

(c) *Definition of "Controlled"*. For purposes of this section, *Controlled by* refers to property on which the bottling winery has the legal right to perform, and does perform, all of the acts common to viticulture under the terms of a lease or similar agreement of at least 3 years duration.

(d) *Use of other terms*. No term other than *Estate bottled* may be used on a label to indicate combined growing and bottling conditions.

[T.D. ATF-53, 43 FR 37676, Aug. 23, 1978, as amended by T.D. ATF-201, 50 FR 12533, Mar. 29, 1985]

§ 4.27 Vintage wine.

(a) *General*. Vintage wine is wine labeled with the year of harvest of the grapes and made in accordance with the standards prescribed in classes 1, 2, or 3 of § 4.21. The wine must be labeled with an appellation of origin. The appellation must be shown in direct conjunction with the designation required by § 4.32(a)(2), in lettering substantially as conspicuous as that designation. In no event may the quantity of wine removed from the producing winery, under labels bearing a vintage date, exceed the volume of vintage wine produced in that winery during the year indicated by the vintage date. The following additional rules apply to vintage labeling:

(1) If an American or imported wine is labeled with a viticultural area appellation of origin (or its foreign equivalent), at least 95 percent of the wine must have been derived from grapes harvested in the labeled calendar year; or

(2) If an American or imported wine is labeled with an appellation of origin other than a viticultural area (or its foreign equivalent), at least 85 percent of the wine must have been derived from grapes harvested in the labeled calendar year.

(b) *American wine*. A permittee who produced and bottled or packed the wine, or a person other than the producer who repackaged the wine may show the year of vintage upon the label if the person possesses appropriate records from the producer substantiating the year of vintage and the appellation of origin; and if the wine is

made in compliance with the provisions of paragraph (a) of this section.

(c) *Imported wine*. Imported wine may bear a vintage date if all of the following conditions are met:

(1) It is made in compliance with the provisions of paragraph (a) of this section; and

(2) The wine is of the vintage shown, the laws of the country of origin regulate the appearance of vintage dates upon the labels of wine produced for consumption within the country of origin, the wine has been produced in conformity with those laws, and the wine would be entitled to bear the vintage date if it had been sold within the country of origin. The importer of the wine imported in bottles or the domestic bottler of wine imported in bulk and bottled in the United States must be able to demonstrate, upon request by the appropriate TTB officer or a customs officer, that the wine is entitled to be labeled with the vintage date.

[T.D. ATF-53, 43 FR 37676, Aug. 23, 1978, as amended by T.D. ATF-195, 50 FR 763, Jan. 7, 1985; T.D. TTB-45, 71 FR 25752, May 2, 2006; T.D. TTB-105, 77 FR 56541, Sept. 13, 2012; T.D. TTB-145, 81 FR 94196, Dec. 22, 2016; T.D. TTB-158, 85 FR 18722, Apr. 2, 2020]

§ 4.28 Type designations of varietal significance.

The following are type designations of varietal significance for American wine. These names may be used as type designations for American wines only if the wine is labeled with an appellation of origin as defined in § 4.25.

(a) *Muscadine*. An American wine which derives at least 75 percent of its volume from *Muscadinia rotundifolia* grapes.

(b) *Muscatel*. An American wine which derives its predominant taste, aroma, characteristics and at least 75 percent of its volume from any Muscat grape source, and which meets the requirements of § 4.21(a)(3).

(c) *Muscat or Moscato*. An American wine which derives at least 75 percent of its volume from any Muscat grape source.

(d) *Scuppernong*. An American wine which derives at least 75 percent of its volume from bronze *Muscadinia rotundifolia* grapes.