 19 (1941): 1-3; idem, "Grape Rootstocks for Southwest Texas," *Texas Agriculture Experiment Station,* PR-1475 (1952): 1-4.

[38] English, *The Wines of Texas: A Guide and a History,* 3rd. ed., 23.

[39] Ibid., 24.

late 1950's, the afflictions eliminated the table grape industry in the Lower Rio Grande Valley. English cites in her book the following:

> All the major horticulturists in the state were aware of this, and it had a great deal to do with the philosophy toward grape growing in Texas. Extension Service horticulturist Bluefford Hancock and Professor Fred R. Brison did not want to lead people in the wrong direction agriculturally. Based on failed vineyards, they couldn't recommend commercial grapes to farmers.[40]

The second reason for the decline in grape research was the absence of research proposals. The only other research conducted on grapes was by Uiel Randolph, at the Fruit Investigation Laboratory, in Montague, Texas.[41] George McEachern, as quoted by English, stated "Randolph did an outstanding job between 1942 and 1962 and had an outstanding grape research program. In 1962, Texas A&M decided to discontinue its research on grapes because in the later years there were very few requests for grape information. This was also following the South Texas table grape failure."[42]

Sporadic planting of table and wine grapes, which often met with failure, characterized the status of the wine-grape industry in Texas before 1960. Frequently, many farmers were ignorant of the complexity of grape culture and the time needed to produce a healthy crop, a problem that existed in the 1950s. The absence of quality research in terms of scope, inherent climatic problems, and availability of continued governmental funding

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[40] Ibid.

[41] Ibid.

[42] George Ray McEachern, as quoted in English, *The Wines of Texas: A Guide and a History,* 3rd. ed., 24.

plagued the industry and political events such as the Eighteenth Amendment severely hindered further research—even after the amendment's repeal in 1933. It was not until thirty years later, when a major expansion of wine interest began farther west, that a viable modern wine-grape and wine industry emerged in Texas and began to make serious efforts.

CHAPTER III

WINE REVOLUTION AND RESEARCH, POST 1968

Revolutions take on many forms. Many are characterized as political uprisings and the restructuring of a government. However, some revolutions are more peaceful and less strident. One in particular occurred in California in the 1960's. Consumers began to appreciate wine more as a common beverage and not just a staple strictly for the wealthy. The "wine revolution" caused a tremendous growth of the wine industry in California, delineated by the building of new wineries, the planting of vast acreage of new vineyards (not only in established areas of Napa and Sonoma counties, but in new areas such as the California Central Coast), and the increase of wine sales and consumption.

The growth of the wine industry in the West was witnessed by many in the United States, including professionals (lawyers, bankers, and doctors), farmers, and consumers. In Texas, the reaction was no different. However, two important factors influenced the "wine/grape revolution" on the South Plains of West Texas. The Texas wine-grape and wine industry began to grow with the support of an applied technological achievement and an important accomplishment, spurred by someone's need to decorate a backyard patio. First, two individuals began with a simple recreational project, in which an entire industry would have its roots. Next came the development of a new agricultural technology, drip or trickle irrigation, which helped vineyard expansion.

Texas Technological College Research

In the early 1940s, Texas Technological College began planting small batches of several *Vitis* varieties on Texas Tech land to add to established fruit bearing plants, including tree fruits and stone fruits. A horticulturist named W. W. Yocum primarily conducted this research.[1] Attempting to experiment with additional crops that could supplement the area's predominant cotton and grain industry, Yocum established several plantings of *Vitis* varieties. However, as the university began expanding by building construction to the west and northwest, Yocum's experimental farms plots suffered subsequential removals and replantings in other locations. Yocum's research on grapes was sparse at best.

In 1960, Texas Technological's Board of Regents decided to build a museum and construction began immediately that year. The plot of land where the construction was to begin was already occupied by the university's experimental farm, in which Yocum had again planted an orchard, complemented with a small vineyard—a mixture of hybrid *vinifera* stock.[2] The university considered the orchard and grape vines expendable and in order to keep them from being discarded, horticulture professor Robert Reed obtained permission to dig up some of the vines and take them home for landscaping in his backyard. However, Reed's interest in grapes did not just begin there.

A native of Long Island, New York, Reed had always had an interest in horticulture. After receiving a two-year associate degree from New York State

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[1] Lipe, interview.

[2] Robert Reed, interview by author, tape recording, Lubbock, TX., 10 February 1995 and 17 November 1995.

University—Long Island, Reed continued his education at Pennsylvania State University.[3] Reed's first exposure to grapes came when he studied at Penn State, in which he stated, "we did a lot of field work with all the fruits. And one session was working with the American grapes that they had on the campus. That's when I first became interested in working with that particular plant."[4] At Penn State, Reed obtained a bachelor's degree in horticulture, with an emphasis on pomology, the science and practice of fruit growing.

After working for a frozen fruit outlet as a field representative in charge of purchasing raw product and contracting acreage, Reed received an offer from Texas Technological College in 1957 to teach introductory horticulture courses. During the summer and fall, Texas Tech placed him in charge of conducting vegetable research.[5]

After he dug up the vines from Yocum's experimental plot, Reed planted them in his backyard. Reed continued, "Initially, it was going to be an ornamental shade canopy, over the patio, which covered a ten-by-fifteen square foot area. And this one plant, [nicknamed the 'patio grape' because the nursery in Kansas from which the vines were obtained was no longer in business, so identification was impossible,] covered the whole trellis area."[6] To this day it is known as the "patio grape," a red, French-American hybrid *vinifera* whose true name is not known.

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[3] Ibid.

[4] Ibid.

[5] Ibid.

[6] Ibid.

After he had planted his "patio grape" in his backyard, work-related experience brought Reed in contact with a farmer north of the university. A man by the name of J. H. Dunn had already begun growing a block of native American table grapes—Lubrusca varieties such as Black Spanish and Sheridan—in the 1940s .[7] According to Reed, Dunn believed strongly that the Texas South Plains, "was good grape country."[8] From Dunn, Reed purchased some seed group of plants, propagated them, and planted them with his orchards and vegetables.

In early 1960, Robert Reed met Clinton Marsud "Doc" McPherson, a chemistry professor who had moved to Lubbock from Slaton, Texas, and lived a few blocks away from Reed. Meeting "Doc" through McPherson's wife, a home economics professor at Tech, Reed began harvesting the vegetables that grew from Texas Technological's research plots and giving them to the McPhersons. Reed explained, "We simply worked with him to take these, and she would process them, canned [*sic*] them and use them, rather than throw them away."[9]

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[7] Lipe, interview. According to Lipe, Dunn was a simple farmer who grew grapes to sell and/or make into jelly. He conducted no research or experiments.

[8] Reed, interview, 17 November 1995. During the interview, Reed stated "I don't know how true this is, but there was a time here where there some Concord grapes planted at the recommendation of Welches' Grape Juice, out of Ft. Smith, Arkansas. They wanted them for juice. I don't know what happened to that deal and I don't remember how they went in. But I do remember that Welches' Grape Juice was out here trying to get people to plant Concord grapes for their juice operation. This must have been back in the 1920's and 1930's" However, the grapes that Dunn grew were not Concord.

[9] Ibid.

Graduating from Gainsville Junior College in 1938, Clinton McPherson intended on teaching mathematics in high school. However, with the encouragement of two recruiters from Texas Technological College, McPherson left for Lubbock to study chemical engineering. Lacking just one semester of finishing his degree, McPherson signed on with the Army Air Corp on January 14, 1942, to become a navigator—plotting courses for bombers.[10] After training twenty months in the States, McPherson flew with the Reconnaissance 24th Mapping squadron to Assam, India, taking aerial photographs from U.S. bases in Kunming and Luchow, China. After having completed sixty-nine missions and more than 400 combat flying hours over the upper Brahmaputra River and the Himalayas, McPherson returned home and later received the Air Medal (five clusters) and the Distinguished Flying Cross (two clusters).[11]

McPherson went back to Texas Technological College to finish his degree, using GI-bill funds to support his way through college. After he received a master's in education in 1953, Robert C. Goodwin, President of the College, encouraged McPherson to get his doctorate. "In 1956, Goodwin asked me if I would work as an instructor, while I was working on my doctorate. He offered me $3,600 as a starting salary. I couldn't pass it up."[12]

After receiving his doctoral degree in education in 1959 and an assistant professorship in 1961, McPherson became one of the first professors at Texas Tech to teach via closed circuit television. Using donated equipment

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[10] Dr. Clinton McPherson, interview by author, tape recording, Lubbock, Tex., 15 January 1996.

[11] Ibid.

[12] Ibid.

from local stores, McPherson tried to employ television, slides, and other visuals to enhance his students' attention. Eventually, McPherson would use other teaching aids, including experimental wine. "Using wine to teach chemistry came just naturally, I guess. It got the students more involved."[13]

In 1962, Reed's "patio grape" began to produce a few clusters. Reed offered them to McPherson, and the chemistry professor produced some juice. Reed stated, "And then, being an inquisitive chemist, as that plant began to produce more and more grapes, he [McPherson] decided to make some experimental wine. That was our first run in with the Texas Alcoholic Beverage Commission."[14]

Under the law in 1965, if a person made less than 200 gallons of wine, one would have to inform the Bureau of Alcohol and Firearms. McPherson explained, "But then, the feds turned over our situation to the state, and the state got a hold of us. You had to purchase a license to do this (ten dollars at the time). And for every gallon you made and drank, you had to pay a seventeen cent tax, per gallon. That was whenever [*sic*] Reed and I first got tangled up with the TABC."[15]

McPherson obtained his license from the Texas Alcoholic Beverage Commission and continued to make homemade wine in the storm shelter under his garage, using hygel water bottles and balloons to catch and trap fermenting carbon dioxide. McPherson did not use sophisticated wine yeast,

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[13] Ibid.

[14] Reed, interview, 17 November 1995.

[15] McPherson, interview.

but local yeast. According to Reed, the wine quality was almost on a par with other inexpensive wines.[16]

As mentioned earlier, McPherson later used his interest in amateur wine making to assist in teaching students in his classroom. According to English, McPherson decided that, "textbook chemistry, memorizing reaction, formulas, and such—did not capture his students' attention and enthusiasm sufficiently. In looking for a way to make the subject interesting, he engaged his classroom in the production of wine in five gallon jugs. Estimates of the number of compounds in wine—acids, esters, alcohols phenols, etc.—range between 400 and 500."[17] To McPherson, wine and wine making was a good way to teach chemistry.

McPherson continued making experimental wine from Reed's patio grape, which in one particular year produced 240 lbs. of grapes. Reed continued, "McPherson would ask me to come over and sample some of his wine. Some of the wine was palatable and some we threw down the drain. And then we got to thinking, 'Say, this might be fun to fool around with.'"[18] Afterwards, Reed and McPherson wanted to expand and decided to continue their recreational hobby on a larger scale. They purchased fifteen acres in Lubbock, north of 86th street and east of Martin Luther King Drive (then Quirt Ave.) Reed stated the following:

> In the late sixties, [1967-68] we started looking for fifteen acres of land, ten for McPherson and five for me. I [Reed] liked to grow vegetables, he [McPherson] liked to process them. So, we

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16 Reed, interview, 17 November 1995

17 English, *Texas Wines: A Guide and a History,* 108.

18 Reed, interview, 17 November 1995.

> decided to have a vegetable garden, plant some peaches and pears, and plant a few rows of grapes. During the summers . we intended to sell the fruits and grapes off the side of the road, either to be made into jellies or jam. Well, the grapes took over, because they were just more fun to work and showed more potential.[19]

Reed and McPherson obtained their first batch of grapes from a nursery in Minnville, Tennessee, in 1968. The nursery advertised that if a consumer bought a given amount of fruit trees or grapes, the nursery would also send 100 ash trees free. Reed continued, "Well, that was a good deal, because we had fifteen acres along the road. We would get the ash trees for free and just plant them along the road for a barrier."[20]

Reed and McPherson's first planting was the Catawba grape, an American native found primarily in the northeast. The two professors then started planting European-American hybrids, sometimes called French-American hybrids. McPherson recalled, "I had been out to California and visited University of California at Davis. The experts out there told me that *vinifera* would never grow on the South Plains."[21] As indicated in Chapter II, previous research had shown that growing *vinifera* varieties east of the Rocky Mountains was difficult. Hybridized by Europeans using American rootstock, these grapes were more resistant to phylloxera than native *vinifera.* Reed and McPherson started to collect more grapes from nurseries in Pennsylvania, Michigan, New York, Maryland, and California. They obtained only four, six

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[19] Ibid.

[20] Ibid.

[21] McPherson, interview.

or ten vines of each variety because many nurseries/ wineries refused to sell them more. Many nurseries only had finite amounts of each variety, forcing the nurseries to limit the number of each request. Reed explained, "They were the main propagators of them, because they were grown mostly in the northern United States, by wineries up there because they are very hardy."[22]

Like Munson, Reed and McPherson were conducting trial and error experiments, in a shotgun approach, to discover what grape varieties grew well. Among the 125 grapes that they planted by the spring of 1973, eleven were Muscadine varieties, thirty-seven were Lubrusca varieties (including Munson grapes) forty-nine were French-American hybrids, and twenty-eight were *Vitis vinifera.*[23] According to Reed, "we were looking for something that

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[22] Reed, interview, 17 November 1995.

[23] Miscellaneous printed material, 1962-1982, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University. The following is a complete listing of the 125 varieties and species of grapes that McPherson and Reed planted. (Note: varieties that have a "x" between the names designate a cross between two species):
Muscadine varieties: Bountiful, Bronze Scuppernong, Cowart, Dearing, Dulcet, Fry, Higgins, Hunt, Jumbo, Magoon, and Top Sail.
Labrusca varieties: Alwood - Athens x Redonia, Black Ribera, Black Rose, Black Spanish, Buffalo, Canner Seedless, Catawba, Cayuga White, Concord, Delaware, Golden Muscat, GR-1 - Buffalo x Baco Noir, GR-8 Landot 244 x Cabernet Sauvignon, Himrod - Ontario x Thompson Seedless, Hicks Concord, Jumbo Red, New York Muscat - Muscat Hamburg x Ontario, Niagara, Orange Muscat, Perlette, Ribier, Romulus, Royalty, Steuben, Suffolk Red - Fredonia x Russian Seedless, Thomascat, Veeport, Vincent, Vine Red - Brocton x Self.
Munson grapes (Labrusca): Brilliant, Bell, Captivator, Edna, Ellen Scott, Fern Munson, Texas Red, Wapanuka.
French-American hybrids: Alicante-Bouschet, Baco Noir, Baco 2-16 - Totmur, Burdin 7705 - Florental, Folle-Blanche, Humbert 3, Illinois 179-1, Joannes Syve 23-416, Joannes Syve 26 - Chambourcin, Kuhlmann 188-2 - Foch, Kuhlmann 194-2 - Millot, Landot 244 - Landal, Landot 4511, McCampbell, Patio (lost numbered vine), Pinot Chardonnay, Ravat 6 - Ravat Blanc, Ravat 51 - Vignoles, Ravat 578 - Terere Dore, Seibel 1000 - Rosette, Seibel 4986 -

would grow in this country, reliable enough to produce sufficient quantity and quality that you could make wine out of—a palatable, potentially marketable wine."[24] The professors nicknamed their vineyard "Sagmor," because their trellis supports sagged heavily with the weight of grapes.

However, unlike Munson, the two professors focused on a specific region, the South Plains of West Texas and the area immediately surrounding Lubbock. Also, they did not attempt to hybridize new grape varieties. Instead, they observed several hundred grape varieties, carefully scrutinizing which varieties could survive the climate of the South Plains, and which ones yielded the most fruit.

In 1968, Reed and McPherson applied for a research grant from Texas Technological College, requesting funds to begin research on *vinifera* and other *Vitis* species. The two professors received a $1,500 grant. They used the money to help in purchasing grapevine cuttings and vineyard equipment. But in order to continue their experiments, additional funds were required to

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Rayon d'Or, Seibel 5279 - Aurora, Seibel 5898 - Rougeon, Seibel 7053 - Chancellor, Seibel 7136, Seibel 8357 - Colobel, Seibel 9110 - Verdelet, Seibel 9549 - DeChaunc, Seibel 10076, Seibel 10868, Seibel 10878 - Chelois, Seibel 12309, Seibel 13407, Seibel 13053 - Cascade, Seibel 13666, Seibel 14117, Seibel 14460, Seibel 14596, Seyve-Villard 1-72, Seyve-Villard 5-247, Seyve-Villard 5-276 - Seyval Blanc, Seyve-Villard 12-303, Seyve-Villard 12-375 - Villard Blanc, Seyve-Villard 18-307, Seyve-Villard 18-315 - Villard Noir, Seyve-Villard 23-410 - Valerian, Seyve-Villard 23-512, and Vidal 256. Vitis vinifera: Barbera, Carnelian, Cabernet Franc, Cabernet Sauvignon, Carignane, Chardonnay, Chenin Blanc, Columbard, Emerald Riesling, French Columbard, Gamay (Napa), Gewürztraminer, Grand Noir, Grenache, Merlot, Petite Sirah, Pinot Noir, Riesling, Royality, Ruby Cabernet, Sauvignon Blanc, Spanish A, Spanish B, Thompson Seedless, Tinta Madera, Valdepenas, White Riesling, and Zinfandel.

[24] Reed, interview. 17 November 1995.

observe the cultivation of the grapes.[25] After fiscal year 1968-1969, Texas Tech denied the two professors future requests for research funds, due to the limited amount of data they had collected.[26] From then on, Reed and McPherson continued their viticultural research with their own money.

At this time, Reed and McPherson conducted their wine grape research on a recreational basis. Working on weekends and any additional time the two could spare, they employed experimental methods that were antiquated at best. Employing simple, trial and error plantings, they lacked needed funds to use sufficiently applied scientific research approaches, such as randomized clock setups, complete block experimental designs, heat summations, recordings of annual winter injury, vine vigor, etc. A simple, six-inch old agricultural irrigation well, driven by a Chevrolet engine, provided irrigation for the grapes. Real scientific research on wine-grapes did not start on the South Plains until a horticulturist, William N. Lipe, arrived in Lubbock. Assisted by monetary support from Texas A&M University and the Abernathy Chamber of Commerce, Lipe was the first researcher who started reliable experiments on wine-grapes and *vinifera* in West Texas.

Vineyard Revolution and Wine Grape Research

Renewed interest in grapes on the South Plains occurred and developed hroughout the state. According to George McEachern:

> It turns out that California discovered wine in the 1960s and America discovered wine in the 1970s. If you had not been part

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[25] Reed, interview, 10 February 1995.

[26] To analyze the performance of grape cultivation, at least three years of observations must be made. Refer to page 10.

> of that of the early phenomena, it's hard to imagine what happened. Every state in the United States experienced some sort of vineyard expansion. It was less significant in Texas... but I never apologize about the slow progress of Texas. I think being deliberate is a big part of why we have succeeded.[27]

Research stations across Texas and the United States began exploring the possibility of growing and cultivating wine grapes.

Researchers initiated experiments to determine the feasibility of grape production on the Texas South Plains. Lipe and Davenport both explained: "Initial research was directed toward finding varieties that were adaptable to the harsh Texas South Plains winter environment and possessed high fruit quality and marketability."[28] Researchers had earlier reported progress in this effort, however, it was on a limited scale. Under the auspices of one government agency, Texas A&M University, and the Abernathy Chamber of Commerce, wine-grape cultivation and research developed through the work of investigators who conducted experiments in

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[27] McEachern, As quoted in English, *Texas Wines: A Guide and a History,* 3rd ed., 25.

[28] William N. Lipe and David Davenport, "Grape: Cultivar Performance on the Texas High Plains, 1974-1986," *Texas Agriculture Experiment Station* MP-1648 (July, 1988): 2-5. For progress in the effort, see G. S. Howell and N. Shaulis, "Factors Influencing Within Vine Variation in Cold Resistance of Cane and Primary Bud Tissues," *American Journal of Enology and Viticulture* 31 (1980): 158-161; W. N. Lipe and R. Eddins, "Grape: Cultivar and Rootstock Evaluations for the Texas South Plains 1975-1976," *Texas Agriculture Experiment Station* MP-1319 C (1977): 2-4; W. N. Lipe, R. Eddins, and J. Krejci, "Grape Cultivation Evaluations for the Texas High Plains," *Texas Agriculture Experiment Station* PR-3258 (1974):2-5; and W. N. Lipe, C. R. Cox, and K. Hodnett, "Grape Cultivar and Rootstock Performance on the Texas South Plains," *Texas Agriculture Experiment Station* PR-3885 (1981): 1-3.

small units on the Texas South Plains. Coupled with advances in irrigation systems for semi-arid regions (trickle or drip), a wine grape revolution slowly developed on the South Plains.

Drip/Trickle Irrigation

In the 1960, drip/trickle was a nascent irrigation system. Advances in the system expanded rapidly with user interest developing principally in the 1970s. Davis, an irrigation expert, wrote "although simple in concept, the widespread use of trickle irrigation has not been practical until very recently because of the lack of suitable, economic materials."[29]

First advanced by an Israeli engineer, Symcha Blass, trickle irrigation had its origins in 1935 in a semi-arid environment. Noticing that one of his trees was much taller than others in his backyard and the soil around the particular tree was dry, Blass observed water continually dripping from a nearby leaking connection in a water pipe. From this experience, Blass employed the idea of developing an irrigation method based on supplying plants with a small and steady amount of water underground and over a long period of time.[30]

Other irrigation engineers became interested in Blass' findings. David Goldberg and Michael Shmueli of the Hebrew University in Israel began to conduct research on trickle irrigation in the late 1960s. After experiencing disappointing results with the installation of the system underground, (due to

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[29] S. Davis, "History of Irrigation," *Agribusiness News,* 7 October 1974: 1-2.

[30] Symcha Blass, *Drip Irrigation: Water Works—Consulting and Design* (Tel Aviv, Israel, 1969), 3-5.

the blockage of orifices, mainly by plant roots) Goldberg and Shmueli decided to lay the trickle irrigation above ground.[31] The results were overwhelming. The full coverage system made it possible to apply irrigated water at extremely low rates of application and at frequent intervals. By 1969, over 2,000 acres were irrigated by trickle irrigation systems in Israel and publications on the modern-day surface trickle system began appearing in the United States. Consisting of a pump, fertilizer injector, filters, distribution lines, emitters, and control and monitoring equipment, trickle irrigation systems spread rapidly throughout semi-arid areas of the United States, including the South Plains of Texas.

While it is not specifically known who first used and introduced trickle irrigation to the Texas South Plains, several extension horticulturists, including Don Slaughter and William Lipe, attended seminars on the possible benefits of using trickle irrigation in semi-arid regions, such as the South Plains. Lipe himself noticed the results of using trickle irrigation, instead of simple furrow irrigation. In his published reports, Lipe discovered that trickle irrigation provided his wine grapes with a higher yield.[32] Reed and McPherson also saw the promising possibilities of using trickle irrigation for cultivating grapes and soon adapted the new technology.

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[31] David Goldberg and Michael Shmueli, "Drip Irrigation: A Method for Increased Agricultural Production Under Conditions of Saline Water and Adverse Soils," (paper presented at the annual meeting of the International Arid Lands Conference, Tel Aviv, Israel, June 1969), 1-5.

[32] Lipe, interview.

Abernathy Chamber of Commerce

As McPherson and Reed were starting to plant their vineyard and conducting experiments on wine-grapes in Lubbock County, another group became involved. According to William N. Lipe, "in 1968, the Abernathy Chamber of Commerce provided a grant to the Texas Agricultural Experiment Station, Lubbock, [formerly A&M Sub-station No. 8] to find out if we could grow wine grapes."[33]

The Chamber of Commerce, enthused with the possibility of diversifying its economic base from cotton, became interested in growing wine and table grapes on the Texas South Plains. The Chamber provided a grant of $1,000 dollars per year and research began immediately.[34] Don Slaughter, a horticulturist at the A&M Experiment Station and William Lipe's predecessor, used the money from the Chamber of Commerce and established a vineyard east of Abernathy.[35] Slaughter planted 239 varieties at Abernathy and studied them for a four to seven year period.

Texas A&M placed Lipe, a horticulturist who was originally hired in 1970 to conduct research on vegetables, in charge of the experimental vineyard. Lipe recalled "problems with the research occurred on the Abernathy vineyard. People were stealing the grapes and several young boys who hunted jackrabbits shot up the trickle irrigation system, perforating the

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[33] Lipe, interview.

[34] Lipe and Eddins. "Grape: Cultivar and Rootstock Evaluations for the Texas South Plains 1975-1976." Acknowledgments were given to J. W. Crutchfield of Houston for financial assistance and Norman Wilms of Los Fresnos for providing many of the cultivars for the Abernathy planting.

[35] Located north of the Lubbock International Airport, Lubbock, Texas.

pipe."[36] Therefore, results of the wine-grape research were limited and in 1974, the Abernathy Chamber of Commerce ceased their involvement.[37]

In 1974, Lipe retained fifty of the most vigorous varieties from the Abernathy planting and discarded the remaining varieties. He based his reasons for rejection of the remaining varieties on the varieties' performance, freeze susceptibility, poor vigor, and poor wine quality. He then replanted the most vigorous fifty varieties in June, 1974, in an experimental vineyard next to the Texas Agricultural Experimental Station in Lubbock. In that same year, Lipe started experimenting with fifty-nine freshly planted *vinifera* species. Lipe used cordon style pruning and focused on several growing conditions: freeze tolerance, pest management, yield, fruit quality, rootstocks, and vine vigor—the quality of condition that is expressed in rapid growth of the parts of the vine rate of growth.[38]

In 1976, Lipe noted high performance from *vinifera* varieties such as Zinfandel, Burger, Palomino, Mission, and Carignane. Moreover, defying past experiences, *vinifera* varieties proved significantly more productive than leading hybrids or native American types. Lipe then began focusing primarily on *vinifera* rootstock and researched all aspects of *vinifera* cultivation, except the application of fertilizers on the crop.

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[36] Lipe, interview.

[37] Lipe and Reed both stated that the reason for this was the "lasting effects of Prohibition." Reed stated, "Before we [McPherson and Reed] started Llano Estacado Winery, a rich farmer from Abernathy was going to plant 20 acres of Baco Noir [a *vinifera,* French-American hybrid]. He was told by the congregation of his church, that if he planted such a crop, he and his family would be 'kicked out' of the church." Lipe, interview and Reed, interview, 10 February 1995.

[38] Lipe, interview.

About the time Lipe was replanting his vineyard from Abernathy, experiments were being conducted at other Texas A&M agriculture stations in Fort Stockton, Texarkana, Abilene, San Antonio, El Paso, Ulvalde, and Junction, Texas. English states, "[i]n 1973 George Ray McEachern, an extension horticulturist from Texas A&M, received a grant for a trial demonstration across the state involving twelve grape varieties. Thirty test plots were planted. Each site included three Americans, three hybrids, three *viniferas,* and three varieties of the grower's choice."[39] With the exception of Ed Auler's planting of hybrids in Llano County and Lipe's grapes in Lubbock, more than half of the experimental vineyards directed and financed by Texas A&M died after two years.[40]

According to Lipe, the Texas South Plains offered a new viticulture area because it was relatively free of insect and disease problems. During his research, Lipe importantly noted that no evidence was found of cotton rootrot, Pierce's disease, phylloxera, or nematodes.[41] Moreover, the Texas South Plains offered a suitable climate for growing wine grapes, one similar to the wine regions in France and Europe. Sandy-loam, well drained soil (calicious lime), warm sunny days, cool nights, and a low humidity provided an excellent

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[39] English, *Texas Wines: A Guide and a History,* 3rd ed., 26.

[40] Ibid. Ed Auler soon used his research and financial holdings to build Fall Creek Vineyards, founded in 1979.

[41] Lipe, interview. Reed gives a more detailed account. In the early 1980s, Llano Estacado invited two French wine and viticulture experts to the area. They determined that the calicious, sandy loam lime soil provided a difficult environment for phylloxera, in the leaf form. Phylloxera coming from California would not be a problem. However, Reed emphasizes that similar, contextual advice was given to cotton growers, in relation to the boll weevil of Virginia. Reed, interview 10 February 1995.

cultivation environment. The climate was especially important. The exchange of rising and decreasing temperature established a good sugar and acid balance in the grape, and the presence of low humidity prevented grapes from developing funguses or powdery mildew.

Lipe and the two professors continued to work separately, even though they sometimes shared each other's findings. Lipe was better funded, conducted his experiments on a more scientific basis and possessed a higher level of training in horticulture (Ph.D.) than Reed who had a master's in horticulture and McPherson, who had a Ed.D. in Education. Furthermore, Lipe performed his studies at the Texas A&M Extension Station, which emphasized well-defined, clear-cut experimental projects. Lipe also focused his research on wine-grape rootstock. His work maintained a profile of strict experiments and tests, in which he reported on grape cultivar performance. He also published his findings.[42] Witnessing the results of Lipe's work and

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[42] Lipe continued to publish his research annually until his retirement in 1995. For more information, see William N. Lipe and Brent W. Wiseman, "Wine Grapes: Variety-Rootstock Performance 1983, Texas South Plains," Texas Agricultural Experiment Station, (1984) Lubbock, Texas; William N. Lipe, David Davenport and Brent W. Wiseman, "Variety-Rootstock Performance 1985, Texas South Plains," Texas Agricultural Experiment Station, (1986) Lubbock, Texas; William N. Lipe and David Davenport, "1986 Grape Variety-Rootstock Performance, Texas South Plains," Texas Agricultural Experiment Station, (1987) Lubbock, Texas; William N. Lipe and David J. Rayburn, "1988 Grape Variety-Rootstock Performance, Texas South Plains," Texas Agricultural Experiment Station, (1989) Lubbock, Texas; idem, "1989 Grape Variety-Rootstock Performance, Texas South Plains," Texas Agricultural Experiment Station, (1990) Lubbock, Texas; idem, "1990 Grape Variety-Rootstock Performance, Texas South Plains," Texas Agricultural Experiment Station, (1991) Lubbock, Texas; and William N. Lipe, Roy E. Mitchell and David J. Rayburn, "1993 Grape Variety-Rootstock Performance, Texas South Plains," Texas Agricultural Experiment Station, (1994) Lubbock, Texas.

experiments, Lipe's promising research influenced McPherson and Reed. McPherson and Reed both credit Lipe for his outstanding research on both *vinifera* and other varieties. Reed continued his praise, "Bill Lipe has to get the credit for research, of course, because he was funded through the Texas A&M system. We never published anything."[43]

Slowly, the West Texas wine-grape industry took a small step. Some still considered it a recreational hobby while others began to experiment seriously with the idea of growing grapes. During this time researchers planted experimental plots of grapes and studied the potential of this new agricultural product, in order to supplement the state's other agricultural products. New technology such as trickle irrigation provided the means to apply water on a consistent and efficient basis. However, there was an absence of a wine producing industry that could begin to create a better and more desirable product. With the exception of Val Verde Winery in Del Rio, there was not a single winery in the state of Texas in 1973.[44]

Reed and McPherson continued their trial and error experiments and slowing realized that others should become more involved. Reed explained, "we decided why don't we get Texas Tech interested in this as a possible agricultural crop, that generates more income to the cotton, cattle, and grain.

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[43] Reed, interview, 17 November 1995.

[44] Val Verde Winery was founded by the Qualia family in 1883. It is the oldest winery in the state of Texas. However, this winery is considered small and sold its product solely in the local area of Del Rio, Texas. During Prohibition and after, Val Verde Winery possessed thirty acres of hybrid grapes and sold a majority of its product for religious purposes. For more information see, Overfelt, *The Val Verde Winery: Its Role in Texas Viticulture and Enology*.

Not to replace it, but to just supplement it."[45] Lipe's work and recognition that the South Plains was a viable viticulture area only strengthened McPherson and Reed's conviction of expanding this new crop. This interest of grapes, spurred by Lipe's early research findings and Reed and McPherson's desire to expand grape growing on the South Plains, planted the seed which soon became an entirely new industry.

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[45] Reed, interview, 17 November 1995.

CHAPTER IV

FROM EXPERIMENT TO AN INDUSTRY

With almost any industry, there is always a beginning or re-birth. The modern Texas wine industry was no exception. Unlike its pre-modern structure, which consisted of nineteen wineries scattered mostly in central Texas and the Hill Country, the modern Texas wine industry was different.[1] In the pre-modern era, many Texas wineries were strictly family owned. During the pre-Prohibition period, small Texas wineries produced less than 10,000 gallons a year and sold their product strictly within the surrounding area. Moreover, many of these wineries produced wine from American native grapes or French-American hybrids. Others still produced wine from fruits and other berries. *Vinifera* grape plantings had been attempted but often met with failure.

After the repeal of Prohibition on December 6, 1933, wineries in the United States, especially in California and New York, began satisfying consumer demand. Enology (study of fermentation) and viticulture research reached new heights under Albert Winkler and Maynard Amerine at the University of California at Davis. Through their persistent research, U.C. Davis became the "Harvard of Enology and Viticulture," offering courses and

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[1] Overfelt, *The Val Verde Winery,* 25. Wineries that closed following Prohibition included Bastrop Winery, Isleta Winery, Dr. J. H. Lyons Winery, Fort Stockton Winery, Brenham Winery, Marton Steinberger Winery, Munson Vineyard Winery, Fenoglio Winery, and Wilke Winery. According to Texas Alcoholic Beverage Commission Records, there were nineteen bonded wineries in the state, before Llano Estacado Winery was created. The only remaining bonded winery was Val Verde Winery, bonded number 17. Llano Estacado received bonded number 20.

degrees in wine making and allowing others to learn and study the complexities of fermentation and viticulture.[2]

In the state of Texas, there was no university that offered such a research program or degree in the study of enology or advanced viticulture practices before, outside the study of horticulture, before 1973. And unlike California or New York, there were not widespread commercial vineyards and numerous wineries in Texas.[3] However, within two years, the modern Texas wine industry took a giant leap forward.

The First Experimental Winery in Texas

In 1970, before Texas Technological College became Texas Tech University, the Board of Regents decided to build a new addition to the Chemistry building on campus. The chairman of the chemistry Department, Henry J. Shine, decided that every professor in the department should conduct a research project. The new Chemistry building offered plenty of available space for such individual projects. This applied to McPherson as well as others, and as he stated "they put everybody in one of these rooms and they let me have three rooms downstairs. I told them I wanted to do a wine research project."[4]

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[2] Jay Stuler and Glen Martin, *Through the Grapevine: The Business of Wine in America* (New York: Wynwood Press, 1989), 108.

[3] Commercial vineyard is defined as one grown off the premises of a winery. Not to be confused with an estate vineyard, which is grown on the premise of a winery.

[4] McPherson, interview.

Earlier, McPherson had made several trips to California to find out how U. C. Davis established their experimental winery on campus. After obtaining permission from Professor Shine in 1972 to start conducting wine research, McPherson approached Texas Tech President Grover Murray. The president suggested that McPherson talk to the Board of Regents. After proposing his idea to the board, McPherson was given the go ahead to start Texas' first experimental winery.

From the very beginning, McPherson witnessed the intricacies of government bureaucracies. First, since the fermentation of grapes gives off carbon dioxide gas, the gas had to be vented and removed from the basement rooms. Enter the Environmental Protection Agency (EPA). Second, the wash water used for experiments had to be disposed of, but how? McPherson explained, "the room that I wanted to use, the water that went from that room went in a direction that the feds didn't approve of. We had to move from our intended location to another room."[5] Questions arose as to whether there was a navigable stream involved and was this water to be used later on for drinking purposes. Again, the EPA was involved. Third, what sanitation procedures were to be used? Would there be the possibility of rodents or other insects infecting the experiment station. McPherson needed the approval of the Federal Drug Administration (FDA) to use products to prevent contamination of the wine. Fourth, there were forms that the Internal Revenue Service (IRS) requested be filled out, so that the professors and the university would not have to pay taxes—as no wine was to be consumed.

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[5] Ibid.

McPherson continued, "you were able to taste the wine, but immediately afterwards you spit it out and rinsed your mouth."[6]

But McPherson's biggest headache came with the Bureau of Alcohol, Tobacco and Firearms. Unfortunately, the only local BATF agent in the area had no experience with wine. McPherson stated, "they had a boy come from Oklahoma City, supposedly he had been at a winery in Missouri. He had seen a winery, that's about it. Finally, the BATF people in Dallas sent an agent named Chauncey C. Acrey, who had experience with wineries in California. He was involved with us later on when we finally built the winery."[7] Since the experimental winery needed to be locked and secured, the BATF also needed to know who possessed the keys. Furthermore, someone needed to be designated to keep the records in a specified location, allowing a BATF inspector to go over them once a year. McPherson had already obtained a wine permit from the Texas Alcohol and Beverage Commission (TABC), when he made experimental wine in the storm shelter; but besides that he not prepared for all the rules and regulations his experimental winery had to meet.

The entire process of developing an experimental winery on campus required about two months of letter writing and a trip to Dallas. McPherson himself completed the entire process on his own by dealing with government bureaucracies and red tape.[8] But as McPherson decided to conduct wine

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[6] Ibid.

[7] Ibid.

[8] Legal material, 1974-1985 and undated, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

research on the Tech campus, a professor named Roy E. Mitchell arrived at Texas Tech.

Considering Fort Worth, Texas, as his home, Mitchell grew up in several places across the world. As the son of an Air Force breadwinner, Mitchell and his family constantly moved from one Air Force base to another. Mitchell explained, "I spent one year in Germany. One of the things that we did when I was in high school is to take trips sponsored by the Air Force. We rented Hitler's yacht and cruised the Rhine River, seeing all the vineyards up and down the sides of the hills on the banks."[9]

After receiving his bachelor's degree in chemistry from Texas A&M and Ph.D. from Purdue, Mitchell received a position at Texas Tech teaching and conducting research in inorganic chemistry. Mitchell stated, "I met McPherson in the Chemistry Department. He did a lot of the freshman courses, all the lab demonstrations and he made all of our slides."[10] Mitchell became involved in applied wine research with McPherson and Reed in the winter of 1972.

In November of 1972, the Texas Tech Graduate School awarded McPherson, Reed, and Mitchell $1,500 per year to conduct research on wine, allowing Texas Tech University to have the first state-supported experimental winery in Texas. Earlier, McPherson had asked Mitchell if he would like to join Reed and him in conducting research at the experiment lab. Mitchell agreed and the two chemistry professors, with assistance from Reed, started their experiments. McPherson, Mitchell, and Reed entitled their

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[9] Roy E. Mitchell, interview by author, tape recording, Lubbock, Tex., 4 January 1996.

[10] Ibid.

project "Grape Variety Trials and the Relation of Variety of Grapes in Composition to Wine Quality."[11]

McPherson took it upon himself to help construct the experimental winery/lab. McPherson stated, "I would take the money they gave us to buy corks, bottle, yeasts, etc. As far as the equipment was concerned, I went and bought it myself. I went to Marshall, Texas and brought a pickup load of crocks and jugs and other stuff. I also purchased [with his own money] a crusher-destemmer for $600."[12] Using the grapes from Sagmor Vineyards, McPherson and Reed crushed and destemmed the grapes at their vineyard and brought the "must" in jugs to the lab. The three professors kept each variety of grape separate and made them either into a white or red wine.[13] McPherson continued, "our operation was going great. We made small batches of wine and tested them for different things. For instance, which

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[11] Correspondence, 1971-1986, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

[12] McPherson, interview.

[13] A quick synopsis of making grape into wine follows: First, grapes are harvested (July-September) and are individually placed in a machine called a crusher-destemmer. This machine gently crushes the grape skin, releasing juice, seeds, skins, pulp and stems. At the bottom of the machine are spinning "fingers" which remove the stems, allowing just the juice, seeds, skins, and pulp to continue. This is commonly referred to as "must."

If the grapes are intended to be made into a white wine, the "must" is pressed, releasing only the juice. The juice is then inoculated with yeast and fermentation begins. If the grapes are intended to be made into a red wine, yeast is added immediately to the "must" and fermentation begins. Color is thus extracted from the skins during fermentation, giving the wine its red hue and flavor. After the "must" has completed fermentation, it is pressed, releasing only red wine.

varieties made a good wine and which one didn't. Using our different varieties from our vineyard, we were able to use of a wide variety of grapes."[14]

Witnessing the success of building an experimental winery in the basement of the Chemistry Department fueled excitement for both Reed and McPherson. Deciding to extend their viticulture knowledge to others, the two professors asked if Texas Tech University and the College of Agriculture would be interested in, "advertising a field day, to all interested people—growers and otherwise—to come out and see what they were doing at their vineyard."[15] Their main interest lay in supplementing and diversifying the dominant agricultural base of cotton and grain in the Lubbock area.

Expansion of Vineyards on the South Plains

In early 1973, McPherson and Reed began advertising a field day to all interested people who wanted to know more about growing grapes on the South Plains. Advertising their field day on televised farm shows and through Texas Tech, the two professors were pleased with their first public showing. According to Robert Reed:

> A lot of people from Texas Tech showed up, showed some interest, not a whole lot. There were also a lot of independent people, doctors, lawyers, and bankers. These guys are the ones that showed interest in it. That was the time that California is [*sic*] exploding in wine production, wine was simply being accepted en masse by the people.[16]

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[14] McPherson, interview.

[15] Reed, interview, 17 November 1995.

[16] Ibid.

Reed also stated that he and McPherson saw the potential, not so much of growing grapes, but in generating income. He continued by stating, "and from that one field day, the first thing that developed was a little group of cotton farmers, from Morton and Whiteface, west of Lubbock. They were very interested in this and they formed their own organization, called the West Texas Sandyland Grape Association."[17]

Organized under the Agricultural Stabilization & Conservation Service county agent of Cochran County, the West Texas Sandyland Grape Association (WTSGA) consisted of twenty-seven farmers: fifteen from Morton, four from Levelland, three from Whiteface, and one each from Muleshoe, Enochs, Sundown, Tokio, and Littlefield.[18] This was the first group of people to plant commercial wine-grape vineyards on the South Plains.

After McPherson and Reed helped to organize the Sandyland Grape growers, encouraging the farmers to start off small and planting one, two or five acres, the two professors started thinking about actually building a winery. McPherson discussed that, "the original plan was to get all these growers together, put their money together and co-op into building a winery. Because none of us had the kind of money to start a winery, 'co-oping' was the best solution available."[19]

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[17] Ibid.

[18] General Correspondence, 1971-1986, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University. The compilation of farmer's names and addresses comes from a mailing list for the West Texas Sandyland Grape Association, dated 1973.

[19] McPherson, interview.

In 1973 McPherson and Reed planned three major meetings of the WTSGA and any other interested people. At these meetings, McPherson invited outside experts to conduct the workshops. McPherson recalled, "I remember inviting A. Dinsmoor Webb from the University of California at Davis [Chairman of Viticulture and Enology Department at the time]. He was a little guy, wore a black suit and a bright yellow bow-tie. He spoke to our group, gathered in the big room in the Chemistry building."[20] Webb gave two seminars, toured Sagmor Vineyards, and tasted the experimental wine made at Texas Tech. McPherson also invited Maynard A. Amerine and other professionals from University of California at Davis. McPherson and Reed also invited local experts, including Bill Lipe and George Ray McEachern.

At the time, McEachern was in charge of the extension service program at Texas A&M. His main research was on peaches and pecans, which he successfully transformed into the establishment of two growers' associations. According to McEachern:

> I [McEachern] gave a speech at the October 1973 meeting of the Texas Fruit Growers Conference titled, 'The Potential for Wine Production in Texas in 1973.' There was a reporter there whom I never met, but he sent out an AP story on my speech. Following that story I began receiving fifty letters a month on how to grow grapes in Texas. A special half-day session on grapes was held at the 1974 Texas Fruit Conference. About thirty grape growers attended.... The people in that room later proved to be the leaders of the new Texas grape industry.... At the close of that meeting, Clint McPherson asked me to form an association for the Texas Grape Growers [TGGA]. So I did.[21]

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[20] Ibid.

[21] English, *The Wines of Texas: A Guide and a History*, 3rd ed., 28-29.

The founders of the TGGA placed McPherson in charge of organizing growers in the surrounding Lubbock area. McPherson explained his role by stating, "whenever he [McEachern] heard about us, with the WTSGA, he came up here and said we think you boys ought to get into a grape growers association. I said, 'All right, what are we going to need to do to start this thing off?' Well, we'll have a meeting and we'll set it up where anybody that grows a grapevine can be a member of the Texas Grape Growers Association."[22]

Using the WTSGA as a base, McPherson held every position within the Texas Grape Growers Association except for president.[23] Dues were relatively inexpensive, two dollars a year, and mailing costs were the same—ten cents a stamp. McPherson stated, "I organized it up here and McEachern consolidated the rest of Texas."[24] Many people credit McEachern for his work with the TGGA, including McPherson, who stated, "he is the guy who took the bull by the horns when it was time to organize Texas grape growers, an educational organization, to teach everybody in the state how to grow grapes."[25] However, before McEachern started organizing grape growers in Texas in 1974, the only commercial wine-grape growers at the time were the

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[22] McPherson, interview.

[23] Ibid. At the time of TGGA's first meeting in Austin, on March 1, 1977, McPherson had already established Llano Estacado Winery. To hold the office of president would be a conflict of interest.

[24] Ibid.

[25] Mitchell, interview.

WTSGA, on the South Plains. After 1978, the WTSGA dissolved and the remaining members joined the TGGA.[26]

Reed and McPherson envisioned commercial uses of wine grapes—to purchase wine grapes and make marketable wines. In November of 1973, strengthened by the promising results of their research at the Texas Tech experimental winery/lab, McPherson and Reed called another meeting of farmers and WTSGA members at the South Plains Electrical Co-Op in Levelland, Texas. McPherson and Reed suggested to farmers that if they planted certain wine grapes, the two professors would gather financial backing and build a winery.

Convincing the WTSGA to grow grapes was a precarious undertaking for both Reed and McPherson. Reed explained the difficulty:

> We got across the point, well we can't build a winery and have it sit there for three years, while we wait for the grapes to come in. We couldn't provide any kind of financial incentive to the growers or guarantee them that we were going to build a winery, but we were pretty sure we were. So they went ahead and planted about fifteen acres of grapes over there, with the West Texas Sandyland Grape Association. One grower named George Martin, planted eight acres.[27]

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[26] McPherson, interview. According to McPherson, "Some of them (WTSGA farmers) were told by the preacher to plow it up. The Baptists over there, when they found out they were growing grapes to make wine, that was it. If all the grapes that we bought were planted and still growing, there would probably be 5,000 acres of them up here. These guys would start and then they [preachers] would find out about it and that was it. At one time, we bought two train car loads of grape stakes and unloaded out there at Whiteface. I don't know where all those grape stakes went, but there was [*sic*]a bunch of them."

[27] Reed, interview, 17 November 1995.

Reed advised the WTSGA growers to plant French-American hybrids, such as Baco Noir, Seyval Blanc and Verdelet varieties, because the two professors had spent three years working with those varieties in the field and the tonnage looked good. Reed further explained:

> Doc had made some experimental wines from it, and it looked like it had potential. It wasn't up to the quality of the *vinifera* grape, the true European grape, but we weren't interested in *vinifera* yet, because all the publicity and research showed that you couldn't grow *vinifera* east of the Rocky Mountains. It just wouldn't take the cold. You can go all the way back to Thomas Jefferson, who first brought them [*vinifera*] into Virginia, and they failed miserably. We believed our role in this should be concentration on the French-American hybrids.[28]

Lipe attended the November meeting and growers asked him what varieties should they plant. Lipe refused to say: "I'm not going to tell you [growers] because in about four years you going to have to pull them all up and you are going to be mad as hell at me."[29] Reed then stood up and told the growers what to plant, reassuring them that he would advise growers how to cultivate wine grapes. Lipe continued, "he [Reed] told them to plant Baco

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[28] Ibid. For more information about Thomas Jefferson's vineyard, see Lisa King, "America's First Wine Connoisseur," *The Wine Spectator*, 15 March 1991, 24-31.

[29] Lipe, interview. The reason why Lipe refused to tell the growers what varieties to plant was simple. He and other researchers at the A&M Experiment Station did not have enough data to recommend what *vinifera* or French-American hybrids to grow on the South Plains, due to the limited amount of limited research accomplished at that time. This was before Lipe took the cuttings from the Abernathy vineyard and planted them at the Texas Agriculture Experiment Station in Lubbock.

Noir, and a bunch of other hybrids—Seyval Blanc, Vidal Blanc, and Verdelet."[30]

After the November meeting, McPherson and Reed continued their grower meetings with members of the WTSGA, advising them how to prune, train, and propagate the vines. Reed stated, "when they had a question, we would go out and see them. On occasion, we would go and see how they were doing. We worked with them hand and glove."[31] The idea of building a winery would not become a reality until 1975.

Lady Bird Johnson

While McPherson and Reed were conducting research at their vineyard and the experimental winery at Tech, teaching classes and helping farmers of the WTSGA, a horticulture professor named Elo J. Urbanovsky took an interest in the professors' project. Urbanovsky was a Horn Professor Emeritus, a former chairman of the Horticulture Department at Texas Tech and former chairman of the Department of Park Administration, Landscape Architecture and Horticulture.

In 1975, Urbanovsky was also chairman of the Select Committee for the Lady Bird Johnson Highway Beautification Award. In August of that year, Lady Bird Johnson scheduled a short trip to Texas Tech to visit and discuss certain projects with students of the Department of Park Administration, Landscape Architecture, and Horticulture, and to select a recipient of the 1975 Highway Beautification Award.[32] Urbanovsky had

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[30] Ibid.

[31] Reed, interview, 17 November 1995.

[32] *Lubbock Avalanche-Journal,* 24 August 1975, 1(A) and 14(A).

earlier asked Reed and McPherson if they wanted Mrs. Johnson to visit their vineyard and to drink some of their experimental wine. According to McPherson, "we had heard that Lady Bird Johnson was a real wine connoisseur, so we cleaned up the barn next to the vineyard and brought some experimental wines we had made the year before. My wife Clara baked a bunch of homemade bread, and bought some cheese and crackers."[33]

Lady Bird Johnson was scheduled to arrive in Lubbock, on Monday, August 26. Early that day, Reed and McPherson arrived at their vineyard to organize the tasting and tour. Reed explained that, "there were three guys out there in blue dress suits with little things in their ear. They asked us, 'Who are you? You can't come in here.' I [Reed] said, 'Well, this is my vineyard.' They said, 'I don't care.' They were Secret Service and they wouldn't let me or McPherson on the premise because Lady Bird was on her way."[34]

After she visited Texas Tech, Lady Bird Johnson arrived at the vineyard. Reed and McPherson, with Secret Service approval, spent the day with Mrs. Johnson. The next day, the local paper quoted Lady Bird Johnson as saying that, "during her visit. . . she was able to view and admire the Tech campus, and she made special notice of the landscape and agriculture of West Texas, especially the sunflowers and vineyards."[35]

The publicity of Lady Bird Johnson's visit helped Reed and McPherson tremendously, not only in Lubbock but the rest of the state. The publicity of the event caused Reed to explain, "that got it stirred up state-wide, that

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33 McPherson, interview.

34 Reed, interview.

35 *Lubbock Avalanche-Journal,* 26 August 1975, 1(A).

'Gosh, if Lady Bird is interested in this, then maybe there is something of a potential of a grape-wine industry in the state of Texas.'"[36]

Texas Legislative Financial Support

McPherson and Reed promoted their experimental wines whenever they had the opportunity. In late 1974, Dr. and Mrs. Curry Holden, who were philanthropists of Texas Tech and instrumental in establishing its museum, became interested in the professors' work. The Holdens invited McPherson and Reed to give a blind wine tasting for several invited guests. The guests were asked if they could tell which wines were made in California and which ones were made in the experimental lab. Most of the guests failed to determine which of the wines were California made and which ones were made at the experimental winery/lab.

One of the guests included a Texas Senator from Amarillo, Max Sherman. A member of the Senate Finance Committee, Sherman became somewhat enthused about the professors' work and began talking with several administrators at the University of Texas.[37] According to McPherson, "Sherman was talking it up and evidently he put a line item appropriation in one of these bills [appropriation] for $25,000 dollars—half going to the University of Texas and half going to Texas Tech. We didn't even know about it."[38] According to correspondence McPherson collected, the University of

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[36] Reed, interview.

[37] Max Sherman, interview by author, tape recording, Lubbock, TX., 21 February 1996. "It was exciting what those professors were doing. Their work had the possibility of creating a new agricultural crop and industry."

[38] McPherson, interview and Texas, *Appropriations—General Act*, 64th Leg., R.S., vol. (2), ch. 743, 1975 Texas General Laws, 2729, Austin, TX: Office

Texas originally wanted to help advance Texas Tech's research, using the results gained in Lubbock to assist in the University of Texas' feasibility study in Bakersfield.[39]

After McPherson and Reed discovered their generous annual grant, the experimental winery/lab received a financial boost. Originally, Texas Tech's portion of the money was to be shared, half going to the College of Agriculture to study viticulture and half going to the College of Arts and Science (Chemistry Department) to study enology at the experimental winery/lab.[40] However, Anson R. Betrand, Dean of the College of Agriculture, did not want to pursue the study of grapes.[41] Instead, Texas Tech Graduate School allocated the entire sum of money to the experimental winery/lab. Dean for Research, George F. Meenaghan, and Vice-President for Research and Graduate Studies, J. Knox Jones, Jr., decided that Mitchell should be placed in charge of the wine research lab at Texas Tech. According to Mitchell, "that was the point in time [1976] when Texas Tech made the decision to have me head up the wine research program on campus."[42]

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of the Secretary of State, 1975. The appropriated amount was for the fiscal year September 1, 1976 to August 31, 1977. See Appendix A.

[39] General Correspondence, 1971-1986, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

[40] Ibid.

[41] Reed, interview, 17 November 1995 and Mitchell, interview. Interviews indicated conflicting reasons why Betrand refused the grant money. He simply didn't want to conduct research on grapes.

[42] Mitchell, interview. From gathered research, it is this author's opinion that Meenaghan and Jones felt that perhaps McPherson would have a conflict of interest, since he and Reed had already started Llano Estacado

By 1976, the modern Texas wine industry was slowly growing. Before 1973, there were no commercial vineyards, wine experiment labs, hardly any major funding by government agencies, or grape grower organizations. Fueled by the expansion of Texas Technological College into a major university, allowing the institution to offer its faculty research facilities, McPherson built the first experimental winery/lab in Texas. As McPherson and Reed studied the progress of their 125 grape varieties at their own experimental vineyard (off-campus and not owned by Texas Tech), the two professors started to promote their concept of growing grapes to potential growers.

The idea of building a commercial winery on the Texas South Plains was still a dream, but by forming growers into the first commercial wine-grape growers' association in Texas (WTSGA), the dream started to turn into a reality. The publicity associated with Lady Bird Johnson's visit to Texas Tech and McPherson's and Reed's vineyard only promoted their effort. In addition, the early success in wine research at Texas Tech prompted financial support from the Texas Legislature to help in research efforts at Texas Tech and the University of Texas. By the fall of 1975, a nascent structure incorporating young, developing commercial vineyards and wine experiments at Texas Tech had been established, a structure that would later help to propel Llano Estacado Winery and other Texas wineries into becoming a viable industry. The "forked tendrils" developing on the South Plains of West Texas clearly were beginning to suggest a larger wine industry across the state.

Winery. However, Mitchell himself was also involved with Llano Estacado Winery, thus creating some confusion on the matter as to why Mitchell was placed in charge and McPherson was asked to step down.

CHAPTER V

THE FIRST MODERN WINERY IN TEXAS

After the successful publicity of Lady Bird Johnson's visit, McPherson and Reed changed their approach from that of a simple "recreational hobby" to a commercial venture—building the first modern winery in the state of Texas. Building a winery is a feat not easily accomplished and is considered a high-risk venture for investors; a profit cannot be seen on average for at least ten to fifteen years. Seen by some professionals (lawyers, bankers, and doctors) as good tax shelters, numerous ailments can plague a winery. For instance, vineyards are susceptible to disease, pests and changing climates. The initial capital required to build a winery (land, fermentation tanks, bottling equipment, and crush/ press equipment) is extremely high. According to wine business experts Jay Stuler and Glen Martin: "In addition, the basic physical force of gravity is an ever-present menace to an operation that deals in valuable fluid; the smallest leak or blown hose connection can send many thousands of dollars down the drain."[1]

Lawyers and Partners

McPherson sought financial advice from a man named Jim Crenshaw. Crenshaw, employed at Plains National Bank, worked as a banker and specialized in financing small businesses. After having discussed McPherson's idea about building a winery, Crenshaw recommended to McPherson and Reed that the two talk to Harold Harriger, who operated a

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[1] Stuler and Martin, *Through the Grapevine: The Business of Wine in America,* 23.

law firm in the same building as Crenshaw.[2]

In September 1975, McPherson, Reed and Roy Mitchell entered the law offices of Harold Harriger and in essence said, "We think we can make commercial wine out of grapes grown in West Texas, and we don't know what to do next."[3] Harriger then approached one of his law partners, Don Graf. Graf recalled the event, stating that, "Harold came down the hall and said, 'these fellows want to build a winery, and said I don't know what we need to do, and I'm sure you don't either but we need to find out.'"[4] To Graf, the project seemed interesting and alluring: "I like something different and unusual. It was a client who had come to us for help, and from our perspective we were trying to figure out what we needed to do to help him. And then of course Harold went on to say that they didn't have any money."[5] What occurred next was quite odd.

For a law firm to help a client in return for no financial payment, with the exception of *pro bono* work is unusual. But according to Graf, the idea of building a winery in West Texas proved to be intriguing:

> Helping to create a winery was interesting idea and the concept was neat. If it worked, we could help West Texas industry and help the West Texas farmers have a new crop. One of my other interests is water law and I represent the High Plains Water District as an example, nothing but water districts. One of the

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[2] Jim Crenshaw, interview by author, tape recording, Lubbock, TX, 19 January 1996.

[3] Don Graf, interview by author, tape recording, Lubbock, TX, 8 December 1995.

[4] Ibid.

[5] Ibid.

> things that intrigued us was that this was a crop that doesn't need water like cotton does. If we could make this a good deal for the farmers out here, then this is something that we can do as a community service.[6]

The law firm of Harriger, Graf and Brazill saw a water conservation aspect to the building of a winery. Graf continued, stating that, "from the perspective of a citizen, rather than a lawyer, this was something that needed encouraging. And so Harold, Clancy and I were willing to, in essence, donate time if you will, for the purpose of seeing if there was something we could do to make this thing fly."[7]

Don Graf was born in Hansfield, Alabama, and moved to Austin, Texas, in 1949. After receiving his law degree from the University of Texas in 1962, Graf soon moved to Lubbock. Graf's involvement with the winery paralleled an earlier experience, which he explained:

> Six months after I got of law school, my senior partner came down the hall and said, 'the teamsters are trying to organize one of our clients. Since nobody else knows anything about labor law, you are our labor law expert. We meet with the client at 9:00 in the morning, and you need to tell him what he is going to do.' So, I spent until midnight figuring out what it is we were going to do in terms of labor law. That's the same way I got involved with the winery.[8]

Initially, there were seven partners: Clinton McPherson, Robert Reed, Roy Mitchell, Don Graf, Harold Harriger, Jim Crenshaw, and Clarence

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[6] Ibid.

[7] Ibid.

[8] Ibid.

Brazill. The investors held a meeting, discussed what needed to be done structurally and what permits were needed from the state and federal governments. In addition, the investors planned their goals at a time when there was no money to do anything.

Legal Obstacles

The very first step the group took was to look at the Texas Alcoholic Beverage Code, then referred to as the Texas Liquor Control Act. Graf's job was to see what the provisions were for winery permits and what needed to be accomplished to obtain those permits. According to Graf, "the second step was to try to find out what you needed federally, because you also needed a federal license. The third step was to look at what kind of legal structure you are going to put together for your investment group."[9] The first two steps proved to be the most difficult, giving way to more difficult obstacles ahead.

A major problem facing the group of seven investors was that nobody in the Texas Alcoholic Beverage Commission (TABC) knew anything about winery permit applications. Prohibition had eliminated, with the exception of Val Verde Winery, all nineteen wineries in the state. The Qualia family who owned Val Verde, "used the grapes from the vineyard for table grapes, jellies and jams and for home wine making. . . which could be still produced [under Texas law] for. . . medicinal and use at communion services."[10] Val Verde Winery possessed the most current winery permit issued in the state, over ninety years earlier. Since 1883, no winery had applied for a winery permit

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[9] Ibid.

[10] Overfelt, *The Val Verde Winery: Its Role in Texas Viticulture and Enology,* 25-26.

from the state of Texas. According to Graf, Val Verde Winery was a very small operation—run by Thomas Qualia—whose grandfather had originally applied for a Class B wine permit. Nobody at the TABC knew the application process or required forms. By simply reading the Texas Liquor Control Act, Graf knew as much as officials at TABC.[11]

Graf then sought advice from the Bureau of Alcohol, Tobacco and Firearms. Chauncey Acrey, who had helped McPherson with his BATF permits for his experimental winery, was still employed at BATF headquarters in Dallas, Texas. Graf discussed that, "[Chauncey Acrey] was the principal source as to what you needed to do federally, in reference to applications and forms."[12] Graf then approached officials at the TABC and said: "Look, you guys don't know anything, and we don't know anything, but this is what the federal guy says, so let's do it this way."[13]

Thus, many of the early requirements and legalities of the application process to obtain winery permits from the state of Texas were based on federal requirements of the BATF. Considering that the antiquated Texas Liquor Control Act did not have any procedures in place for winery permit applications and since nobody had filed for a permit in the twentieth century, the TABC used some of Acrey's recommendations. In effect, Graf, Acrey, and Joe Darnell determined what kind of application forms and procedures were needed to start a winery. Darnell was general counsel for the TABC at the

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11 Ibid.

12 Ibid.

13 Ibid.

time. He was also a liaison with the Legislative Council and had attended law school with Don Graf.[14]

While Graf was tackling the legal obstacles with the state, the name of the winery had to be considered. The investors wanted a name that fit the area in where it was to be located. When Francisco Vázquez de Coronado explored the American Southwest in 1540-1542, Coronado searched for the legendary Seven Cities of Cíbola.

> The expedition [Coronado's] skirted Cerro Cuervo, and probably entered the basin of Pajarito Creek in the vicinity of present Newkirk. Toward the east they could see the imposing line of rampart-like cliffs which gave the vast level expanse ahead of the name Llano Estacado (Stockaded or Palisaded Plain), later mis-translated by Anglo-Americans into "Staked Plains," which completely misses the point of the Spanish designation. They were called Stockaded Plains from the rim-rock which at a distance looks like a stone fortification. The usual explanation about driving stakes to avoid getting lost, is an engaging folk tale.[15]

Due the historical name of the area, the investors named their winery Llano Estacado Winery, reflecting the heritage and topography of the South Plains.

Dealing with government bureaucracies had been commonplace for Don Graf. But he had been told by many people that financing the winery would be difficult. Building a winery in Lubbock County was a whole new operation

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[14] Joe Darnell, interview by author, tape recording, Lubbock, TX, 17 January 1996.

[15] Hebert E. Bolton, *Coronado: Knight of Pueblos and Plains* (1949; reprint, with a foreword by John L. Kessell, Albuquerque, NM: The University of New Mexico Press, 1990), 243.

and Graf and the other six investors sought advice, especially from wineries in California. Graf recalled his experiences:

> I remember we got a seminar of lengthy tapes, produced in California on "how to start a winery." It was the economics of a small winery and what you have to go through to get your initial permits and build a sound economic structure. I remember listening to the tapes in my car and listening to them at home. One of the things I still remember him [the author of the tape] saying was that you needed to hit the 30,000 case level to make money. It took him a day to say that, but that was one of the things he talked about and it was one of the things we were very concerned about. How much money is it going to take to get started and how much wine are we going to have to sell to make money?[16]

In addition, financing was needed. An acquaintance of McPherson's solved their financial problem. Jean Forster Dorn is considered by many as Llano Estacado Winery's "benefactor."[17] When McPherson and Reed were working in the experimental winery at Tech in late 1975, they were introduced to a friend of the Holden's, Mrs. Dorn. A philanthropist from San Antonio, Texas, Mrs. Dorn asked McPherson and Reed if they had plans to build a winery. The two professors responded they had, but were having difficulties in raising money. A check for $50,000 dollars drastically improved their position.[18]

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16 Graf, interview.

17 During all oral interviews and in unpublished findings, Mrs. Dorn was highly praised for her investment.

18 Reed, interview, 10 February 1995. According to Reed, Mrs. Dorn had a substantial amount of money tied up in Certificate of Deposits—earning 3% or 4%. "She wanted to use that money and invest in this. When she gave us the money, we almost fell off our chairs. That helped build the first 3,500 square foot cinder block building, and equipped it with minimum

Given both the federal and state securities laws, Graf and the other lawyers decided that a limited partnership best fit their situation. Graf explained that, "if you contacted more than thirty-five people, then you had to register your stock offering or your investment portfolio with both entities. We didn't want to go through that high of a cost and that type of structure. Instead, we were careful as to how many people we could talk to about it and how many potential investors we would have in the organization."[19]

In addition to the limited partnership structure, other investors solicited were clients of Graf's firm. Graf discussed further:

> The electrician and general contractor were a client of ours. Three or four other people that were involved in the project were also clients of ours. Through the firm, we were able to get different people we needed. McPherson went out and found Mrs. Dorn, and if we didn't have her $50,000 dollars, we didn't have enough money to build the winery. That was very significant. Same goes for the general contractors, if he hadn't been able to take $20,000 of his profit in stock, we couldn't have built the building. It took everybody working together to come up with the initial money to do it.[20]

By the summer of 1976, Llano Estacado Winery had been created. Structured as a sub-S corporation, the five general partners invested $6,000 dollars each, equaling $30,000. Altogether, the limited partners put in

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equipment. You know you couldn't go that far, but that got the thing off the ground."

[19] Graf, interview.

[20] Ibid.

$150,000; thus, the initial investment was worth $180,000.[21] The corporation also included McPherson (president), Reed (vice-president), Mitchell (secretary) and Mary E. Cate (assistant secretary). The remaining seventeen investors were limited partners, but had no decision making authority.[22]

However, several investors did not share the same dream as McPherson and Reed. Diversification of South Plains' agriculture and the introduction of an entirely new industry were not the dreams of Llano Estacado's primary investors. Instead, a majority of the initial investors used their money for a different purpose. Under the then current tax law and structure, limited partners could write-off their losses for tax purposes.[23] During the early years of Llano Estacado, McPherson and Reed did not worry that some of the investors used their investment as a tax write-off. Initial investors had previously been instructed that the winery wouldn't make a substantial return for several year. In a interview, McPherson stated that,

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[21] Financial material, 1972-1980, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

[22] *Lubbock Avalanche-Journal,* 5 August 1976, 16(C). "The undersigned hereby gives notice of applications to the Texas Alcoholic Beverage Commission, Austin, Texas, for a Class A Winery Permit, to be located 3.2 miles east of the intersection of U.S Highway 87 and F. M. 1585, south side of F. M. 1585. Said business to be operated under the name of Llano Estacado Winery, Staked Plains Winery, a limited partnership. Limited partners were Ruth M. Lewis, Beth Crenshaw, Clara McPherson, Charles E. Prater, Dr. Jerry A. Stirman, Charles Buford, Jean Forster Dorn, J. Harvey Harris, T. M. Mills, Jr., Clayton J. Ross, Majore A. Newton, Herman Teinart, Ludwig Teinart, Woolsack Investors, a partnership: Robert Rex Aycock, Don Graf, Clarence P. Brazill, Jr., and Harold Harriger."

[23] United States, Internal Revenue Service, *Federal Tax Regulations 1975* (St. Paul, MN.: West Publishing Co., 1975).

"[w]e made money one year [1979] and we're not supposed to make money yet. We're supposed to lose money. This operation is supposed to be a tax write-off."[24]

In the fall of 1974 before McPherson and Reed decided to contact Harriger, the two professors started looking for land on which to build their winery. Under the Texas Liquor Control Act, a winery could only be built in a wet county or precinct.[25] The two professors found a suitable piece of land east of U.S. Highway 87, southeast of Lubbock, the only wet precinct in Lubbock County. According to Reed, "in 1974, the laws of the state said that in order to one, sell alcohol and two, manufacture alcohol, you had to be in a wet precinct. And this is as close as we could get to Lubbock, with a piece of land, and still be in a wet precinct."[26] McPherson purchased thirty acres of land with his own money, sold fifteen acres off and sold the remaining fifteen to Llano Estacado.

According to regulations of the Bureau of Alcohol, Tobacco and Firearms and the laws of the state government, a winery must be bonded. A bonded winery represents an entity which must pay taxes on the wine produced. Immediately after a winery produces wine, it must pay taxes.[27]

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[24] Chauncey C. Acrey, "A Cask of Llano Estacado: Wine Isn't Just for Winos Anymore," *Accent West,* November (1979), 59.

[25] Texas, *Texas Liquor Control Act of 1935*, 44th Leg., R.S., ch. 16, 1935 Texas General Laws, Arts. 666—1 through 667—33, Austin, TX: Office of the Secretary of State, 1935.

[26] Reed, interview, 17 November 1995. Reed further commented, "The liquor laws were very strict. You could get hung quicker for violating alcohol than you can for murdering your wife."

[27] Office of Federal Register, National Archives and Records Administration, *Code of Federal Regulations: Alcohol, Tobacco Products and*

According to McPherson, nobody in the limited partnership was willing to put up the necessary money needed to obtain the bond. In 1976, McPherson put up his home and all remaining assets to obtain the winery's first bond. He had a real investment in the winery's success. In 1980, McPherson sold his loan for bonding purposes to the winery and explained that, "after 1979, the winery could afford the risk of putting up the bond."[28]

Llano Estacado Winery

When Llano Estacado Winery began construction in early 1976, McPherson, Reed, and the remaining investors wanted to start their business enterprise conservatively. For instance, the original building was only 3,500 square feet. They purchased four 3,000 gallon stainless steel fermentation tanks, two pumps, an inexpensive coolant system, and a used rotary press.[29] Crushing the grapes was accomplished by the crusher-destemmer, the same one McPherson and Reed used when they worked at the experimental winery at Texas Tech.

Firearms (27) (Washington, D.C.: United States Government Printing Office, 1976).

[28] McPherson, interview. Llano Estacado Winery was the twentieth winery to be bonded in the state, the first one after Prohibition.

[29] Stainless steel tanks were used instead of large, oak barrels, the reason being that giant wood casks retained bacteria in the grains of the wood. The coolant system uses propylene glycol, which is pumped through dimple, stainless steel jackets surrounding the outside of the fermentation tanks. This technology allows a winemaker to better control the fermentation process. If the wine is to be a sweet wine (high residual sugar), the coolant jackets on the tanks are turned on early, dropping the temperature of the fermenting juice/wine to below thirty-two degrees and killing the fermenting yeast.

The idea behind their conservative approach was simple. The founders wanted to use the winery to lure commercial grape growers to plant vineyards. Both Reed and McPherson emphasized to growers the need to start off small, especially Reed: "You can't go out there and plant 3,000 acres of grapes. You can plant two or three acres, learn, and gradually build up. That was our whole idea with the winery too. If everything went right, we could expand and add to it."[30] McPherson and Reed had to accomplish three tasks. First, they had to assure growers that a stable market would be present. Second, they still had to conduct their field days and grower meetings, continually educating growers about how to cultivate properly their crop. And third, they had to build up their confidence with the growers by promising to buy their grapes at each year's harvest. Graf explained the trust growers placed with Llano Estacado: "The grower had to go on the faith to put his grapes in and that the winery was going to be there to buy them when his crop came in."[31]

Reed emphasized the problems he and McPherson encountered when trying to encourage farmers to grow grapes on the South Plains. He stated:

> This was done by individuals, who believed that this was possible from two standpoints. From the standpoint, that you could manufacture a product in Texas and sell it in Texas and you could make it profitable for the agricultural community to get involved in it on a production level. Not anywhere near the scope of what they grow here, but a complement. And we got severely ridiculed for that. 'This is cotton country, you got no business planning to grow grapes here.'
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> They thought we were going to replace cotton. And we couldn't get across the point, we are not trying to do that. We couldn't handle a million acres of grapes, we had no place to put

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30 Reed, interview.

31 Graf, interview.

> it all. So the whole idea, and we emphasized this at these growers' meetings, we'll help you select what we think the winery wants to work with, and we recommend that you plant an acre, 600 plants, and with our help you will learn how to manage your vineyard. Well that was a hee-haw type of thing too. "My yard is bigger than a damn acre. I'm a 3,000 acre cotton farmer, what the hell is another 100 acres of grapes?" An entirely different world, friend. You don't plant it with a John Deere tractor, and then farm it through the windshield of your pickup. You're out there everyday talking to those damn things, training them, pruning them.[32]

Furthermore, McPherson and Reed explained to people that they did not want to challenge the region's exclusive cash crops of cotton and grain sorghum. In an interview with the *Lubbock Avalanche-Journal,* McPherson stated, "[w]e're simply trying to augment a person's income. If a man were to put in 50-100 acres, he would be making a job out of it instead of an avocation."[33]

For the first time in Texas history a commercial winery existed that purchased grapes from growers outside the winery's ownership, creating both a separate grape producing industry and wine producing industry.[34] In that respect the founders of Llano Estacado Winery helped to create the first commercial vineyards in Texas. In January, 1976, the founders dedicated the winery and planted a grape vine for each investor. In addition, the building used one of the original cornerstones from the Lubbock County Courthouse,

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[32] Reed, interview, 17 November 1995.

[33] *Lubbock Avalanche-Journal,* 1 August 1976, 1(A) and 15(A).

[34] No records are available from the Texas Alcoholic Beverage Commission indicating a separate grape growing industry. The nineteen past wineries in the state, including Val Verde Winery, grew their own wine-grapes.

where McPherson and Reed placed a bottle of original "patio wine" (made in McPherson's storm shelter) in a time capsule. The winery itself did not plant its own vineyard until the spring of 1978.[35]

Since Llano Estacado did not have enough money to hire a winemaker, many of the initial investors crushed and processed the grapes without compensation. In 1976, Reed and McPherson crushed ten and a half tons of grapes and produced 1,100 gallons of red wine, Baco Noir, and four hundred gallons of white wine.[36] That first year contracts with growers of the WTSGA were oral; each grower was paid $100 dollars a ton. Don Graf and several other investors also assisted during that first crush or initial processing of grapes into wine. Mitchell recalled his early experience: "The first crush was done under tough conditions, with a minimum of equipment. We really didn't have good equipment to operate a winery of that size crush. But Clinton made a few batches of wine and they got them bottled up."[37]

The three professors completed the majority of the work, with some investors assisting when needed. In 1976, all of those who had invested in the winery still maintained their current occupations. The professors still taught classes at Texas Tech, the lawyers still practiced law, and others continued their jobs. No one was initially hired to work full-time because of the winery's limited financial resources. Reed emphasized the winery's

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[35] Reed, interview, 10 February 1995.

[36] Ibid. Four hundred eighty-eight cases of Baco Noir were bottled at Llano Estacado. However, the quality was poor. Lipe stated, "It was like shoe polish. It's against the law to plant in France. They consider it poisonous." Lipe, interview.

[37] Mitchell, interview.

beginnings: "We were all out here on weekends and evenings trying to make this thing go."[38]

However, the first crush of grapes was lower than what McPherson and Reed had expected. The two professors had hoped for at least fifteen to twenty tons of grapes, but received little above ten tons. Two of the four fermentation tanks were filled to only one third of their volume, causing serious problems in wine quality.[39]

When the wines were ready to be bottled, the professors used minimal equipment. Using a fifty-five gallon, stainless steel drum, the professors set up a simplistic, but functional bottling production line. After filtering the desired vintage, the professors pumped the wine in one of the large, stainless steel tanks.[40] Using a jacuzzi pump with a positive flow, the professors pumped wine from the stainless steel tank and regulated it into the fifty-five gallon stainless steel drum. The drum sat on a stand of four-by-fours, built head high, with one hose connected to the pump and another into a two-spigot filler. A fluid regulator inside the filler kept the level constant and carbon dioxide was blown into the wine, removing any unwanted oxygen present in the wine. A person (investor) then hand bottled each wine, placing the empty bottle against the nipple of each spigot and filling the bottle with wine. The

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[38] Reed, interview, 17 November 1995.

[39] Oxidation of wines poses a tremendous threat to wine quality. When wine comes in contact with oxygen for an extended period of time, acetaldehyde is produced, giving wine a brownish color (in white wine) and stale, bitter-sweet caramel character. If oxidation is allowed to continue, acetic acid [vinegar] is produced, giving off the smell of ethyl acetate (similar to nail varnish).

[40] Filtration of the wine is needed to clarify the wine and remove any unwanted deposits (dead yeast, small, unwanted grape remains, etc.)

investor then hand corked and labeled each bottle. After getting the complete operation established, Llano Estacado could bottle almost 225 cases of wine in a day.[41]

But before Llano Estacado could legally manufacture wine it had to obtain federal and state permits. It also had to submit required records, forms and reports to the BATF every fifteen days and to the state (TABC) every month.[42] In the spring of 1976 and using the recommendations of Chauncey Acrey (BATF), Joe Darnell (TABC), and Thomas Qualia at Val Verde Winery, Llano Estacado Winery successfully applied for both federal and state permits. Federal permits included a wine maker's permit and blender's basic permit of the federal alcohol tax unit, obtained through the BATF.[43] In order to manufacture, bottle, and sell wine in Texas, the state required both federal permits.

To sell its new product in the state's marketplace efficiently, McPherson purchased for the winery in 1976 a wine bottler's permit from the state for $150. The holder of such a permit would be allowed to re-bottle and

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[41] McPherson, interview.

[42] Alcohol production is one of the most regulated industries in the United States. By law, the Bureau of Alcohol, Tobacco and Firearms requires records, forms, and reports of production of wine by a winery. The Texas Alcohol and Beverage Commission requires additional information concerning sales and marketing of a winery's product. For more information, see Appendix B.

[43] Texas, *Texas Liquor Control Act of 1935*, 44th Leg., R.S., ch. 16, 1935 Texas General Laws, Arts. 666—1 through 667—33, sec. 16.04, Austin, TX: Office of the Secretary of State, 1935. After the *Texas Liquor Control Act of 1935* was amended in 1977, the chapters dealing with wineries remained the same. For more information, see Appendix C.

sell wine directly to a retailer.[44] Earlier, he had purchased for Llano Estacado a Class A Winery permit for fifty dollars which allowed the winery to purchase grapes grown outside the winery's premises. The company dismissed the idea of purchasing a Class B Winery permit because the holder of such a permit could only manufacture, bottle, label, and package wine from grapes grown on the premise.[45]

Technically, a holder could only have one permit, either a Class A Winery permit or a wine bottler's permit. But with a wine bottler's permit, McPherson could sell Llano Estacado wines directly to liquor outlets and package stores. McPherson recalled his situation: "We were better off having a wine bottler's permit, because we could sell it to the people who ran the liquor stores. They could drive up and load the truck up right there, and then sell our product.... I wound up with both permits, and as a result every winery in Texas has obtained both of those permits."[46]

For federal tax purposes a winery had to have a tax-paid room, a location where it could store and sell its wine to consumers. Federal law stipulates that a winery must pay taxes on wine it has produced before it can sell that wine to the ultimate consumer. Tax paid rooms are tasting rooms, where wine that has already had its tax paid for by the winery is stored and

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[44] Ibid., Chapter 18, sec. 18.

[45] Ibid., Chapters 16 and 17.

[46] McPherson, interview. A wine bottler's permit allowed a winery to sell wine directly to retail stores, avoiding the costs of using a distributor in the three-tier system. A Class A Winery permit only allowed a winery to sell wine in the state to permit holders authorized to sell wine to the consumer. Texas, *Texas Liquor Control Act of 1935*, 44th Leg., R.S., ch. 16, 1935 Texas General Laws, Arts. 666—1 through 667—33, sec. 16.01-18.03, Austin, TX: Office of the Secretary of State, 1935. See Appendix B.

sold. Under the then BATF regulations, a tax-paid room was anything that was separated from the bonded winery.[47] Limited by the amount of funds available to the winery, Llano Estacado built its first tax paid/tasting room with chicken wire and two-by-fours. Reed described that, "you would walk through the chicken wire and there you were to sell it."[48]

But two major problems faced the winery. Under federal regulations the winery could sell wine directly to the ultimate consumer. Moreover, federal regulations allowed the winery to have a tasting room (tax-paid room), but the state did not allow a tasting room to dispense free wine for consumption.[49] Under state law, Llano Estacado could sell its wine to ultimate consumers, but could not technically dispense free wine directly to its customers.[50] The winery was therefore caught in a dilemma. First, Llano Estacado produced a product that many consumers had never tasted. Constructing complimentary tasting rooms was standard *modus operandi* in wineries in California and the rest of the United States. Without such service to potential customers, a winery relied heavily on a consumer to purchase

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[47] Office of Federal Register National Archives and Records Administration, *Code of Federal Regulations: Alcohol, Tobacco Products and Firearms* (27) (Washington, D.C.: United States Government Printing Office, 1976)., 453.

[48] Reed, interview. 17 November 1995.

[49] Ibid., sec. 16.01-16.04.

[50] Texas, *Texas Liquor Control Act of 1935*, 44th Leg., R.S., ch. 16, 1935 Texas General Laws, Arts. 666—1 through 667—33, sec. 16.01-18.03, Austin, TX: Office of the Secretary of State, 1935. The location of Llano Estacado was in a wet precinct, but it was not precisely stated in the Texas Liquor Control Act that a winery could sell wine to ultimate consumers for off-premise consumption.

wine he or she had never tasted. In addition, if a winery could not sell its product on-premise, directly to ultimate consumers, the winery would face financial ruin.[51] Consumers would be forced to buy their product in a liquor or package store, amongst many other competing wines. Transformation of the state's liquor laws were needed to effectively sell Llano Estacado's product. The lifeblood of the business was at stake. McPherson stated that, "I knew that if we were going to survive, we needed the laws written so we could sell wine to people and give them the opportunity to taste it."[52]

Commercial interest and the survival of Llano Estacado Winery were at stake. In order to improve Llano Estacado's weak sales position, legislative reform needed to occur. Antiquated state laws did not favor a modern Texas winery; instead the laws severely hindered a winery's growth potential and financial gain. Current laws of the Texas Liquor Control Act needed to be updated to alleviate state regulations. Personal lobbying had to be conducted in order to change the laws of the state. Being the only state winery with a major interest in selling wine directly to consumers, the burden of change lay with the investors of Llano Estacado.[53]

Lobbying the Texas State Legislature

The Texas State Legislature meets every bi-annum, conducting legislative sessions every odd year, unless a special session is called by the

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[51] On average, a winery will only sell 10% of its product through its tasting room, but the tasting room yields 30% of the winery's profits.

[52] McPherson, interview.

[53] Val Verde Winery and Guadalupe Winery (founded in 1975) were both family owned wineries, that possessed Class B Winery permits only.

state's governor. After the winery's first crush, McPherson sought legislative help from his representatives. He traveled to Austin in January of 1977 and asked Texas House Representative Pete Laney for assistance.[54] McPherson discussed his meeting with Laney: "I asked him how I should go about this? He came right out and told me, 'I can't help you because I live out in Hale Center and my Baptist constituents ain't [sic] going to like that.' Well, I couldn't force him to help us, but I appreciated his honesty."[55] McPherson tried asking his senator from Tahoka, E. L. Short, but received the same answer for the same reason. After trying to find other representatives, he finally met W. G. "Wild Bill" Coody, a representative from Weatherford. But McPherson had arrived too late. The 65th Legislative Session had met and legislators had returned to their districts; they were not scheduled to meet again until January 1979.[56]

In the summer of 1978, McPherson placed a call to Thomas "Pinkie" Roden, a colorful character. A bootlegger during Prohibition, Roden had built a substantial "empire" of liquor stores across the state of Texas. To many people today involved with liquor sales, distribution or production, Roden ran

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54 Pete Laney, interview by author, tape recording, Lubbock, TX, 18 January 1996. Laney's only comment about the matter was that it was a "comedy of errors."

55 McPherson, interview.

56 In May of 1977, the Texas State Legislature passed the Alcoholic Beverage Code, which was a formal revision and repeal of the Texas Liquor Control Act, and conformed with amendments to other laws. For more information, see Texas Legislature, *House Journal Texas,* 65th Leg., R.S., ch. 194, 1977 Tex. Gen. Laws, vol. (1) 391-558, Austin, TX: Office of the Secretary of State, 1977.

the liquor business in the state of Texas.[57] If a consumer wanted to buy liquor in Texas in the late 1970s, chances are the consumer purchased it at "Pinkies." McPherson stated that, "he [Roden] was down in Midland and I asked him to come to Lubbock, to discuss the predicament we were in. When he came down, he reassured me that this [legislation allowing a winery to sell directly to the consumer] would pass."[58]

At the same time McPherson was soliciting help from Roden, other interested parties came forth. After the first annual meeting of the Texas Grape Growers Association convened in Austin in March of 1977, the TGGA formed a legislative committee.[59] Members of the committee included people with interest in the wine industry. Ed Auler, founder of Fall Creek Vineyards, Thomas Qualia, and Gretchen Glasscock, a venture capitalist from Glasscock County, Texas, joined in with McPherson's effort.[60] Agreeing with McPherson's claim that wineries should be able to sell wine on-premise, Glasscock also wanted the state to allow wineries to be built anywhere in the state of Texas, dry or wet. Current law in 1978 stated that a winery could

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57 Darnell, interview.

58 McPherson, interview.

59 Legal Material, 1974-1985, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

60 McPherson, interview. "If you go and look at the counties of Texas, there is a Glasscock county in Texas [south of Howard, east of Midland counties] and there are oil wells sitting around on this Glasscock county. I think that's were she got her money and her last name."

only be built in a wet precinct or county.[61] Glasscock wanted the law changed so she could build a winery in Fort Davis, Texas.[62] Moreover, since she owned her own vineyard, she wanted to abolish the class designations for winery permits altogether and have just one, single winery permit.[63]

Roden met Glasscock and supported her endeavor as well as McPherson's. But before Roden made his presence known in the Texas wine industry, Glasscock and McPherson needed to enlist a representative from both the House and Senate to support their measure. Upon receiving Roden's approval, Glasscock and McPherson asked W. G. Coody, Chairman of the Committee on Liquor Regulation, for help. Coody advised Glasscock and McPherson to talk to John Wilson, a House Representative from LaGrange, Texas, and a member of the Committee on Liquor Regulation.

After receiving the support of Wilson, Glasscock and McPherson needed to find a senator to support their bill in the Senate. Coody suggested McPherson talk to somebody who from South Texas. McPherson recalled his legislative lobbying: "He [Coody] said, 'Why don't you ask John Traeger, from Seguin. He's a good Lutheran.'"[64] McPherson went to Traeger's office and was warmly received. Traeger embraced Glasscock and McPherson's idea and

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61 Texas Legislature, *House Journal Texas,* 65th Leg., R.S., ch. 194, 1977 Tex. Gen. Laws, vol. (1) 391-558, Austin, TX: Office of the Secretary of State, 1977.

62 Gretchen Glasscock founded her winery, Davis Mountain Wines, in 1982, but went out of business in 1984.

63 *Edgewood Enterprise,* 7 June 1979, 4(A).

64 McPherson, interview.

agreed to sponsor their proposal in the Texas Senate.[65] Wilson, the initial sponsor of the bill, submitted his draft idea to the TABC, where Joe Darnell helped construct the bill's actual wording and proper configuration. The bill, HB 2229, was introduced on April 25, 1979, and sent to the Committee on Liquor Regulation.[66]

However, Roden made sure that his presence would be felt by every winery in the state. The amount of wine currently produced by the state's existing wineries did not concern Roden, but if the Texas wine industry expanded, a competitive threat would exist in future years. During the bill's initial drafting, Roden suggested to Wilson that he include two additional, identical clauses to House Bill 2229. The first one, added to Chapter 16, section 16.01, subsection (4), stated, "sell wine to the ultimate consumers in unbroken packages for off-premises in an amount not to exceed 25,000 gallons annually."[67] Similarly, the same clause underlined above was placed in Chapter 16, a newly created section 16.05.[68]

McPherson and Glasscock both testified before the Committee on Liquor Regulation. Joe Darnell testified as well, stating that HB 2229 "would correct the confusing legislation which partly arose because of a

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65 Traeger was actually of Methodist denomination but considered himself a wine connoisseur.

66 Texas Legislature, *House Journal Texas,* 66th Leg., R.S., vol. (1) 1947-1948, Austin, TX: Office of the Secretary of State, 1979. For a draft copy of HB 2229 bill, see Appendix D.

67 Ibid., vol. (3) 4939. See Appendix D, section 16.01, subsection (4).

68 Ibid., 4940. This new amendment allowed a winery permit to be issued in a dry county. See Appendix D, section 16.05.

secretary's typo in 1948 and would create a sound basis of law which could be easily understood."[69] Froy Salinas, a newly elected member to the Texas House from Lubbock, supported McPherson's endeavor after hearing his testimony to the committee.[70] James Nowlin, House representative from San Antonio, agreed to cosign House Bill 2229 on May 1. The Committee reported favorably on the bill on May 10, and Wilson then laid it before the House for a second reading and passage to third reading.[71] HB 2229 passed the third reading and final passage and submitted to the Texas Senate and the State Affairs Committee, where Traeger helped push it through.

The bill remained one of twenty unopposed bills held by Speaker of the House Bill Clayton on the night of May 28, 1979. Speaker Clayton wanted to ensure passage of three bills that he strongly supported. After receiving approval from the House for his three bills, Clayton signed HB 2229 at 11:56 PM, May 28, 1979, barely making the Texas Legislature adjournment date. Governor William P. Clements signed HB 2220 into law on June 13, 1979.[72] The resulting action of the Texas State Legislature pleased Llano Estacado

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69 *Edgewood Enterprise,* 7 June 1979 4(A).

70 McPherson, interview. Members of the Committee on Liquor Regulation were: W. G. Coody, (chairman), Frank Tejeda (vice-chairman), Clay Smothers, Lanell Cofer, Wihlelmina Delco, Bob Hendricks, Lance Lalor, Al Price, Ben Reyes, Froy Salinas, and John Wilson.

71 Texas Legislature, *House Journal Texas,* 66th Leg., R.S., vol. (2) 2276, 2857,3968, Austin, TX: Office of the Secretary of State, 1979. Eleven members, primarily from East Texas, voted against its second reading.

72 Texas Legislature, *House Journal Texas,* 66th Leg., R.S., vol. (2) 4023 and vol. (3) 4939-4392, 4987-4989, Austin, TX: Office of the Secretary of State, 1979.

Winery and McPherson. One more obstacle lay ahead. The next legislative hurdle would be overcome with better organization and lobbying.

In the summer of 1981, a primary legislative goal for the Texas Grape Growers Association (TGGA) Legislative Committee was to allow wineries to offer free, complimentary tastings. At the time, Llano Estacado winery was one of six wineries in the state and only one winery had an operating tasting room.[73] According to Thomas Qualia, Val Verde Winery was allowed to have tasting room: "Since we were located in a wet county [Val Verde], local TABC agents did not enforce the Alcoholic Beverage Code as strict as they did in Lubbock County. I think because a majority of the county was dry, TABC officials were more careful to enforce the law on tasting rooms."[74] McPherson and Glasscock were greatly concerned with this issue of rectifying the law dealing with tasting rooms, and in cooperation with the TGGA Legislative Committee, McPherson, Glasscock, and other wine enthusiasts traveled to Austin to lobby state representatives during the 67th session of the Texas State Legislature.[75] As Glasscock stated, "our top priority this year is

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[73] Fall Creek Vineyards, Guadalupe Valley Winery, La Buena Vida Vineyards, Val Verde Winery and Moyer Texas Champagne.

[74] Thomas Qualia, interview by author, tape recording, Lubbock, TX, 4 March 1996.

[75] Correspondence, 1971-1986, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University. TGGA Legislative Committee members were: Gretchen Glasscock, Clinton McPherson, Bobby Smith, Ed Auler, Thomas Qualia, Dean Valentine, Jim Conway, Lindel Hart, Robert P. Oberhelman, Lawrence De Zavala, Mary E. Farrar and James Doss.

legislation which will permit wineries in Texas to offer complimentary wines to the public in on-premises tasting rooms."[76]

Earlier in the fall of 1980, McPherson had met with several legislators and TGGA members. He attended a reception and fund-raiser for Froy Salinas, whose district contained Llano Estacado Winery.[77] McPherson discussed with Salinas the need to introduce legislation which would help Llano Estacado and the other wineries in Texas. After receiving Salinas' sponsorship, McPherson again approached W. G. Coody and "Pinkie" Roden for assistance. McPherson recalled his experience: "That's when I got hold of Mr. "Pinkie" Roden again. I asked him for his blessing and he agreed. He made a few phone calls, and I don't know who he talked to, but I want you to know that we didn't have any problem."[78]

Salinas' drafted bill, HB 117, created a new amendment to Chapter 16 of the Texas Alcoholic Beverage Code. HB 117 contained a new amendment, subsection (7), which stated, "dispense free wine for consumption on the winery premises."[79] Before the 67th Legislature convened, Salinas sent a copy to McPherson on September 17, 1980.[80] On November 13, 1980, Salinas

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[76] *Dallas Morning News,* 19 March 1981, 1(E) and 3(E).

[77] Correspondence, 1971-1986, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

[78] McPherson, interview.

[79] To see the original and entire contents of HB 117, see Appendix E.

[80] Correspondence, 1971-1986, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

filed HB 117 and introduced it to the House on January 26, 1981.[81] McPherson, Glasscock and other TGGA Legislative Committee members all testified to the Committee on Liquor Regulation on March 24.[82] Salinas' bill quickly passed the Texas House in its original form and referred to the Senate on April 6, where Senator Jack Ogg of Houston sponsored the bill. But members of the Senate added several amendments to HB 117, including excise taxes on beer, whiskey and wine and passed its version on May 30.[83] McPherson remembered, stating, "everybody thought it was going to pass easily, so some senators added some taxes that had to do with wine, whiskey and beer. Pinkie called me up and said, 'Hey, it ain't going. That bill ain't going to pass.'"[84] On May 31, the House refused to concur with the Senate's version which, entitled as Senate Bill 1134, contained newly added taxes placed in HB 117. That same day, the House requested a conference committee and the Senate immediately followed with the same measure the next day.[85] McPherson stated that, "I got a hold of Froy that night [May 31] and asked him if there was anyway that he could write up the same bill with a different number and get it on the floor. He said, 'I think we can. We'll do it

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81 Texas Legislature, *House Journal Texas,* 67th Leg., R.S., vol. (1) 244, Austin, TX: Office of the Secretary of State, 1981.

82 Froy Salinas Papers, 1979-1984, Southwest Collection, Texas Tech University.

83 Texas Legislature, *House Journal Texas,* 67th Leg., R.S., vol. (3) 4235, Austin, TX: Office of the Secretary of State, 1981.

84 McPherson, interview.

85 Froy Salinas Papers, 1979-1984, Southwest Collection, Texas Tech University.

by a voice-vote, rather than formal voting. I'll put some people out there in the audience so they can holler yes when they're needed."[86] Salinas reintroduced HB 117, containing the original wording, and it passed in the House by a non-recorded vote at 10:30 PM and in the Senate before 12:00 AM.[87] The governor signed HB 117 into law and it became effective August 31, 1981.[88]

Within almost two years, Llano Estacado Winery had helped to lead the modern Texas wine industry in overcoming two major hurdles. A number of venture capitalists like Edward Auler, Bobby G. Smith, Gretchen Glasscock, William Gallagher, Kenneth Moyer, Tommy Qualia, and other members of the TGGA had contributed to the effort.[89] However, if it had not been for the personal lobbying efforts of McPherson and Llano Estacado Winery—showing the rest of Texas that a wine could be produced, sold, and potentially marketed to consumers on a state-wide scale—the enthusiasm for such an endeavor would not have been as great. Llano Estacado and McPherson led the way in establishing application procedures for future winery permits and, in cooperation with five other wineries, effectively coordinating efforts to create legislative changes to the state's Alcoholic

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86 McPherson, interview.

87 Texas Legislature, *House Journal Texas,* 67th Leg., R.S., vol. (3) 4415, Austin, TX: Office of the Secretary of State, 1981.

88 Ibid., 4517.

89 Mike McKinney, interview by author, tape recording, Lubbock, TX., 17 January 1996. McKinney was a former chief of staff at the TABC. For more information about changes to the Texas Alcoholic Beverage Code, see Texas. *Vernon's Texas Codes Annotated: Alcoholic Beverage Code, Section 1.101 to End,* St. Paul, MN: West Publishing Co., 1995, ch. 16: 153-156., found in Appendix F.

Beverage Code. The successful changing of the Texas Alcoholic Beverage Code opened the door for future growth of the wine industry state-wide. Displaying a leadership role in changing the state's liquor laws, Llano Estacado strongly supported and helped a young wine industry. After 1981, the number of wineries created in Texas increased from seven to thirty-seven in just fifteen years, with major growth of the industry occurring in the mid-1980's.

CHAPTER VI

SPAWNING OF A NEW INDUSTRY

After successful lobbying efforts in the late 1970s and early 1980s, the Texas wine industry had overcome several obstacles. However, a number of problems persisted through the 1980's and some still continue today. In 1979, not one single winery produced a true, commercial *vinifera* varietal wine.[1] No winery in the state produced enough wine to merit the consideration of a major distributor. No distributor would have interest in a winery of small size because the distributor could not make a profit. In addition, venture capitalists dominated the rapid growth in the 1980s of wineries across the state. Some of these venture capitalists did not have much, if any, experience with wine making, sales and marketing, or in developing a proper financial plan and/or corporate strategy. Vineyards sprang up just as fast as many of the wineries, but a lack of knowledge about viticulture caused many vineyards subsequently to be plowed up.[2] Unpredictability of climate, especially hail and freeze damage, abruptly changed one's optimism and vision about growing grapes.

During the rapid growth and slight demise of the modern Texas wine industry, Llano Estacado maintained its role as a leader. Strengthened by the following, the winery's position as a quality wine producer increased:

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[1] BATF requirements designate a *vinifera* varietal wine as having at least 75% of one *vinifera* variety in the bottle. Anything less must have a generic name on the label.

[2] Texas Wine Marketing Research Institute, *A Profile of the Texas Wine and Wine Grape Industry—1990-1993,* Lubbock, TX, Texas Tech University, 1993.

the convincing of growers to grow strictly *vinifera* grapes, the support of local government, the people who were involved with Llano Estacado, and the use of major distributors. Those factors, coupled with a strategic sales/marketing plan and the high profile awards and press the winery received during this period, earned the winery not only the respect from people in Texas, but also from those outside the state.

In 1977, Llano Estacado hired an Australian, Terry Beltrame, to be the winery's first official winemaker. The winery tripled its production from the year before and produced 5,400 gallons of wine. Beltrame stayed at the winery for six months, but he experienced problems before returning for the winery's third crush in 1978.[3] During the 1977 crush, Llano Estacado briefly took a sharp downturn briefly when the winery refused to buy several tons of grapes from several growers. Reed recommended the refusal, based upon the poor quality of fruit. According to William Lipe, 85% of all wine's quality comes from the grape itself. The remaining 15% of the wine's quality comes from the skill of the winemaker. Since many growers at the time did not have the knowledge needed to grow a marketable and high quality grape crop, the quality of their crop suffered. Llano Estacado's refusal to purchase poor fruit caused several growers to lose a great deal of money during the early venture. Several growers threatened McPherson, Reed, and researchers at Texas Tech and Texas A&M, with lawsuits and even threats of violence.[4] Llano Estacado lost several growers after the 1977 crush.

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[3] Printed material, 1962-1987, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University. Llano Estacado could only afford to pay a winemaker for six months. Llano invited Terry to continue in 1977, but a problem with Terry's visa occurred, forcing him to return to his native home.

[4] Lipe, interview.

In 1978, the winery hired Joe Norman, a winemaker from Herman, Missouri. Norman had gained experience as a winemaker with Buck's Country Wines, and his expertise was the production of fruit wine. He suggested to the investors that he be allowed to make a peach wine. That year, Llano Estacado produced about 2,000 gallons of wine. Dismal marketing sales of peach wine ended Llano Estacado flirtation with fruit wine. From then on, the winery would focus strictly on grapes.[5]

Vinifera Varietal Grapes and Wine in Texas

In 1979, Kim McPherson, Clinton's son, took the position of head winemaker at Llano Estacado. After receiving a degree from Texas Tech, Kim attended the University of California at Davis and he took several courses in enology and viticulture.[6] After several years' experience at wineries in California, Kim returned home to Lubbock. After crushing eight-five tons of grapes from twenty acres in 1979, Kim began emphasizing to investors at Llano Estacado and their growers that they needed to start focusing on making wines made strictly from *vinifera* varieties. The reluctance of consumers to purchase non-*vinifera* wine stymied the sales of the winery's product.[7] According to Kim McPherson, "when we went out into the

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[5] Financial material, 1972-1980, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University and Mitchell, interview.

[6] Kim McPherson never actually enrolled at Davis. Instead, he audited several courses, two or three times each. He could not afford the out-of-state tuition, so auditing a class was his best option.

[7] Financial material, 1972-1980, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University and Mitchell, interview.

marketplace, we found out if a winery is going to make a wine in this state, you needed to make it out of *vinifera* that people recognize. People don't know what Baco Noir [non-*vinifera*] is. You could make wine out of Baco Noir, but you better call it something else."[8]

During Llano Estacado's first four crushes, the winery had given proprietary names to some of their wines. Wines made from hybrid grapes were not called by the original grape variety names; instead the winery decided to use generic names such as Cibola Rosé, Cibola Blanca, Cibola Roja, Texas Burgundy, Mesa Rouge, and Cibola Colorado. In order to help convince growers to start planting *vinifera*, the winery introduced simple market forces. Llano Estacado started paying growers higher prices for *vinifera* grapes.

In 1976, Llano Estacado focused mainly on the tonnage of fruit—which produced a higher yield of juice— and paid growers $100 per ton. In 1977-79, the winery paid more attention to fruit quality and started paying growers higher prices, ranging from $100 to $200 per ton, for better grape condition per ton.[9] It was Kim McPherson who recommended that approach and as he stated, "the farmers got the idea. Instead of paying $200 dollars a ton for Baco Noir, we were paying $500 to $600 dollars a ton for Cabernet Sauvignon.

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[8] Kim McPherson, interview by author, tape recording, Lubbock, TX, 11 July 1995.

[9] Financial material, 1972-1980, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University, and Mitchell, interview.

The farmers liked the new incentive to grow *vinifera*, because they hated Baco Noir. It was hard to pick the little bitty clusters."[10]

In the spring of 1978, Roy Mitchell sold his general partnership investment to Scott Slaughter and his family.[11] Earlier, Slaughter's family had purchased eighty acres one-half mile southwest of Llano Estacado Winery, anticipating that they would someday build their own winery. Ordering 25,000 cuttings from nurseries in California, Scott Slaughter planted his *vinifera* in the spring of 1979, becoming the first major, commercial grower in Texas to plant *vinifera* varieties.[12]

By 1980, two distinct categories of commercial growers and experimental growers relegated *vinifera* plantings in Texas. With the exception of Slaughter's vineyard in Lubbock County, plots of *vinifera* grapes were small and grown on experimental farm plots funded by Texas A&M and the University of Texas. The remaining commercial vineyards in the state still contained a majority of non-*vinifera* grapes. McEachern explained the industry's slow acceptance of *vinifera*: "At Texas A&M, we had to learn with the industry. There were many successful vineyards across the state: Bobby Smith, Clinton McPherson, Ed Auler, the A&M Cooperatives, University of

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[10] Kim McPherson, interview.

[11] Mitchell, interview. Mitchell wanted to focus on research at Texas Tech and the University of Texas. The Slaughters had earlier purchased stock in Llano Estacado as limited partners.

[12] English, *The Wines of Texas: A Guide and a History,* 3rd. ed., 115. Current laws still stated that a winery could only be built in a wet precinct: "Forty five acres were planted with twelve rows of hybrids, eight acres of Chardonnay, ten acres of Chenin Blanc, eight acres of Ruby Cabernet, and seven acres of Petite Sirah," 116. According to Kim McPherson, Slaughter still has a few rows of hybrids.

Texas, the Experiment Stations; all the early boys did the same thing, learned with the industry, and grew one step at a time."[13]

In 1980, Kim McPherson kept all *vinifera* separate from other hybrid grapes that Llano Estacado purchased and crushed. Using the small amounts of *vinifera* that were available to him, Kim in 1980 made the first, commercially produced *vinifera* variety wines in Texas—Sauvignon Blanc, Cabernet Sauvignon, and Chenin Blanc.[14] Kim explained the winery's progress with *vinifera* grapes:

> And then we branched out from there into Johannisberg Riesling, Chardonnay, and Gewürztraminer. Most of the hybrid growers grafted over and came into the *vinifera*. Some plowed up and started over with *vinifera* or just got out of the business altogether. But in 1980-81, you saw a huge influx of *vinifera* on the South Plains, because this is what I was preaching; you couldn't sell hybrids to a wholesaler.[15]

In the years after 1980, several Texas wineries started making *vinifera* varietal wines. These wineries included Davis Mountain Wines, Chateau Montgolfier Vineyards, Fall Creek Vineyards, and Pheasant Ridge. Other wineries still continued to make non-*vinifera* varietal wines, but slowly started to produce *vinifera* varieties. Commercial acceptance of a winery's product was vital for its survival in the marketplace.

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[13] George Ray McEachern, as quoted in English, *The Wines of Texas: A Guide and a History,* 3rd ed., 27.

[14] The first *vinifera* wine made in Texas, Sauvignon Blanc, came from Glasscock Vineyards in Fort Davis.

[15] Kim McPherson, interview.

Local Community and Government Support

Local community support can be quite beneficial to a business enterprise in some circumstances. Assistance in financing a small, upstart business can also be an added benefit. Llano Estacado received both, all in a favorable light. In 1976, Llano Estacado was seen by some citizens as, "a foolish enterprise, where those nutty professors were trying to make wine."[16] However, the public relations bonus the winery received early from Beltrame, the vigorous promotion of the nascent winery by investors, and the acceptance of the winery by the Lubbock community as a tourist attraction gave Llano Estacado the support it needed from the citizens of Lubbock and the surrounding area. Graf recalled his early experience in publicizing the winery: "We talked to the Chamber of Commerce, and they gave us quite a bit of support and visibility. They helped us in terms of publicity, and they were interested in anything that would be a tourist attraction. That was something the Chamber has always been supportive of."[17]

In terms of community acceptance, people discovered the winery as somewhat appealing; it was a new concept in Lubbock. Terry Beltrame sparked the public's interest further by the presentations he made in fall of 1977 and spring of 1978 at Lion's Club meetings, Rotary Clubs, and other civic organizations. Graf explained how Beltrame intrigued his audiences:

> Terry spoke with the Australian accent of course. That lent a little mystique to what we were doing. I would bring Terry to

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16 Newspaper clippings, undated, Llano Estacado Winery Papers, 1962-1987 and undated, 1292-B, Southwest Collection, Texas Tech University. Anonymous letter to the editor, *Lubbock Avalanche-Journal,* n.d.

17 Graf, interview.

> several civic group meetings. He would then talk about wine and where we hoped the industry would go with his Australian accent. People listened because of his intriguing accent and because it was something new for the area and we promoted it from that basis.[18]

City officials and tourism administrators' acceptance of Llano Estacado grew as the winery expanded, especially with the help of the Lubbock Chamber of Commerce. In October of 1984 the chamber sponsored the Texas International Wine Classic in order to "call attention to the emerging wine industry in the State of Texas."[19] The first event of its kind in Lubbock, the Lubbock Chamber of Commerce invited eight Texas wineries and forty other wineries from California, the Northwest and Europe to participate. Representatives from the Chamber further stated, "[i]n addition to spotlighting Lubbock and our emerging wine industry, activities at the festival, held at the Lubbock Memorial Civic center, will provide entertainment and education for all who attend."[20] The two-day event sponsored wine tastings and presentations by culinary directors, wine columnists and other wine enthusiast from outside Texas, including wine expert Leon Adams. The early success of the first Texas International Wine Classic prompted the Chamber to sponsor the event annually for the next seven years. At each classic, wine industry leaders and culinary experts from

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18 Graf, interview.

19 *Lubbock Avalanche-Journal,* "Wine Festival Promises Tasteful Premier." 21 October 1984, 1(D).

20 Ibid. The eight Texas wineries included Llano Estacado, Pheasant Ridge, Val Verde, Fall Creek, La Buena Vida, Messina Hof, Wimberly Valley and Guild Wineries.

California and regions outside Texas spoke and made presentations, about wine and the wine industry. These annual events not only educated citizens of the South Plains, but reinforced the presence of local wineries such as Llano Estacado and other wineries across the state.[21]

In the spring of 1992, the Lubbock Chamber of Commerce, in association with the Lubbock Restaurant Association decided not to sponsor the Texas International Wine Classic. Instead, the Chamber and the Lubbock Restaurant Association combined the Texas International Wine Classic with the Taste of Lubbock, an annual smorgasbord featuring food from local Lubbock restaurants. According to a report in the *Lubbock Avalanche-Journal,* "[b]ecause wine and food go together so well, we [Lubbock Restaurant Association and the Lubbock Chamber of Commerce] decided to combine the Classic and the Taste. We thought combining the two was a natural."[22] The two entities decided to call the event, "A Cork and Fork Affair," which allowed patrons to visit various booths and receive food and wine samples. The two sponsors of the event continued to showcase local Texas wineries and others from around the state.[23] By sponsoring these annual events, the Lubbock

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[21] *Lubbock Avalanche-Journal,* "Second Wine Classic Offers Exceptional Agenda." 22 September 1985, 1(D). " 'I can tell you this, that if you put a European label or even certain top California labels on the wines of Llano Estacado and Pheasant Ridge, you would be admiring these wines as you would admire the great wines of the world.'—Leon Adams, eminent wine critic and author of *The Wines of America.*"

[22] *Lubbock Avalanche-Journal,* "Sip, Sample at Taste Classic," 1 March 1992, 1(C).

[23] Ibid. Texas wineries included the following: Llano Estacado Winery, Pheasant Ridge Winery, Teysha Cellars, Moyer Champagne Co., Messina Hof Wine Cellars, La Escarbarda XIT Winery, Ste. Genevieve Wines, Slaughter-Leftwich Vineyards, Hill Country Cellars and Val Verde Winery.

Chamber of Commerce and the Lubbock Restaurant Association maintained a beneficial relationship with Llano Estacado Winery; they cooperated for each other's gain.[24] Lubbock tourist officials would use the winery's existence and tour/tasting facilities to attract business and visitors, while Llano Estacado would give away samples and sell their product to outside consumers—thus, attracting business and first hand exposure to potential wine consumers.

In 1983, as increased plantings of *vinifera* occurred, Llano Estacado needed to purchase more stainless steel fermentation tanks to support the increasing supply of grapes. Because fermentation tanks can cost up to $1.25 per gallon, the purchase of seven 3,000 gallons tanks can put almost any small winery out of business—or at least in red ink. In 1981, the Texas Legislature established the Texas Rural Revolving Loan Fund, a loan program that could aid small businesses in rural areas. Since Texas banned direct loans to businesses using state money, only a non-profit local economic development corporation (operated by the city) could obtain the funds. The South Plains Association of Governments (SPAG) fit the needed position to loan money to small businesses. Under the control of SPAG, the Caprock Local Development Program was able to obtain a small business loan ($23,000) for Llano Estacado Winery from the Texas Department of Commerce in the spring of 1983.[25]

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[24] Mike Reeves, interview by author, tape recording, Lubbock, Tex., 21 March 1996.

[25] Tim Pierce, interview by author, tape recording, Lubbock, Tex., 17 January 1996.

Jim Crenshaw, one of the original founders and the treasurer of the winery, had a specialty in "packaging" small business loans. When a small business wants to obtain a loan, it applies to the Small Business Administration (SBA). The SBA will then send the proper forms to a bank, where the money is to be lent directly. The SBA only guarantees the note, if the owner of the small business wishes to provide a personal guarantee. Since these forms can be quite complex and tedious, specialists are hired by the bank to make sure all the proper forms and applications are filled out correctly. Thus, they "package" SBA loans. Since Llano Estacado was still a sub-S corporation with multiple partners, the biggest shareholder at the time held only 8% of the company. Nobody was willing to take the high risk involved in securing a personal guarantee. Enter Jim Crenshaw. Through SPAG and the Texas Rural Revolving Loan, Crenshaw was able to obtain a loan for Llano Estacado Winery. It was the only public money used to help finance the winery and is one of SPAG's few success stories. This infusion of cash helped Llano Estacado to purchase additional fermentation tanks, meeting the demands of higher grape/wine volume requirements.

Distribution, Grape Supply and Marketing

Distribution of a winery's product is essential for its survival. Without distribution, a winery's product is severely limited from gaining access to a large, potential consumer base. Without distribution, Texas wineries would be very similar to ones before Prohibition. Kim McPherson recalled that, "in 1980, I was the first guy to go to a wholesaler, Accent Wine and Spirits, in Houston. We were pretty young then and learning. We did pretty good with them, because they mainly wanted *vinifera* varietal wines."[26]

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[26] Kim McPherson, interview.

The first winery to utilize the three-tier system for wine production, distribution and sales in Texas, Llano Estacado Winery revamped wine distribution. Used since Prohibition for the beer and whiskey industry, the three-tier system consists of three entities: a producer who makes the wine, a distributor who distributes the product, and a retailer who sells the wine to the ultimate consumer. Given the exception of the product sold by Llano Estacado's tasting room, the bulk of the winery's product traveled through this system. According to Don Graf, finding a distributor was essential: "When we reached the 30,000 case level, we were very interested in finding a distributor. Scott Slaughter and I went to American Distributors in Dallas, Texas. Scott and I went down and talked to them and said, 'We've got this winery going and were going to have a product and were looking for a distributor.'"[27]

One important requirement distributors needed from Llano Estacado was reassurance that their product was going to maintain, on average a certain volume and inventory. If Llano Estacado could not maintain an expected level, the profit a distributor could earn would drop considerably. Therefore, it was vitally important to Llano Estacado's distributors to maintain a consistent product level. If not, valuable "shelf space" at liquor and package stores would disappear, leaving Llano Estacado with no place to sell its product.

Overcoming an obstacle before anyone else can bring success as well as failure. From 1980 to 1985, Llano Estacado struggled with distributor demands, sometimes having no distribution in Lubbock and the surrounding area. Also, Llano Estacado did not have consistent pricing of *vinifera*

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[27] Graf, interview.

varieties with distributors, causing financial disruption among distributors.[28] In 1985, Llano Estacado invited Walter Haimann, former President of Seagram's Distillers Company, to consult on marketing and distribution. Haimann rectified Llano Estacado's poor distribution predicament by motivating distributors, giving them clear objectives and outlining programs six months in advance. He also used his valuable personal connections with distributors, gained while at Seagram's, to assist Llano Estacado. Eventually, Haimann improved the winery's reputation and financial status.[29]

A proper supply and marketing strategy was important for Llano Estacado as well. Supplies of grapes, financial outlays, projections, and corporate structure of capital were key elements needed to make Llano Estacado a major, successful winery. When Llano Estacado Winery first began in 1976, the total area of the building was 3,500 square feet, with a 12,000 gallon capacity. Expanding as growers planted more and more grapes, Llano Estacado remained true to its early tenets by increasing its capacity as growers planted and sold more grapes. This visible display of encouragement fostered a mutual trust between growers and Llano Estacado. Today [1996] the winery has a capacity of 240,000 gallons, and a 15,000 square foot facility. Many upstart wineries in the mid-1980s failed because they either planned too far ahead, built inadequate facilities, made poor quality wines, were

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[28] Walter Haimann, interview by author, tape recording, Lubbock, Tex., 10 January 1996.

[29] Ibid.

liberal with their operating funds, or tied up too much capital in expensive winery structure.[30]

A viable sales and marketing strategy was essential to Llano Estacado as well. After his arrival in 1985, Haimann focused on wine sales marketing and advertisement. In the wine sales market, there are four main brackets, low-price, mid-price, high price and ultra-premium. At the time, Llano Estacado sold its *vinifera* varieties in a mid-priced wine bracket, which offered fierce competition amongst other wineries. If Llano Estacado could position itself in the higher price category market, the return would be much greater. After positioning the winery's wines in a high-priced wine bracket, Haimann increased advertisement and promotion to consumers, which brought about greater visibility and profit for Llano Estacado.[31]

Another important aspect to sales of wine is the designation of where the grapes used to make the wine is grown. This designation is called a viticultural area, or an appellation of origin (specific geographical designation). According to the Texas Wine Marketing Research Institute, "[t]he establishment of viticultural areas. . . can have a significant impact on how wine is marketed. The viticultural names are often used in wine labeling and advertising. . . helping consumers to better identify the wines they

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30 The failure of Texas first public-owned winery, Teysha Cellars, in Lubbock, Texas, is a perfect example. "The first day I drove out there and looked at their steel for their frame, I said it wasn't going to work. You can't build a winery that size and make it financially." Graf, interview. For more information about failed Texas wineries, see English, *The Wines of Texas: A Guide and a History,* 3rd ed., 156-157.

31 Haimann, interview.

purchase."[32] In 1980, Clinton McPherson was enthusiastic about the possibility of applying for appellation of origin status for the growers of the South Plains and became the first to pursue such a goal. In a letter to the investors of Llano Estacado Winery, McPherson explained the winery's current pursuit: "We are in the process of applying for an appellation of origin which will give us a distinction in the market place. This will allow us and no one else, the privilege of printing on our labels that wine is made from grapes grown on the South Plains of Texas, the Llano Estacado area"[33]

Application for viticultural area name status can be a very tedious process and is regulated by the U.S. Department of Treasury, Bureau of Alcohol, Tobacco, and Firearms. After thirteen years, McPherson and Llano Estacado and its growers finally received viticultural area approval by the BATF in January 1993. The appellation of origin was designated as the Texas High Plains Viticulture Area.[34] The Texas Wine Marketing Institute explains that, "by approving an area, the BATF is not endorsing the quality of the wine from the area, but is approving that the boundaries delineate an area which has distinguishable geographic and climatic features—called American Viticultural Areas."[35] Covering over 12,000

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[32] Texas Wine Marketing Research Institute, *A Profile of the Texas Wine and Wine Grape Industry—1993,* 46.

[33] Correspondence, 1971-1986, Llano Estacado Winery Papers, 1962-1987 and undated, 1291-B, Southwest Collection, Texas Tech University.

[34] McPherson, interview.

[35] Texas Wine Marketing Research Institute, *A Profile of the Texas Wine and Wine Grape Industry—1993,* Lubbock, Texas: Texas Tech University, 1993., 46. "American Viticultural Areas should not be confused with the strictly regulated appellation of origin designations of other countries such as AOC (*Appellation d'Origine Contrôlée*) of France or the DOC

square miles and including the counties of Armstrong, Bailey, Borden, Briscoe, Castro, Cochran, Crosby, Dawson, Deaf Smith, Dickens, Floyd, Gaines, Garza, Hale, Hockley, Lamb, Lubbock, Lynn, Motley, Parmer, Randall, Swisher, Terry and Yoakum, the Texas High Plains Viticulture Area is the second largest viticultural area in Texas. However, the viticultural area was not the first in Texas, but the designation enabled Llano Estacado to better market its wines.[36]

As mentioned earlier, a winery must have a large infusion of capital to become successful. Llano Estacado became successful in later years by positioning itself to lose money during its early years. After its corporate restructuring in 1984, investors wanted to make Llano Estacado a profitable institution. With the exception in 1979, when Llano Estacado Winery made a profit close to $6,000 dollars, the winery lost money on an annual basis.[37] An infusion of $1.1 million dollars by several investors in 1988 alleviated Llano Estacado's financial situation, taking the winery from being $350,000 in the

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(*Denominazione de Origine Controllatta*) and DOGC (*Garantita*) of Italy. In addition to delineating an area with distinguishable geographic and climatic features, these and related appellation of origin systems most often involve very specific and exhaustive guidelines governing a host of grape growing and wine making practices."

[36] There are five viticultural areas in Texas. The first one established was Bell Mountain Viticultural Area in 1986, followed by Fredericksburg in the Texas High Country Viticultural Area in 1988, the Texas Hill Country Viticultural Area in 1991 (largest, covering 15,000 square miles), and the Escondido Valley Viticultural Area in 1992. For more information, see Texas Wine Marketing Research Institute, *A Profile of the Texas Wine and Wine Grape Industry—1994,* Lubbock, Texas: Texas Tech University, 1994, 14.

[37] Chauncey C. Acrey, "A Cask of Llano Estacado: Wine Isn't Just for Winos Anymore," 59.

red to making the winery's first, substantial dividend of $150,000.[38] The winery continued on sound financial footing thereafter.

Awards and Accolades

Gold medals indicate an outstanding accomplishment, superior quality, or stunning excellence. Favorable press is essentially free advertisement for a winery's achievements, to a large wine consuming audience. In the early 1980s, Llano Estacado became the largest producer of *vinifera* varieties in the state, shifting away from its former production of non-*vinifera* wines. Entering competition after competition, Llano Estacado slowly started to make a name for itself, receiving small write-ups in newspapers scattered across Texas, in some border states and in California. In June of 1986 Llano Estacado's reputation would soar.

In that year Llano Estacado Winery entered the San Francisco Fair and National Competition for the first time. Having failed to receive any medals above a bronze at other prestigious national competitions (San Diego National Wine and the International Eastern Wine Competition), Llano Estacado entered its 1984 Chardonnay, produced from five-year old grapes from Scott Slaughter's vineyard.[39] A total of 1,995 wines entered the San Francisco Fair and National Competition, the majority of them coming from the rich growing valleys of Sonoma and Napa, California.

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38 James G. Morris, interview by author, tape recording, Lubbock, Tex., 10 January 1996.

39 At many wine competitions, over fifty percent of the entries receive some type of medal.

This wine judging was similar to other competitions in format. The judges tasted each wine with a blindfold, with the wine's label masked so as to not allow partiality.[40] Fifty-four wines won gold medals, but only eleven were awarded double gold medals. To the surprise of many Californians, Llano Estacado won a double gold.[41]

The first nationally, gold medal awarded for a wine from Texas went to Llano Estacado. This was a turning point for Llano Estacado and the modern Texas wine industry. The winery received tremendous visibility and press. "Leon Adams, generally considered America's preeminent wine historian, concurs effusively. 'There's no question the high [South] plains is a viticulture miracle. No one realized this area could produce world-class wines. It is an amazing story.'"[42] After 1986, Llano Estacado won over 200 medals in various wine competitions and judgings.

The University of Texas

When Texas legislators rewrote their state constitution, it appropriated two million acres in West Texas, one million in 1876 and another one million in 1883. The money earned from the appropriated land was to be used in the Permanent University Fund— which helped to fund the University of Texas and later Texas A&M. After oil was discovered in the

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[40] Many wine competitions ask winemakers to be judges.

[41] Many Californians and wine connoisseurs who heard about Texas wines, considered the following analogies for describing Texas wine and wine makers: Chateau Bubbas or Cactus Blanc. The perception at the time was not far from accurate.

[42] "New Grape Region: Texas Wine, Taste It and Believe It," *Los Angeles Times* 1 June 1987, 1(F).

Permian Basin in 1923, deposits to the PUF fund soared. However. the mineral rights and royalties earned by oil and gas deposits were seen by many as a finite source of income.[43]

Officials at the University of Texas began focusing on how the university could generate income from surface of their lands. The bulk of such surface was rented to ranchers as very cheap, grazing lands. Innovative practices were attempted by the University of Texas Land Management Office and Board of Regents. Those included writing contracts with cattleman to change the price of a lease, depending on the price of cattle, pasture rotating, and developing feasibility studies on exotic crops such as apples, almonds, and other nut crops. Reed remembered that, "the only thing that looked promising down in that Fort Stockton area [east, near Bakersfield] was grapes."[44]

Upon hearing of the early success of Reed and McPherson's vineyard trials, a horticulturist from the University of Texas visited Sagmor vineyards in 1974. Reed explained the encounter:

> They found out that Doc and I were starting to grow *vinifera* up here at that time. We went out to our vineyard one morning, and here was this University of Texas truck parked on our vineyard, and this guy walking up and down the grape rows. He said he was from the University of Texas, and they were studying the feasibility of growing grapes down there, and wanted to see how we doing up here. And that was our association with the University of Texas.[45]

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43 English, *The Wines of Texas: A Guide and a History,* 3rd ed., 107.

44 Reed, interview.

45 Ibid.

Afterwards, Billy Carr, then manager of the University Lands-Surface Interests, persuaded officials at the University of Texas to plant an experimental vineyard near Bakersfield. English explained that, "an experimental vineyard was planted near Van Horn in Culberson County in March of 1975 to determine if commercially acceptable quality grapes could be grown, which varieties were the best to grow and what type of irrigation system was best."[46] Based on early and successful experiments done by Charles McKinney, Gene Drennan and Roy Mitchell, Billy Carr decided to start planting commercial *vinifera* grapes in 1981. Naming the vineyard Escondido Vineyards, Carr planted eighty acres of Chenin Blanc and French Columbard, increasing the vineyard acreage and the number of varieties in the years that followed.[47] The grapes would be used by the state's largest winery, Cordier Estates/Ste. Genevieve Wines.

Personnel of Llano Estacado

People involved with Llano Estacado Winery, either directly or indirectly, had an impact on the rest of the growing wine production and wine grape industry in Texas. After being placed in charge of Texas Tech's experimental wine lab in 1976, Mitchell offered the first course in wine making at Texas Tech and in the state.[48] After leaving Llano Estacado

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[46] English, *The Wines of Texas: A Guide and a History,* 3rd ed., 108.

[47] Ibid., 108-109.

[48] According to Sarah Jane English, *The Wines of Texas: A Guide and a History,* 3rd ed., 161-162, another viticulture and enology program was initiated in 1974 at Grayson County College, near the location where T. V.

Winery in 1978, Mitchell worked at both the Texas Tech wine lab and the new University of Texas wine lab in Bakersfield, Texas until 1986. Afterwards, he took a part-time leave of absence from Texas Tech to became head winemaker at Teysha Cellars in 1988.

Jean Forster Dorn, the original "benefactor" to Llano Estacado Winery, witnessed the potential of growing grapes in Texas and making them into wine. Her son-in-law, Richard Gill, became chairman of the board and invested heavily in Llano Estacado until 1984.[49] Using his experience at Llano Estacado, Gill formed a consortium of interested grape and wine industrialists in 1983. Included were two French companies, Richter, Inc., a major viticulture firm and Domaines Cordier, an exporter of wines. Another investor was the A. R. Sanchez of Laredo. Together, the partnership, SGRC [Sanchez, Gill, Richter and Cordier] signed a lease agreement with the University of Texas System and opened Texas' largest winery, Ste. Genevieve Winery.

Scott Slaughter, who planted some of the first *vinifera* in the state and was Llano Estacado's vice-president and director, opened his own winery in 1988—Slaughter-Leftwich Vineyards. Using his valuable experience while at Llano Estacado, Slaughter benefited not only from exposure to day-to-day operations of a winery, but learned advanced viticulture techniques as well. "[In] the summer of 1978, I [Scott] learned to train the vines at Llano

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Munson had done his work. However, the T. V. Munson Memorial Vineyard was not planted until the spring of 1975.

[49] Clinton McPherson, interview. That year, Llano Estacado changed its corporate structure, from a sub-S corporation to a regular corporation.

Estacado with horticulturist Bob Reed.... I gained a lot of practical information."[50]

Kim McPherson left Llano Estacado winery in 1984 and took a position as head winemaker at Texas Vineyards, in Ivanhoe, Texas. Later, he came back to Lubbock as head winemaker at Cap*Rock Winery. According to Graf, the personnel of Llano Estacado play a strong in helping others in the industry: "Bobby Smith, founder of La Buena Vida Vineyards, spent a lot of time talking to us about starting a winery, and he got his information from us. But everyone of them got its impetus from us. I don't have any doubt about that."[51] Bobby Cox, founder of Pheasant Ridge Winery, sold *vinifera* grapes to Llano Estacado before he started his own winery. Don Brady, Llano Estacado's fourth official winemaker, won numerous awards for the winery and became head winemaker for Cordier Estates, Inc./Ste. Genevieve Wines in 1993. Finally, George McEachern describes the major contribution of the Llano Estacado's founders: "If I had to pick those who first recognized the potential for commercial wine grapes in Texas, it would be Clint McPherson and Robert Reed, both professors at Texas Tech."[52]

Llano Estacado Winery accomplished several goals after 1980. The winery produced the first commercial *vinifera* varietal wines in Texas and the first to use a major distributor in the state. The support of local government helped Llano Estacado financially and enhanced its exposure to the public.

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[50] English, *The Wines of Texas: A Guide and a History,* 3rd ed., 115-116.

[51] Graf, interview.

[52] George Ray McEachern, as quoted in English, *The Wines of Texas: A Guide and a History,* 3rd ed., 26.

The use of a strategic sales and marketing plan sustained the winery's first, substantial profit and the arrogate of high profile awards and press earned Llano Estacado winery respect from outside wine industry participants and consumers. Finally, former personnel associated with the Llano Estacado Winery either directly or indirectly influenced a large remainder of the modern Texas wine industry.

CHAPTER VII

CONCLUSION

Llano Estacado Winery demonstrated itself as a leader in the Texas wine and grape industry. Clinton McPherson and Robert Reed, two professors with interest in a recreational hobby, largely helped to create a state-wide industry. Notwithstanding the efforts and accomplishments of other experimental horticulturists such as William Lipe, George Ray McEachern, Bill Carr, and Bobby Cox, McPherson and Reed showed the rest of Texas that a commercial winery could produce wine using grapes grown within the state.

Starting from a patio decoration, to the development of an orchard of fruit trees and grapes, and on to the state's first experimental and eventually first modern, commercial winery, McPherson and Reed became the "fathers of the modern Texas wine industry." McPherson and Reed encouraged and gave advice to potential grape growers, inviting outside expertise to help conduct field days and workshops. Helping to form the state's first grape growing association (West Texas Sandyland Grape Association), Reed and McPherson assisted in the eventual creation of a state-wide grape growing association (Texas Grape Growers Association). These organizations encouraged farmers, who were virtually ignorant about viticulture, to cultivate a new crop in Texas for financial gain. Relying on the technology of trickle irrigation, the use of knowledge gained by other horticulturists, and the rising quality of wine produced, Texas began to slowly diversify its agricultural and nascent wine industry into a booming enterprise.

Starting with initial production of 1,500 gallons of wine, Llano Estacado Winery, within the time span of fifteen years, produced over 150,000 gallons of Texas wine annually. According to Reed, "you can see the

success we've had. Show me one privately owned outfit that buys a raw product, processes the raw product, sells the product and keeps all the dollars right in the bulk of the state. Look at the dollar value added to the product."[1]

The founders of Llano Estacado Winery displayed pioneering roles in several aspects of the modern Texas wine industry. Using the publicity of Lady Bird Johnson and the interest of prominent legislators, McPherson and Reed's early success with wine experiments helped to create research funds dedicated to wine grape feasibility studies that were supported by the Texas state legislature and used by two higher educational institutions. During the creation of Llano Estacado Winery, application procedures and forms for state permits were re-introduced, giving essential information to those who were interested. After building Llano Estacado Winery, McPherson, together with the help other Texas modern wine pioneers, changed antiquated state laws which financially hindered native wineries. Llano Estacado was the first winery in Texas to place heavy emphasis on making *vinifera* variety wines and encouraging growers to plant *vinifera* grapes on a commercial basis. The remaining wineries in Texas soon followed suit. Prudent sales and marketing strategies, including the distribution of products and seeking appellation of origin status characterized Llano Estacado's early leadership efforts. Finally, the winery itself is one of the most award winning wineries in the state, bringing recognition to itself and the Texas wine industry.

Since 1986, fourteen wineries have been established in Texas, consisting of almost half of all the wineries that have been developed in the state since Prohibition. Consumer awareness rose and local and state governments began widely promoting Texas wine and its wineries. In 1976,

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[1] Reed, interview, 17 November 1995.

total Texas wine production amounted to only 9,500 gallons. In 1995, that total has increased to almost 1.1 million gallons. Texas rose to become the nation's fifth largest wine producing state, following behind Oregon, Washington, New York, and California. In 1976, total acreage of commercial grapes planted in Texas was less than 100 acres. In 1995, total acreage in the state was estimated at 3,116 acres.[2] The Texas Wine Marketing Research Institute described the economic impact of the modern Texas wine industry further:

> By 1995, the Texas wine and wine grape industry had a projected total economic impact of $101.9 million on the Texas economy. . . directly or indirectly supporting a projected 2,189 Texas jobs and contributed a projected $18.5 million to Texas paychecks in 1995. Excise and sales tax revenue collected in 1995 on Texas produced wine resulted in a projected total economic impact of $5.3 million on the Texas economy.[3]

Without the existence of Llano Estacado Winery, the creation of a modern Texas wine industry would have been severely delayed. Horticulturists teach students in introductory horticulture classes that a grapevine uses its forked tendrils to offer support for itself against a trellis wire. In a sense, Llano Estacado Winery was the forked tendril that helped to create the modern Texas wine industry, showing others that a new and exciting industry could exist in the state of Texas.

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[2] Texas Wine Marketing Research Institute, *A Profile of the Texas Wine and Wine Grape Industry—1995,* 9, 30.

[3] Ibid., 5.

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APPENDIX A

APPROPRIATIONS FOR GRAPE RESEARCH

(1976)

The University of Texas System
System Administration

	For the Years Ending August 31, 1976	August 31, 1977
1. Chancellor (with house, utilities and supplement of $30,000 from private sources)	$ 37,100	$ 39,600
2. All Other General Administrative Salaries	1,328,875	1,419,239
3. General Operating Expenses (including other salaries and wages and staff group insurance)	339,480	366,888
Grand Total, The University of Texas—System Administration, Net General Revenue Appropriation	$ 1,705,455	1,825,727

The University of Texas System is authorized to acquire, operate and maintain, including replacing, two passenger airplanes. Such airplanes may be acquired by gift only, purchase, or partly by gift and partly by purchase. All costs of acquisition, operation and maintenance, including replacement, may be paid out of the Available University Fund allocable to the University of Texas System

The Board of Regents of the University of Texas System is authorized to transfer funds from the appropriations made for "Libraries" for The University of Texas at Dallas, The University of Texas of the Permian Basin, and the University of Texas at San Antonio into a "Central Library Acquisitions Clearing Account" to be administered by the University of Texas System Administration for the purpose of acquiring, cataloging, assembling and developing the initial libraries for these three developing institutions.

Out of funds appropriated to the University of Texas system components there shall be expended the sum of $25,000 each fiscal year for the purpose of carrying on a joint project with Texas Tech University to determine the feasibility of the cultivation of grapes within one or more geographical areas of the state.

General Session Laws 1975, Ch. 743, p. 2729

APPENDIX B

BATF REQUIRED RECORDS, FORMS AND REPORTS:

WINE REGULATIONS, BRIEF SUMMARY

A PARTIAL SUMMARY AND REFERENCE

I. Source Records:

A. Separate record of materials received and used

1. Information required

a) date received

b) quantity [weight of grapes, fruit, volume of must]

2. Some acceptable formats

a) weigh tags

b) crush cards

c) book

B. Bulk wine movement

1. Information required

a) identity of wine(s) involved in transaction

b) quantities involved

2. Some common formats

a) tank cards, filed by tank no., lot no.

b) flow charts

3. For vintage/ varietal designations, must have enough information in a from, so that the origin of the wine may be identified

4. Records must be sufficient to support forms 2056, 2057, 2058

C. Record of acids received and used

1. Receipt information

a) kind of acid

b) quantity

c) date received

2. Receipt format

a) log book, supported by retained purchase invoices

3. Use information

a) date used

b) kind and quantity of acid used

c) kind and quantity of wine/juice in which used

d) fixed acid content of wine/juice after addition

4. Use formats acceptable

a) tank cards

b) log book

D. Record sugar, amelioration, and sweetening

1. Receipt information

a) date received

b) from whom

c) kind and quantity

2. Receipt format
   a) ledger, supported by retained invoices
3. Use information
   a) date used
   b) kind
   c)quantity
4. Use format
   a) ledger, balancing form, including sugar used in allied products

E. Record of chemicals received and used
1. Receipt information
   a) date of receipt
   b) kind and quantity
   c) from whom
2. Receipt format
   a) log book, supported by retained invoices
3. Use information
   a) date used
   b) kind and quantity of chemical
   c) kind and quantity of wine involved
4. Use format
   a) tank records
   b) log book

E. Bottling records
1. Information to support forms 2621 and 2702
   a) date of bottling
   b) class and type
   c) vintage and/or variety
   d) quantity
   e) tank or lot number
2. Some acceptable formats
   a) card file
   b) bottling ledger
   c) line sheets
   d) bottling slips

F. Separate record of tax paid removals
1. Information
   a) date of removal from bonded premises (or to on-premises tax paid room
   b) identity of person to whom the wine is removed

c) class and type
d) taxable grade
e) serial numbers of containers

2. Some acceptable formats
a) ledger
b) computer printout

H. Taxpaid room records

1. Receipt information
a) date
b) quantities
c) kind
d) taxable grade

2. Disposition
a) sale or resale to another location

3. Any other disposition
a) list total gallons of each tax class disposed each day

4. Some acceptable formats
a) book record
b) invoice for summary of each day's transactions

I. Tasting, testing and family use records

1. Wine used for tax free tasting
a) date consumed
b) kind and quantity

2. Samples removed from premises for testing
a) size and sample
b) kind of wine
c) name and address of recipient

3. Wine removed for family use
a) date
b) quantity
c) taxable grade
d) kind

J. Miscellaneous records

1. Destruction of wine
2. Destruction or removal of lees
3. Carbon dioxide in still wine
4. Breakage of bottled wines

Code of Federal Regulations: Alcohol, Tobacco Products and Firearms (27) (Washington, D.C.: United States Government Printing Office, 1976).

APPENDIX C

TEXAS LIQUOR CONTROL ACT AND TEXAS ALCOHOL BEVERAGE CODE (before amendments in 1979)

TEXAS LIQUOR CONTROL ACT/
TEXAS ALCOHOLIC BEVERAGE CODE

Chapter 16. Class A Winery Permit

Section

Sec. 16.01 Authorized Activities

The holder of a class A winery permit may:

(1) manufacture, bottle, label and package wine containing not more than 24 percent alcohol by volume;
(2) manufacture and import grape brandy for fortifying purposes only to be used only on his licensed premises;
(3) sell wine in this state to permit holders authorized to sell wine to the ultimate consumers in unbroken packages for off premises consumption;
(4) sell wine outside this state to qualified persons; and
(5) blend wines (V.A.P.C. Art. 666—15, subdiv. (3) (part).)

Sec. 16.02 Fee

The annual state fee for a class A winery permit is $50. (V.A.P.C. Art. 666 15, subdiv. (3) (part).)

Sec. 16.03 Importation for Blending

The holder of a class A winery permit may, for blending purposes only, import wines or grape brandy. The wine or grape brandy may be purchased only from the holders of nonresident seller's permits. The state tax on wines imported for blending purposes does not accrue until the wine has been used for blending purposes and the resultant product placed in containers for sale. (V.A.P.C. Art. 666—15, subdiv. (3) (part).)

Sec 16.04 Federal Permit Required

A class A winery permit may be granted only on presentation of a winemaker's and blender's basic permit of the federal alcohol tax unit. (V.A.P.C. Art. 666—15, subdiv. (3) (part).)

Chapter 17. Class B Winery Permit

Section
17.01 Authorized Activities.
17.02 Fee.
17.03 Federal Permit Required

Sec. 17.01 Authorized Activities

The holder of a class B winery permit may:

(1) manufacture, bottle, label and package wine containing not more than 24 percent alcohol by volume from grapes, fruits, and berries grown only on his own premises;

(2) manufacture and import grape brandy only from the holders of nonresident seller's permits for use only on his licensed premises for fortifying purposes;

(3) sell wine in this state to permit holders authorized to sell wine and to the ultimate consumers in unbroken packages for off premises consumption; and

(4) sell wine outside this state to authorized persons.(V.A.P.C. Art. 666—15, subdiv. (4) (part).)

Sec. 17.02 Fee

The annual state fee for a class B winery permit is $10. (V.A.P.C. Art. 666 15, subdiv. (4) (part).)

Sec 17.03 Federal Permit Required

A class B winery permit may be granted only on presentation of a winemaker's and blender's basic permit of the federal alcohol tax unit. (V.A.P.C. Art. 666—15, subdiv. (4) (part).)

Chapter 18. Wine Bottler's Permit

Section
18.01 Authorized Activities.
18.02 Fee.
18.03 Permanent Record.

Sec. 18.01 Authorized Activities

The holder of a wine bottler's permit may:

(1) purchase and import wine from the holders of nonresident seller's permits or their agents who are holders of manufacture's agent's permits;

(2) purchase wine in this state from holder's of wholesaler's, class A winery, class B winery or wine bottler's permit;

(3) bottle, rebottle, label, package, and sell wine to permit holders in the state authorized to purchase and sell wine; and
(4) sell wine to qualified persons outside the state; (V.A.P.C. Art. 666—15, subdiv. (18) (part).)

Sec. 18.02 Fee

The annual state fee for a wine bottler's permit is $150. (V.A.P.C. Art. 666—15, subdiv. (18) (part).)

Sec. 18.03 Permanent Record

A holder of a wine bottler's permit may, shall keep a permanent record of each purchase and sales of wine. the record shall include the name of the person from whom the wine is purchased or to whom it is sold, the number of gallons purchased or sold, and the percentage of alcohol of the wine by volume. (V.A.P.C. Art. 666—15, subdiv. (18) (part).)

General Session Laws 1977 Bd. Vol.—1, Ch. 194, p. 391

APPENDIX D

TEXAS HOUSE REPRESENTATIVE JOHN WILSON'S

HB 2229, PASSED IN 1979

Effective June 6, 1979 H.B. No. 2229

A BILL TO BE ENTITLED
AN ACT
relating to the commercial production of wine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 16, Alcoholic Beverage Code, is amended to read as follows:

CHAPTER 16. ~~[CLASS A]~~ WINERY PERMIT

Sec. 16.01 AUTHORIZED ACTIVITIES. The holder of a ~~[class A]~~ winery permit may:

(1) manufacture, bottle, label and package wine containing not more than 24 percent alcohol by volume;

(2) manufacture and import grape brandy for fortifying purposes only to be used only on his licensed premises;

(3) sell wine in this state to ~~[permit]~~ holders of wholesaler's permits, winery permits, and wine bottler's permits ~~[authorized to sell wine to the ultimate consumers in unbroken packages for off premises consumption]~~;

(4) sell wine to ultimate consumers in unbroken packages for off premises consumption in an amount not to exceed 25,000 gallons annually; outside this state to qualified persons; and

(5) ~~[4]~~ sell the wine outside this state to qualified persons; and

(6) ~~[5]~~ blend wines

Sec. 16.02 FEE. The annual state fee for a ~~[class A]~~ winery permit is $50.

Sec. 16.03 IMPORTATION FOR BLENDING. The holder of a ~~[class A]~~ winery permit may, for blending purposes only, import wines or grape brandy. The wine or grape brandy may be purchased only from the holders of nonresident seller's permits. The state tax on wines imported for blending purposes does not accrue until the wine has been used for blending purposes and the resultant product placed in containers for sale.

Sec 16.04 FEDERAL PERMIT REQUIRED. A ~~[class A]~~ winery permit may be granted only on presentation of a winemaker's and blender's basic permit of the federal alcohol tax unit.

Sec 16.05 LOCATION OF PREMISES. A winery permit may be issued for licensed premise in a dry area, but the permittee may not sell wine in a dry area. If the premises are in a dry area, the permittee may sell wine in this state to permit holders authorized to sell wine to the ultimate consumer in unbroken packages for off-premises consumption in an amount not to exceed 25,000 gallons annually and to holders of wholesaler's permits, winery permits and wine bottler's permits.

APPENDIX E

TEXAS HOUSE REPRESENTATIVE FROY SALINAS

HB 117, PASSED 1981

Effective June 12, 1981 H.B. No. 117

A BILL TO BE ENTITLED
AN ACT

relating to the authority of a winery permittee to serve free wine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 16, Alcoholic Beverage Code, is amended to read as follows:

Sec. 16.01 AUTHORIZED ACTIVITIES. The holder of a winery permits may:

(1) manufacture, bottle, label and package wine containing not more than 24 percent alcohol by volume;

(2) manufacture and import grape brandy for fortifying purposes only to be used only on his licensed premises;

(3) sell wine in this state to holders of wholesaler's permits, winery permits, and wine bottler's permits;

(4) sell wine to ultimate consumers in unbroken packages for off premises consumption in an amount not to exceed 25,000 gallons annually; outside this state to qualified persons;

(5) sell the wine outside this state to qualified persons; ~~[and]~~

(6) blend wines; and

(7) dispense free wine for consumption on the winery premises.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitution rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX F

TEXAS ALCOHOL BEVERAGE CODE

CHAPTER 16 (1995)

Chapter 16. Winery Permit

Sec. 16.01 Authorized Activities

(a) The holder of a winery permit may:

(1) manufacture, bottle, label and package wine containing not more than 24 percent alcohol by volume;

(2) manufacture and import grape brandy for fortifying purposes only to be used only on his licensed premises;

(3) sell wine in this state to holders of wholesaler's permits, winery permits, and wine bottler's permits;

(4) sell wine to ultimate consumers in unbroken packages for off premises consumption in an amount not to exceed 25,000 gallons annually; outside this state to qualified persons;

(5) sell the wine outside this state to qualified persons;

(6) blend wines; and

(7) dispense free wine for consumption on the winery premises.

(b) The holder of a winery permit may manufacture and label wine for an adult in an amount not to exceed 50 gallons annually for the personal use of the adult. Any amount of wine produced under this subsection is included in the annual total amount that may be sold by the holder under Subsection (a)(4) of this section. An adult for whom wine is manufactured and labeled under this subsection is not required to hold a license or permit issued under this code.

(c) The holder of a winery permit may conduct wine samplings, including wine tastings at a retailer's premises. A winery employee may open, touch, or pour wine, make a presentation, or answer questions at wine sampling. A wine sampling may not be held in a location where a wine sampling is otherwise prohibited by law.

(d) The holder of a winery permit may sell wine to ultimate consumers for consumption on or off winery premises and dispense free wine for consumption on or off the winery premises if the winery is located in a city that:

(1) is located in three or more counties, at least one of which has a population of 500,000 or more; and

(2) has within its boundaries all or part of an international airport.

Sec. 16.02 Fee

The annual state fee for a winery permit is $75.

Sec. 16.03 Importation for Blending

The holder of a winery permit may, for blending purposes only, import wines or grape brandy. The wine or grape brandy may be purchased only from the holders of nonresident seller's permits. The state tax on wines imported for blending purposes does not accrue until the wine has been used for blending purposes and the resultant product placed in containers for sale.

Sec 16.04 Federal Permit Required

A winery permit may be granted only on presentation of a winemaker's and blender's basic permit of the federal alcohol tax unit.

Sec 16.05 Location of Premises.

A winery permit may be issued for licensed premise in a dry area, but the permittee may not sell wine in a dry area. If the premises are in a dry area, the permittee may sell wine in this state to permit holders authorized to sell wine to the ultimate consumer in unbroken packages for off-premises consumption in an amount not to exceed 25,000 gallons annually and to holders of wholesaler's permits, winery permits and wine bottler's permits.

Sec 16.06 Organized Wine Tasting Competition

(a) For the purposes of participating in an organized wine tasting, wine evaluation, wine competition, or literary review, the holder of a winery permit may deliver wine produced and manufactured by the holder to locations that are not licensed under this code for the purpose of submitting the wine to an evaluation at an organized wine tasting competition attended primarily by unlicensed persons or by a wine reviewer whose reviews are published if:

(1) no charge of any kind is made for the wine, delivery, or attendance at the event; and

(2) the commission consents in writing to the delivery,

(b) In connection with events authorized by Subsection (a) of this section, the holder of the winery permit may dispense wine to individuals attending the event and discuss with them the manufacture and characteristics of the wine.

Texas. *Vernon's Texas Codes Annotated: Alcoholic Beverage Code, Section 1.101 to End,* ch. 16: 153-156.

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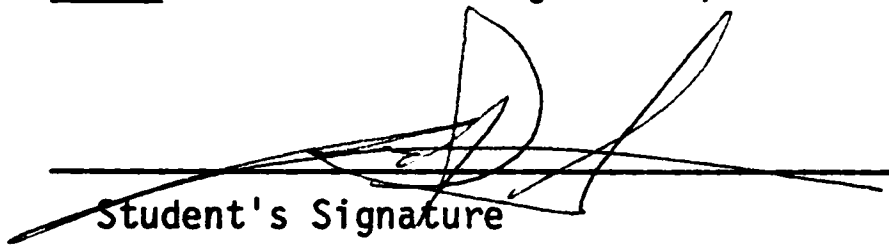

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