



Charmer Sunbelt & Wirtz Beverage to form Breakthru Beverage Group

The Charmer Sunbelt Group and Wirtz Beverage Group have signed an agreement to combine substantially all of their beverage alcohol operations. The new company, Breakthru Beverage Group, will be one of the largest wholesale distributors in the U.S. and Canada. It will initially have operations in 16 markets, employ more than 7,000 people and represent a portfolio of spirits, beer and wine brands with \$6 billion in annual sales. The two companies share many of the same supplier partners, distributing similar brands across a geographically diverse footprint.



W. Rockwell Wirtz

Charles Merinoff

W. Rockwell Wirtz and Charles Merinoff will lead the new organization as Co-Chairmen of the Board. Daniel Wirtz, current President of Wirtz Beverage Group, will be Vice-Chairman. Greg Baird, current Charmer Sunbelt President, will be President and CEO. Arthur Wirtz, current Wirtz Beverage Chief Operating Officer, will be Executive Vice President of Operations and a member of the Board.

As CEO and President, Baird will be responsible for the day-to-day operations and will have organizational oversight and direct management of the senior leadership team. All company personnel will report to Baird, who will report to the Board and Operating Committee members Charlie Merinoff and Danny Wirtz. The Operating Committee will oversee the integration of the businesses, manage and direct strategic planning and play a key role in leading supplier relations. The new organization will be headquartered in New York with a corporate leadership presence in Chicago.

"The significance of these two great companies coming together is a testament to our shared values, approach and commitment to the future," said Rocky Wirtz. "Charlie and his team have built an incredible company, and we have a lot of similarities in our culture and growth strategy. As family-run businesses, maintaining the integrity of our relationships with our employees and partners is really important."

"It will be truly amazing to see these two great organizations and our families come together," added Merinoff. "We fully expect that the best practices and talent from both companies will create a superior partner for

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Jim Beam Takes Aim at Brown-Forman's Claim to "Double Oaked"

*Special to Modern Distillery Age – by Frank Knizner, J.D.,
Lehrman Beverage Law*

On October 19, 2015, Jim Beam filed a Notice of Opposition at the United States Patent and Trademark Office (PTO) Trademark Trial and Appeal Board against Brown-Forman's pending trademark application for *Woodford Reserve Double Oaked* in connection with "Alcoholic beverages except beers." In the Notice, Beam alleges that the phrase "Double Oaked" is either generic or merely descriptive and, accordingly, that the *Woodford Reserve Double Oaked* mark should not be allowed to register without a disclaimer of that phrase.



Forman applied for registration of *Woodford Reserve Double Oaked* in November 2014. The examining attorney reviewing the application required Forman to disclaim the word "Reserve," but not the phrase "Double Oaked." Forman complied, and in late April the PTO published the application for opposition by third parties. Enter Beam, filing an opposition, arguing that "[Beam] and third parties will be damaged by the registration of [the] [m]ark without a disclaimer of "Double Oaked."

Specifically, Beam alleges that "Double Oaked" is a generic term "for the process of aging alcoholic beverages in a second oak barrel." The phrase, Beam continues, is "incapable of distinguishing [Forman]'s alcoholic beverages from those produced and sold by others because its primary significance is to name a type of product rather than indicate the product's source or origin." Alternatively, Beam alleges that

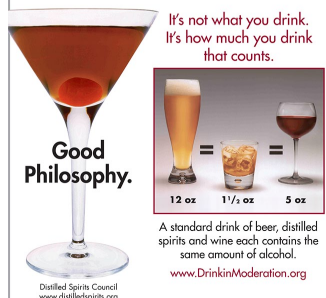
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DISCUS Promotes Moderation in Official MLB World Series Program

The Distilled Spirits Council (DISCUS) has said that a new moderation ad will appear in the Official 2015 Major League Baseball World Series Program. The full-page ad urges adult baseball fans who choose to consume alcohol to drink in moderation. The ad cites the famous Greek philosopher's quote: "Moderation in all things," and encourages readers to visit the DISCUS website: www.DrinkinModeration.org.

"Moderation in all things"

—Cleobulus, Greek philosopher (6th Century B.C.)



"The Distilled Spirits Council knocked it out of the park with its moderation message," said Greg Dillard, Senior Director of Sales for the publisher of the program. "Now in its 109th edition, Major League Baseball's World Series Program remains one of the most popular post season collectibles in any sport. This important "Drink Responsibly" advertisement will be seen by baseball fans at the World Series Games and across the country in all 32 MLB markets."

The MLB World Series Program will be sold inside the stadium during all of the games of the World Series. In addition, it will be made available for sale in all 32 MLB markets with an estimated readership of 1.6 million at newsstands, bookstores, retail outlets, supermarkets, airports, and online at www.MLB.com at a cover cost of \$15.

Rémy Cointreau Sells Izarra to Spirited Brands

Rémy Cointreau Group in Paris and Spirited Brands have completed the sale, by Rémy Cointreau to Spirited Brands, of the entire share capital in Izarra - Distillerie de la Côte Basque, owner of the brand Izarra. Rémy Cointreau and Spirited Brands have also concluded an agreement under which Rémy Cointreau will continue to manufacture and bottle Izarra.



"By expanding with Izarra 54 — voted the best new French spirit in 2013 — the product range of this liquor which conquered the world last century, Rémy Cointreau has demonstrated to us the path to revival," said Roland Giscard d'Estaing, Izarra's new Executive Director. "We intend to build upon these solid foundations and continue the work to re-establish this brand in the Basque country, bring it back into fashion and thus enable this Basque star to be reborn. Such is the level of our commitment."

Kentucky Bourbon Trail Craft Tour Adds Distilleries

The Kentucky Distillers' Association (KDA) has added Kentucky Peerless Distilling Co. in Louisville and Hartfield & Co. Distillery in Paris as the newest members of the Kentucky Bourbon Trail Craft Tour. A total of 10 micro distilleries are now on the trail, which was visited by nearly 100,000 people last year.

"Craft distilleries are a thriving part of our signature industry and are increasingly vital to the future of our iconic spirit," said KDA President Eric Gregory. "They are the next

generation, and we're all extremely proud of their growth and success."

Corky Taylor and his son, Carson, revived the Kentucky Peerless brand that their ancestor, Henry Kraver of Henderson County, made famous in the 1880s. The new state-of-the-art distillery opened in June.

"Kentucky Peerless is proud to join the Kentucky Bourbon Trail Craft Tour, and we look forward to sharing our grain-to-bottle experience with bourbon enthusiasts from all over the world," said Corky Taylor. "It's an honor to be part of such a wonderful organization."

Kentucky Peerless makes bourbon, rye and a new "Lucky" moonshine.

Andrew Buchanan and his wife, Larissa, became the first licensed distillers in Bourbon County since 1919 when they opened The Gentleman Distillery last year. They recently changed the name to Hartfield & Co. to reflect their family's distilling heritage in Green County in the 1800s.

"Joining the Kentucky Bourbon Trail Craft Tour was one of our original goals when all of this was just a dream," said Buchanan. "It's the culmination of a lot of hard work and effort. Being counted among some of the best distillers in the country is a true honor."

The distillery specializes in whiskies and rums.

Other participating craft tour distilleries include Barrel House in Lexington, Corsair Artisan in Bowling Green, Limestone Branch in Lebanon, MB Roland in Pembroke, New Riff in Newport, Old Pogue in Maysville, Wilderness Trail in Danville and Willett Distillery in Bardstown.

The KDA created the original Kentucky Bourbon Trail tour in 1999 to give visitors an educational and first-hand experience on how bourbon is distilled. Attendance records have increased each year, with more than 625,000 visits in 2014.

The tour's nine featured distilleries include Bulleit and Evan Williams in Louisville, Four Roses and Wild Turkey in Lawrenceburg, Heaven Hill in Bardstown, Jim Beam in Clermont, Maker's Mark in Loretto, Town Branch in Lexington and Woodford Reserve in Versailles.

Briess Caramel Rye Malt

Briess Malt & Ingredients has released its newest malt — Briess Caramel Rye Malt. At 60° Lovibond, it's described as "smooth and subtle, yet surprisingly complex," and it can be used up to 20% in a wide range of beer styles for depth and subtle flavor. Distillers can also find uses for it.



Briess officials said that a proprietary process in the drum roaster was developed for this malt. The process creates touches of caramel and bread crust flavors, which complement the spicy characteristic of the rye grain. "Subtle spicy rye flavor shines through the layers of caramel and bread crust flavors after fermentation, and it leans toward burnt orange and brown color contributions," according to a company statement. "This is a versatile malt."

Angel's Envy Will Plant 4,000 White Oak Trees Following "Toast The Trees" Initiative

Louisville Distilling, maker of Angel's Envy bourbon, will partner with the Arbor Day Foundation to plant 4,000 white oak trees next spring as a result of the successful Toast the Trees social media initiative this past September. The \$16,000 donation will be used to restore the original composition of the Daniel Boone National Forest in Laurel County, Kentucky, and to make the site more productive for wildlife.

Through Toast the Trees, Angel's Envy is taking a long-term approach to supporting future generations of bourbon drinkers. The brand is committed to helping make sure that there is always enough American white oak for the cooperages and bourbon distilleries of tomorrow to continue to age in new charred oak barrels. Therefore, Angel's Envy promised to plant one new white oak tree in North America for every picture bourbon enthusiasts took of an Angel's Envy cocktail in September. Participants simply had to

post their picture to Facebook, Instagram or Twitter with the hashtag #AE4THETREES. During the month of September, the brand recorded nearly 4,000 social media posts. The team also executed 257 on-premise promotions across the country and sold 5,751 Angel's Envy cocktails — more than twice as many during the 2014 initiative.

Susan Mooney of Spirits Consulting Group Receives 2015 New York Brava Award

Susan Mooney, CEO of Spirits Consulting Group, founded in 2010, was recently awarded the 2015 New York Brava Award. Mooney works with entrepreneurs who



Susan Mooney

have left safe, predictable jobs because they had a passion for a new product. Spirits Consulting Group helps those entrepreneurs with product development and product launch, all within the spirits and wine industry. Spirits Consulting Group donates to FINCA, which provides microloans to women around the world. Mooney also donates her time to a local homeless shelter and Wounded Warriors.

Smirnoff's Exclusively For Everybody Campaign

Smirnoff vodka has initiated its second iteration of the Exclusively for Everybody campaign. This year, actors and comedians T.J. Miller and Thomas Middleditch traveled from Los Angeles to New York Comic Con in *The Road Trip* to pitch a film idea starring superheroes that aren't cut from

the same Hollywood cloth. Documenting the adventure, Smirnoff created a series of six broadcast and online films showing how Miller and Middleditch learned about Smirnoff during stops along the way at a comedy club, farm-to-table restaurant, house party and in a safe carpool ride.



Created by 72andSunny's New York office, the campaign will use a fully integrated campaign across broadcast, social and digital platforms.

Sky Ranch Foundation & Sky Ranch for Boys Award \$25,000 Grant to Red Hook Initiative

Sky Ranch Foundation and Sky Ranch for Boys (governed by a board of directors comprised mainly of active and retired members of the beverage alcohol industry) have awarded a \$25,000 grant to Red Hook Initiative (RHI), the organization's third grant from the foundation in the past four years.

Serving as the epicenter of post Hurricane Sandy relief, RHI received the New York Community Trust - *New York Magazine* Excellence in Nonprofit Management Gold Medal. Launched in 2002, RHI serves youth from middle school through age 24 and who are residents of the NYC Housing Authority Red Hook houses, Brooklyn's largest housing project. The majority of Red Hook residents live in isolation, struggling with poverty and limited educational and employment opportunities. One of RHI's guiding beliefs is that people within a community have the power to create their own social change. Ninety percent of the staff members are from Red Hook.

"We recognize and support, once again, the outstanding contribution Red Hook Initiative makes in their community toward the care of young people caught in the cycle of poverty, addiction, gangs, crime and incarceration," said George McCarthy, Sky Ranch Foundation Chairman, and Ralph Aguera, President.

DISCUS Showcases American Whiskeys for E.U. Officials & Diplomats in Brussels

The Distilled Spirits Council (DISCUS), along with New York mixologist Christy Pope, U.S. Ambassador to Belgium Denise Campbell Bauer and U.S. Ambassador to the European Union Anthony Gardner hosted a Tasting Seminar on Fine U.S. Whiskeys for European Union officials and dignitaries as well as local media and beverage industry executives at the residence of U.S. Ambassador Denise Campbell Bauer in Brussels, Belgium, on September 30.



DISCUS in Brussels

The event, supported by the U.S. Department of Agriculture, featured a presentation on the history and production process of American whiskey, a tasting of select whiskeys and a cocktail demonstration. After the presentation, guests were able to sample a number of spirits brands produced by small distillers from around the U.S.

"Premium bourbons, Tennessee and rye whiskeys are experiencing significant growth globally because of their authentic heritage, their distinctive flavors and their versatility in cocktails," said DISCUS Senior Vice President of International Trade Christine LoCascio. "We are excited to showcase the variety of flavors in American whiskey and explain what distinguishes these from other whiskeys produced around the world. We are exceedingly grateful to Ambassador Bauer, Ambassador Gardner and the U.S. Department of Agriculture for their support of this event."

Pope conducted the tasting and cocktail demonstration with samples of a wide range of American whiskeys such as Rebel Yell Kentucky Straight Bourbon, Makers Mark 46 Bourbon, Basil Hayden Bourbon, Woodford Reserve Bourbon, Wild Turkey 101 Bourbon, Bulleit Rye and others.

In 2014, global U.S. distilled spirits exports achieved a sixth-straight record year reaching \$1.56 billion, up 3.8% compared with 2013. U.S. whiskeys, primarily bourbon and Tennessee whiskey, represent the vast majority (70%) of the total. The European Union accounts for approximately 48% of total U.S. exports, and 83% of U.S. spirits exports to the E.U. are accounted for by bourbons and Tennessee whiskeys.

Beefeater Master Distiller Awarded with Lifetime Honor

Beefeater Gin's Master Distiller, Desmond Payne, has received the Lifetime Achievement Award by The Gin Guild in London. The Gin Guild was incorporated by the Worshipful Company of Distillers, one of London's traditional livery bodies, incorporated by Royal Charter in 1638.



L-R: Martin Riley (Gin Guild Grand Rectifier), Desmond Payne (Beefeater Gin's Master Distiller) & Allan Cheesman (Master of the Worshipful Company of Distillers)

Payne received the award on October 16 at a ceremony at Mansion House, the official residence of the Lord Mayor of London, which was attended by some of the industry's leading figures.

Desmond's gin career spanning 48 years began when he joined Seager Evans & Co. in 1968. In 1969, he followed his mentor, Philip Milner, to The Plymouth Gin Distillery where he worked his way up from Assistant Distiller to Assistant Manager and eventually Head Distiller. In 1995, he joined Beefeater as Distillery Manager, and 10 years later was made Master Distiller.

Corby's Ryan Powell Awarded Membership into Gin Guild

Corby Spirit and Wine's Trade Marketing Manager – Education, Ryan Powell, has become the first Canadian to join the Gin Guild in London. Powell received his membership on October 16.

To be eligible for membership, an applicant must show a positive contribution to the gin industry be it through



L-R: Martin Riley (Gin Guild Grand Rectifier), and Ryan Powell (Trade Marketing Manager - Education, Corby Spirit and Wine)

management, promotion, development, production, sales, marketing or distribution of gin or its academic study. In addition to managing Corby's product education strategy, Powell acts as the Canadian Ambassador for Gin, specifically on brands such as Beefeater and Plymouth, which the company represents through its affiliation with Pernod Ricard.

203-971-8710

gregg@distilleryage.com

www.distilleryage.com

EDITORIAL STAFF

Publisher/Editor: Gregg Glaser

Contributing Editor: Peter V. K. Reid

Contributing Editor: Michael Anstendig

Copy Editor: Christine Barber

ADVERTISING

adsales@distilleryage.com

SUBSCRIPTIONS

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gregg@distilleryage.com

MAILING ADDRESS

228 Silvermine Avenue
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Hyde Irish Whiskey No. 1

Hibernia Distillers, a Irish craft distillery located in West Cork, Ireland, and established last year, has released its first whiskey, Hyde Irish Whisky No. 1 (46% ABV) in the U.S. The name honors Ireland's first president, Douglas Hyde, inaugurated on June 25, 1938.



Hyde Irish Whisky No. 1 is a limited edition (5,000 hand numbered bottles) 10-year single malt Irish whiskey distilled from 100% malted Irish barley in a traditional copper pot still. It aged for 10 years in charred, first-fill American oak bourbon barrels and was finished in toasted Oloroso sherry casks from Cadiz, Spain, and it's bottled non-chill-filtered. A 750-ml bottle sells for about \$70.

Hibernia Distillers will release Hyde No. 2 in November as a 10-year-old whiskey finished in rum barrels. Hyde No. 3 will be released next year as a six-year-old single grain sherry-finished whiskey.

Hyde is also available in the Irish, German, French, Dutch, Scandinavian, Swiss, South African, New Zealand and U.K. markets.

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Ballantine's Artist Series Gift Pack

Ballantine's Scotch Whisky (40% ABV) has released three limited edition gift packs in the Artist Series designed by artist Leif Podhajsky. Ballantine's will use a different artist each year.

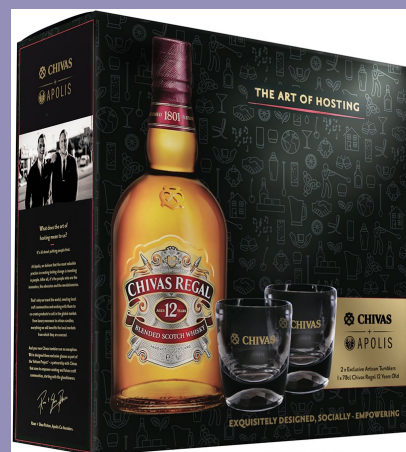


Each gift pack design tells the Ballantine's story in different ways: the Ballantine's Finest Tin shows the movement of the liquid; the Ballantine's Neoprene Finest Sleeve depicts fire and water; and the Ballantine's 12 Year Old Tin is an abstract interpretation of Scotland's scenery — the light of the sky, the Highlands and flowing streams.

A 750-ml bottle of Ballantine's Finest sells for about \$30, and about \$47 for Ballantine's 12 Year Old.

Chivas Art of Hosting Gift Pack

Chivas Regal has partnered with Apolis, a "socially motivated lifestyle brand," for the latest installment of Chivas Art of Hosting.



The new limited edition pack with a set of Apolis-designed glass tumblers and a bottle of Chivas 12 Year Old Scotch Whisky (40% ABV) is available globally. The retail price will vary depending on markets.

The collaboration provides surplus glass from the manufacture of the tumblers to Studio Xaquix — an artisan glass-blowing collective in Mexico — for use in luxury glass items. The resulting handcrafted wares will then be made available to purchase on the newly created platform, the Apolis Global Citizen Exchange.

Stoli Vodka Packaging Re-Design

Stoli Vodka has re-designed the bottle and packaging for the full range of Stolichnaya Premium Vodka for the first time in 80 years. The new bottle design features elements that “contemporize the brand for the millennial audience,” according to a company statement. The new designs will begin to be released in the U.S. in November with full distribution by early 2016.



The new bottle is taller, sleeker and is embossed with the Stoli logo on the neck. The new design is said to improve pouring and control for bartenders with the use of anti-slip embossing on the neck and base.

The new craft label is textured, and there’s a bold upgrade of the main Stolichnaya logo plus subtle nuance details throughout the design to make the bottle better stand out to customers at point of purchase. The Stoli flavored vodkas are also now color-coded on the neck to match the flavor for easier on-shelf product identification.

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For more information visit BrewingWithBriess.com/distilling

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Jägermeister Speed Pour Freezer

Jägermeister has introduced its new two-bottle Speed Pour freezer, which holds two one-liter chilled bottles of Jägermeister and is designed to allow two bartenders to quickly pour ice-cold Jägermeister at once. The company also has available to bars its Tap Machine and Shotmeister machines.



The Speed Pour keeps the liqueur at a consistent 0 degrees Fahrenheit. It stacks above the Shot Glass freezer (sold separately), which chills up to 48 shot glasses, and it adds another 9.5 inches of height to the display, increasing visibility and driving purchases.

The Speed Pour comes with two stag head pourers and two bottlenecks integrated into a single piece. In addition, the Speed Pour freezer has an elevated, room temperature display area to hold two more one-liter bottles of Jägermeister. The Speed Pour freezer sells for about \$199 plus tax and shipping.

Buchanan's Scotch Whisky – New Packaging

Buchanan's Scotch Whisky has added new packaging for three of its four blends: Buchanan's DeLuxe, Buchanan's Master and Buchanan's Special Reserve (all 40% ABV). Buchanan's Red Seal will follow in 2016.



The new design includes cleaner labels, bottle redesigns that unify the portfolio and bolder presentation boxes. Several trademarks will remain the same including the canteen-shaped bottles reminiscent of the water canteens used by British soldiers in World War I, the signature red seal and the coat of arms meaning “Hence The Brighter Spirit” engraved on the back of the bottle.

A 750-ml bottle of Buchanan's Special Reserve 18 sells for about \$75, about \$31 for Buchanan's DeLuxe and about \$45 for Buchanan's Master.

Laughing Glass Pomegranate Margarita

Laughing Glass Cocktails of California has released its second low-calorie margarita cocktail, Pomegranate Margarita. The first cocktail, Margarita, was released in 2013. Both are 12% ABV and sell for about \$18 for a 750-ml bottle.



The proprietary tequila base is distilled six times at an artisanal distillery in Tequila, Mexico. The cocktails are 110 calories per four-ounce serving, have no artificial preservatives, colors, flavors, additives or sweeteners and are gluten free, vegan and “paleo friendly.” They’re bottled with a light carbonation process.

Laughing Glass Cocktails are available in over 450 specialty grocery stores and liquor stores in California and Nevada such as Whole Foods, Safeway, Mollie Stones, Gelson’s, Bristol Farms, BevMo and more, and they’re sold on-premise at bars in Northern (Mayes Oyster House) and Southern California (Renaissance Club Sport).

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The Famous Grouse and Owl’s Brew Custom Tea Blends

The Famous Grouse Scotch whisky and The Owl’s Brew, a line of teas made for cocktails, have partnered to create two new tea blends: The Famous Mint Tea and The Smoky Earl. This is the first spirits partnership for The Owl’s Brew.



The Famous Mint Tea is designed to pair with The Famous Grouse, and The Smoky Earl has been created to complement The Black Grouse’s smoky character.

The teas are packed in 32-ounce packets and they sell for about \$17.

Woodford Reserve Master’s Collection 1838 Style White Corn

In November, Woodford Reserve will release Woodford Reserve Master’s Collection 1838 Style White Corn (45.2% ABV), a nod to past distillers Oscar Pepper and James Crow and their original use of white corn in their whiskey production process from the late-1830s to the 1850s.



The new whiskey was conceptualized and created by Woodford Reserve Master Distiller Chris Morris, drawing from original production records. A 750-ml bottle sells for about \$100.

Cinque Aperitivo, Luna Amara Bitter & Amaro delle Sirene Special Edition

Don Ciccio & Figli of Washington, D.C., has released three new brands: Cinque Aperitivo (15% ABV), Luna Amara Bitter (23% ABV) and Amaro delle Sirene Special Edition (29% ABV).



Cinque Aperitivo is a blend of 12 botanicals highlighting bitter orange and gentian lutea. The recipe dates from the late 1920s. Luna Amara Bitter is made from 16 botanicals and two distillates. A 750-ml bottle of each sells for about \$28-\$32, and they are available in 10 states. The recipe dates from 1894.

Amaro delle Sirene Special Edition is made by the solera process in a two-year blending and aging cycle from a recipe dating to 1931. A 750-ml bottle sells for about \$44-\$52, and it's available in six states.

Kōloa Kauai Coffee Rum

Kōloa Rum Co. in Hawaii has released Kauai Coffee Rum (34% ABV), made with coffee from Kauai Coffee Co. blended into Kōloa



White Rum and Hawaiian cane sugar. A 750-ml bottle sells for about \$33. Kōloa rums are available in Hawaii, and expansion to California is coming soon.

Elijah Craig 18 & 23 Year Old Single Barrel Bourbons

Heaven Hill Brands has re-released Elijah Craig 18 Year Old Single Barrel Bourbon after a three-year absence and also Elijah Craig 23 Year Old Single Barrel Bourbon.



Elijah Craig 18-Year-Old Single Barrel was first introduced in 1994. A 750-ml bottle sells for about \$120. Only 15,000 bottles are available. Elijah Craig 23 Year Old Single Barrel, also available in limited quantities, sells for about \$200 for a 750-ml bottle.

Pearl Vodka Pumpkin Spice & Pearl Chocolate Hazelnut

Luxco has extended the Pearl Vodka line with Pumpkin Spice and Chocolate Hazelnut (both 35% ABV). A 750-ml bottle of each sells for about \$13.



Pearl Vodka redesigned its packaging earlier this year. The new contemporary look includes a beveled glass inset bottle, a redesigned label, an embossed metal closure and a neck label that more prominently features the flavor of the product.

Revel Stoke Roasted Apple

Phillips Distilling in Minneapolis has extended the Revel Stoke line with Roasted Apple (35% ABV). A 750-ml bottle



sells for about \$15 (50-ml gravity feed and 50-ml PET plain kraft sizes are also available). Other Revel Stoke flavors include Spiced, Cinnamon and Roasted Pecan.

Barrelflag Navy Strength

Old Harbor Distilling in San Diego has extended the line with Barrelflag Navy Strength rum (57% ABV), which uses two fermentations distilled separately and then blended together.



The first fermentation is done with 100% sugar cane juice, and the second with a blend of dark molasses and demerara sugar. A 750-ml bottle sells for about \$35.

Bacardí Gran Reserva Partners with Chef Ari Taymor

Bacardí Gran Reserva has partnered with Chef Ari Taymor of Los Angeles who has created custom cocktails using Bacardí Gran Reserva rums to be served as the official cocktails of the James Beard Foundation Taste America, where the rums currently serve as a participating sponsor for the second consecutive year.



Chef Ari Taymor

The Bacardí Gran Reserva line includes Gran Reserva Maestro de Ron, a double-aged white rum that was released earlier this year at the James Beard Foundation Awards Gala in Chicago, and Gran Reserva Ocho Años.

Taymor's cocktails are variations of two classics. *The Headless Horseman*, named after the Halloween legend, is a spiced-up play on a classic Dark and Stormy. *Siam Daiquiri* is Taymor's take on his favorite rum cocktail with the addition of Thai aromatics.

GuestMetrics: Traffic to On-Premise Weak

According to GuestMetrics, traffic to On-Premise remained weak during the four weeks through 10/4/15 — down 1.4% y/y — but above the YTD trend (down 1.5%) and above the last 12 weeks (down 1.8%).

Share changes between alcohol beverage categories: Spirits unit share of alcohol gains increased from +0.8% YTD to +1.3% over the latest four weeks. Beer unit share was down 1.0% during the latest four weeks (weakening from down 0.8% YTD). Wine share was down 0.3% (vs. flat YTD).

Total Alcohol: Total alcohol units sold were down 3.6% during the four weeks (vs. down 2.8% YTD). Dollar sales were down 1.5% as price/mix added about 2% to dollar growth.

Overall Spirits: Spirits unit growth was down 0.3% during the latest four weeks, above the -0.7% YTD trend. Spirits dollar growth was up 1.3% as price/mix continues to be a positive contributor, with trade up and continued driver.

Spirits Categories: Segments gaining y/y share of spirits during the four weeks were Tequila, Irish, Vodka (newly in positive territory), Gin and Brandy. Bourbons/Blends (including flavored), Rum, Cordials and Scotch were share donors.

Craft Spirits: Domestic craft spirits y/y share gain increased to 3.0% over the latest four weeks versus 2.7% YTD and continued to be a major factor to monitor.

Louis Royer Cognac “Show Me the Proof!” High Proof Cognac Cocktail Competition

Louis Royer Cognac's fourth annual “Show Me the Proof!” High Proof Cognac Cocktail Competition returns to New York City on November 2 for the finals. The six finalists were chosen from across the U.S., and this year represent represent New York and Dallas. Their recipes range from aperitifs to nightcaps and are original concepts to riffs on classics such as the *Sour*, *Old Pal* and *Vieux Carré* with inspirations from the seasonal to the whimsical. The cocktails all must use Louis Royer “Force 53” VSOP Fine Champagne Cognac (53% ABV).

The finals will take place at Porchlight bar. The grand prize is an all-expense-paid trip to Jarnac and Paris in France as well as \$1,000 in cash prizes for both second and third places.

The six finalists include:

- Dave Nurmi (Porchlight, NYC)
- Dustin Olson (Holiday Cocktail Lounge, NYC)
- Greg Buda (The Dead Rabbit, NYC)
- Jeremy Hawn (Seamstress, NYC)
- Jim Palumbo (The Up & Up, NYC)
- Kirsten Holloway (Pink Magnolia/Coupes & Collins, Dallas)

The cocktail recipe compilation was executed by the competition's partner, www.ShakeStir.com, an online community of bartenders and mixologists.

Charmer Sunbelt & Wirtz Beverage to form Breakthru Beverage Group

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our suppliers and customers. Both Charmer Sunbelt and Wirtz have a history of passion, innovation and winning in the marketplace. Together, the sky's the limit."



Daniel Wirtz

"By working as an efficient and collaborative wholesaler across multiple markets, we can improve speed to market for our partners and better coordinate and activate brand marketing strategies," said Baird. "We can make investments in both our markets and our people. We will create new models where it makes sense but most importantly foster an open, high-integrity culture for our associates, suppliers and customers that drives value for all parties each and every day."

The Charmer Sunbelt Group today operates local distributor and/or brokerage houses in Arizona, Colorado, Connecticut, Delaware, Florida, Maryland, New Jersey, New York, Pennsylvania, South Carolina, Virginia and Washington, D.C., and has interests in Alabama and Mississippi. The Wirtz family has interests in Illinois, Wisconsin, Nevada, Minnesota, Missouri, Iowa and throughout Canada.

Alliance Beverage in Arizona will continue to be a joint venture between Breakthru and the Glazer family, and Breakthru will have interests in Alabama and Mississippi with the Glazer and Young families. The markets of Canada, Connecticut, Iowa, Missouri and New York will not be owned by the company, but Charmer Sunbelt and the Wirtz family anticipate continuing

their respective partnership, management and supportive relationships with these affiliated companies.



Greg Baird

"It is clear over our many months of dialogue that both companies have the same long-term vision to really create something that pushes the boundaries of the traditional distributor," said Danny Wirtz. "By thinking and acting differently and building upon the very best of our organizations, we can come together and create a company that truly changes how we all do business. There are so many opportunities to use our capabilities and expertise to be a more valuable partner. It's very exciting."

The closing, which is subject to customary conditions including shareholder and regulatory approvals, is anticipated to take place in January 2016.

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Jim Beam Takes Aim at Brown-Forman's Claim to "Double Oaked"

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"Double Oaked" is merely descriptive, because it "describe[s] [Forman]'s process of aging its product ... in a second oak barrel."

The PTO typically refuses registration for marks that contain a generic or merely descriptive phrase unless an applicant agrees to disclaim any right to the phrase. As defined by the PTO, "A mark is considered merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods or services" (e.g., "creamy" to describe a spirit). Generic terms are terms that consumers primarily understand as the common name for a class or type of good or service (e.g., "whiskey" to classify a spirit).

In this case, Beam argues that "Double Oaked" is generic because it refers to a type of aging process (i.e., aging alcoholic beverages in a second oak barrel), which it claims is common in the industry. Beam says that registration of Forman's mark without a disclaimer of the "Double Oaked" phrase would harm producers, presumably because they have an interest in using the phrase to designate the process used to produce their products.



Two oak trees

Beam also argues that "Double Oaked" is merely descriptive, because it refers to the characteristics and aging process of Forman's bourbon. As evidence, Beam points to the dictionary definitions of "double" and "oaked" (both adjectives) as well as Forman's own allegedly descriptive use of the term on its labels (e.g., "Select barrels aged a second time in charred American white oak barrel.") and in its marketing (e.g., "...twice barreled bourbon creates the rich and colorful flavor..." and "...the second barrel deeply toasted before a light charring—extracts additional amounts of soft, sweet oak character.").

Beam also points to the PTO's treatment of two similar trademarks as evidence that Forman should have to disclaim the phrase "Double Oaked." Beam notes that "Single Oak" was allowed registration, but only on the supplemental register along with other merely descriptive marks. Beam also notes that "Double Oaked" for wine was previously rejected by the PTO as being merely descriptive.

Forman's answer to Beam's opposition is due on November 28, 2015.

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Modern Distillery Age Tasting Panel

In this week's tasting panel we tasted two mezcals and two whiskies. *All spirits are tasted blind. The panelists know only the style and ABV.* The notes are a distillation of the panelists' comments. The panelists vary with each panel but often include: Dave Schmier (Producer of the Independent Spirits Expo), David Talbot (Ultimate Beverage Challenge), John Heffernan (Senior Master of Whisky), Renzo Kian-Kubota (Harry's Wine & Liquor Market), Jonathan Forrester (distiller & cocktail consultant), Frank Whitman (Silvermine Tavern), Linda Kavanagh (Maximum Exposure PR), Paul Zocco (Zok's Homebrewing & Winemaking Supplies), Ernie Adamo (Legislative Liaison for the State of Connecticut), Steve DeFrank (attorney), Phil Simpson (PMS Graphics), Tom Conti (Conti Design and Graphics), Melissa Dowling (Editor of *Cheers*), Pete Reid (Publisher/Editor of *Modern Brewery Age*), Michael Anstendig (*Modern Distillery Age*) and Gregg Glaser (Publisher/Editor of *Modern Distillery Age*).

Kimo Sabe Joven Mezcal, 43%

Kimo Sabe Distillery, Milta, Oaxaca, Mexico, ~\$30

Imported by Martinez Brands

Clear with an aroma of agave sweetness, earthiness, herbs, smoke and hot, spicy jalapeño peppers. Everything in the aroma is repeated in the taste, well balanced. Also a touch of white pepper and earthy tomato. Spicy with pleasant alcohol warmth all the way to the finish.



Kimo Sabe Reposado Mezcal, 41.5%

Kimo Sabe Distillery, Milta, Oaxaca, Mexico, ~\$35

Imported by Martinez Brands; aged for six months in American oak barrels

Golden/amber with a powerful aroma of the barrel, caramel, vanilla and light smoke — almost as strong as an añejo. Lots of oak in the taste. Spicy with caramel, vanilla, coconut, cooked agave and toasted nuts. Finishes warm and spicy with dark fruits.

The *Modern Distillery Age* Tasting Panel meets once or twice a month. Samples are sent by distillers and importers and are tasted blind.

Samples can be sent to:
Modern Distillery Age
228 Silvermine Avenue
Norwalk, CT 06850

Popcorn Sutton The Original Small Batch Recipe, 44%

Popcorn Sutton Distilling, Newport, Tenn., \$25-35

Clear with an aroma of sweet corn. Corn sweetness in the taste from the beginning to the finish with hay stalks and alcohol warmth.



Pendleton Midnight, 45%

Hood River Distillers, Hood River, Ore., ~\$35

Canadian whisky with portion of the blend aged in American brandy barrels

Amber with a mildly sweet aroma plus some brandy-like notes, caramel, grains and dried fruits (dates). Richly sweet in the taste with caramel, honey, nuttiness, dark fruits and the brandy barrel. Well balanced. Finishes sweet with a touch of spice.



The following is a continuation of a new addition to the Modern Distillery Age tasting panel pages from spirits, bartending and beverage management writer Robert Plotkin, previously published on his website, AmericanCocktails.com. Robert is not only a pro in the business, but also a friend, and we thought it would be interesting for Modern Distillery Age subscribers to read his spirits reviews, which are stylistically different than ours.

Romate Solera Reserva Brandy de Jerez, 40%

Romate Hnos., Jerez de la Frontera, Spain, ~\$12

Imported by Shaw-Ross

Brandies de Jerez are hot commodities with aficionados because of their lavish bouquets and lush layered palates. They are quite unlike another brandy. Such is the case with Romate Solera Reserva Brandy De Jerez.

Founded in 1781, the prestigious house of Sánchez Romate is located in the most celebrated appellation of Spanish brandy — Brandy de Jerez — which is located in the southwest province of Andalusia, the same region renown for its Jerez-Xeres Sherry.

Romate Solera Reserva is made from a foundation of pot-distilled grape spirits that exit the still and are immediately transferred to oak used previously for aging Pedro Ximénez and old Oloroso sherry wines. The brandy will stay in the barrel for about 2-1/2 years. Once it has attained the deserved flavor profile, the brandy is moved to the Bodega's solera, which the Spanish have made famous in the production of sherry and Brandy de Jerez. Among the legendary benefits of solera aging is maintaining the continuity of the brandy's character and preserving its noble lineage

In the solera system, older brandies "educate" the younger euax-de-vie, enhancing their taste and character. Solera also ensures the blended brandies will be consistent from one year to the next. Solera aging utilizes a series of oak casks arranged in three tiers. The barrels on the top tier contain the youngest brandy, those on the middle tier contain older brandies and the barrels on the bottom are filled with the oldest brandy. When deemed appropriate, the master blender will remove half the contents of the barrels from the lowest tier for bottling. The barrels are then filled to capacity with brandy from the middle tier. Young brandy from the barrels on the highest tier are used to fill the casks on the middle tier.

Romate Solera Reserva is a bona fide treat for the senses. The brandy has a reddish/brown appearance, a sultry, curvaceous body and a brilliant bouquet of caramel, toffee, ground coffee and plump raisins. Its aromatic signature is sensational and similar to that of its older sibling, Cardenal Mendoza Gran Reserva Brandy de Jerez. That's high praise indeed. The brandy has a complex, sherry-influenced palate of plums, caramel, spice and roasted nuts. The finish is long and elegant.

Its surgically precise balance makes Romate Solera Reserva ideally suited for use in contemporary drink making. There's no excessive sweetness to have to compensate for. What you get is nothing but flavor and a bakery fresh set of aromatics. What a prize.



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Spirits Brands — Current 52 Weeks Ending October 4, 2015

Total U.S. Multi-Outlet w/ C-Store (Supermarkets, Drugstores, Mass Market Retailers, Gas/C-Stores, Military Commissaries and Select Club & Dollar Retail Chains)
Stats from IRI, a Chicago-based market research firm.

| | Dollar Sales | | Case Sales | |
|----------------------|-----------------|---------------|-------------------------|---------------|
| | Current | %Change vs YA | Current | %Change vs YA |
| SPIRITS | \$6,474,351,532 | 5.7% | 52,825,565 | 3.0% |
| BRANDY | \$147,380,329 | 0.5% | 1,276,889 | -0.6% |
| COGNAC | \$125,919,598 | 16.2% | 318,036 | 12.3% |
| CORDIALS | \$516,263,742 | 2.1% | 2,698,604 | 2.7% |
| GIN | \$188,532,586 | 2.4% | 1,374,157 | -1.3% |
| RUM | \$647,730,548 | -0.4% | 5,011,779 | 0.8% |
| TEQUILA | \$382,366,633 | 8.0% | 1,814,984 | 6.0% |
| VODKA | \$1,810,576,918 | 5.1% | 15,678,943 | 3.7% |
| WHISKEY | \$2,040,322,075 | 11.7% | 11,530,960 | 6.7% |
| PREPARED COCKTAILS | \$255,323,295 | -5.8% | 4,059,627 | 1.9% |
| NON-ALCOHOLIC MIXERS | \$359,935,808 | 1.5% | 9,061,585 | -0.4% |
| | Price Per Case | | Price per 750 ml Volume | |
| | Current | Change vs YA | Current | Change vs YA |
| SPIRITS | \$122.56 | \$3.16 | \$10.21 | \$0.26 |
| BRANDY | \$115.42 | \$1.23 | \$9.62 | \$0.10 |
| COGNAC | \$395.93 | \$13.38 | \$32.99 | \$1.11 |
| CORDIALS | \$191.31 | -\$1.12 | \$15.94 | -\$0.09 |
| GIN | \$137.20 | \$5.00 | \$11.43 | \$0.42 |
| RUM | \$129.24 | -\$1.57 | \$10.77 | -\$0.13 |
| TEQUILA | \$210.67 | \$3.99 | \$17.56 | \$0.33 |
| VODKA | \$115.48 | \$1.52 | \$9.62 | \$0.13 |
| WHISKEY | \$176.94 | \$8.01 | \$14.75 | \$0.67 |
| PREPARED COCKTAILS | \$62.89 | -\$5.12 | \$5.24 | -\$0.43 |
| NON-ALCOHOLIC MIXERS | \$39.72 | \$0.78 | \$3.31 | \$0.06 |

NABCA September Control State Results

During September, sales of nine-liter cases of spirits in the Control States grew 7.5% in spite of last year's strong comp. Rolling 12-month volumes were up 3.0%, a slight improvement on August's 2.9%. Alabama, Iowa, Idaho, Montgomery County Maryland, Maine, Michigan, Mississippi, Montana, North Carolina, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Virginia and Vermont reported monthly growth rates exceeding their 12-month trends. Year-to-Date nine-liter spirits case sales have grown 2.8% compared to 2.1% for the same period last year.

Control States spirits shelf dollars grew at 10.0% during September while trending at 5.7% during the past 12 months. Alabama, Idaho, Montgomery County Maryland, Maine, Michigan, Mississippi, Montana, North Carolina, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Virginia and Vermont reported growth rates exceeding their 12-month trends. Year-to-date shelf dollars have grown 5.4% this year in contrast to 4.6% during last year.

Higher than expected sales during September may be related to Labor Day's falling on September 7 this year and related sales being reported during September. Last year holiday sales were reported during August.

Price/Mix for September is 2.5%, up smartly from August's 1.9%.

During September, Irish Whiskey, with 1.0% share of the Control States spirits market, was the fastest growing category with 26.1% reported and a 12-month trend of 14.9%. Vodka, with 35% share, grew during the same periods at 6.7% and 2.3%. All categories — Brandy/Cognac, Canadian Whiskey, Cocktails, Domestic Whiskey, Gin, Irish Whiskey, Rum, Scotch, Tequila and Vodka — grew at rates exceeding their 12-month trends.

Tasting Events & Competitions



INDEPENDENT *Spirits Expo*

INDIESPIRITSEXPO.COM

New York City — May 19, 2015

Chicago — September 30, 2015

- THE - WHISKY EXTRAVAGANZA

DALLAS CHICAGO WASHINGTON, DC SEATTLE
HOUSTON BOSTON FT. LAUDERDALE LOS ANGELES

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www.singlemaltextravaganza.com

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2015 ULTIMATE SPIRITS CHALLENGE AWARDS & SCORES



Calendar of Events

October 30, 2015: Lock, Stock & Smoking Barrels 2015, Louisville, Ky., www.copperandkings.com/connect
November 5, 2015: The Whisky Extravaganza, Boston, MA, www.thewhiskyextravaganza.com
November 10-11, 2015: Golden State Of Cocktails, San Diego, CA, www.goldenstateofcocktails.com
November 13, 2015: The Whisky Extravaganza, Seattle, WA, www.thewhiskyextravaganza.com
November 19, 2015: The Whisky Extravaganza, Los Angeles, CA, www.thewhiskyextravaganza.com
December 3, 2015: The Whisky Extravaganza, Fort Lauderdale, FL, www.thewhiskyextravaganza.com
December 4, 2015: Midwest Rum Fest, Louisville, KY, www.midwestrumfest.com
March 7, 2016: Ultimate Spirits Challenge, www.ultimate-beverage.com
March 21-23, 2016: USA Trade Tasting, New York, NY, www.usatradetasting.com
May 16, 2016: Ultimate Wine Challenge, www.ultimate-beverage.com
May 20-23, 2016: Thirst Boston, Boston, MA, www.facebook.com/ThirstBoston