

**Act Number:** 09-047

**Bill Number:** 312

**Senate Pages:** 1616-1621, 1656, 1659 8

**House Pages:** 2931-2935, 3305-3306 7

**Committee:** General Law: 12-17, 111-116, 127-129, 253-254, 283-287 23

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go, would instead change that marking to PR.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

(Inaudible) call the Senate Calendar for Wednesday, April 29, 2009, calendar page 3, Favorable Reports, Calendar Number 132, File Number 77, Senate Bill Number 312, An Act Concerning the Sale of Cider and Apple Wine on the Internet, favorable report of the Committee on General Law. Clerk is in possession of two amendments.

SENATOR LOONEY:

Mr. President, I'd yield to Senator Colapietro to bring out the bill.

THE CHAIR:

Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. They snuck up on me, I'm not even sure which bill we're doing here.

THE CHAIR:

We are on Calendar 132, Senate Bill Number 312, sir.

SENATOR COLAPIETRO:

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Cider and apple wine -- I move the Joint  
Committee's favorable report and passage of the bill.

THE CHAIR:

Speaking on approval of the bill, sir, would you  
like to remark further?

SENATOR COLAPIETRO:

Thank you, Mr. President. This bill does three  
major things. It one, it changes wine -- I mean,  
apple cider -- hard cider and apple wine into the same  
rules that wine does. The other one is that the farm  
wineries now have to operate in the same hours as we  
allow the wineries -- I mean the package stores to do.  
And the third part was -- I had it right here -- that  
we allowed the festivals to have their annual festival  
in-state. And we also corrected the part about where  
the law says that we have to treat out-of-state  
wineries the same as the in-state wineries, and what  
this bill does is correct that and comply with the  
law. I move the -- if there isn't any discussion, I  
move the bill.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further?

Senator Looney.

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SENATOR LOONEY:

Yes, thank you, Mr. President. Might I inquire of Senator Colapietro if he intends to offer the amendment LCO 6111?

THE CHAIR:

Senator Colapietro, are you going to send the amendment now?

SENATOR COLAPIETRO:

I apologize, Mr. President; I apologize Senator Looney. The amendment is the bill and that is 6111.

THE CHAIR:

So you'd like to call that amendment, sir?

SENATOR COLAPIETRO:

I'd like to call that amendment and I already summarized.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 6111, which will be designated Senate Amendment Schedule A, it is offered by Senator Colapietro of the 31st District, et al.

THE CHAIR:

Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. I move the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR COLAPIETRO:

I just explained the bill, and the bill is the amendment -- or the amendment is the bill. And therefore, if there's any further discussion, I would be happy to consider it.

THE CHAIR:

So they're one and the same, same and the one?

SENATOR COLAPIETRO:

Right.

THE CHAIR:

Right. Thank you, sir.

Will you remark? Will you remark further on Senate Amendment A?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. Through you, a question to the proponent of the amendment.

THE CHAIR:

Senator Colapietro.

SENATOR WITKOS:

Thank you. Through you, Mr. President, although

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there's one permit issued for an out-of-state permittee, there may be a multitude of permittees that have to get their own permit to operate this, but there will be -- for clarification purposes -- only one out-of-state wine festival with many permittees, is that correct? Through you, Mr. President.

THE CHAIR:

Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. And thank you for the question, I think we did correct this problem by simply saying that the commissioner shall approve only one in-state and one out-of-state festival.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

I thank the Senator for his answer.

THE CHAIR:

Will you remark further on Senate Amendment A?  
Will you remark further on Senate Amendment A?

If not, I will try your minds. All those in favor signify by saying aye.

VOICES:

Aye.

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THE CHAIR:

Opposed, nay.

The ayes have it, Senate Amendment A is adopted.

Will you remark further on Senate Bill 312 as amended by Senate A?

Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. That amendment becomes the bill, and I already explained it and we've already passed it. And if there's no further discussion on the bill, I would move this bill to the Consent Calendar.

THE CHAIR:

There's a motion on the floor to place Senate Bill 312 on consent. Seeing no objection, so ordered, sir.

Mr. Clerk.

THE CLERK:

Calendar 147, File Number 115, Substitute for Senate Bill 212, An Act Limiting Cancellation Fees for Automobile Insurance Policy Holders Who Cancel Their Policies Mid-Term, favorable report of the Committee on Insurance. Clerk is in possession of one amendment.



Motion is to remove from the foot. Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. One item to remove from the Consent Calendar, calendar page 35, Calendar 367, Senate Bill 785, would move to remove that item from the Consent Calendar and to mark it PR.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President. I would now ask the Clerk to proceed to calling the Consent Calendar so we may vote on it.

THE CHAIR:

Mr. Clerk, please announce the Consent Calendar.

THE CLERK:

Mr. President, those items placed the first Consent Calendar begin on calendar page 2; Calendar Number 525, House Joint Resolution Number 120; Calendar Number 101, Senate Bill Number 827.

Calendar page 3, Calendar 132, Senate Bill 312; Calendar 147, Substitute for Senate Bill 212.

Calendar page 5, Calendar Number 237, Substitute for House Bill 5414.

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Have all Senators voted?

If all Senators have voted, please check the machine. The machine will be locked, the Clerk will call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1. Total number voting, 36; those voting yea, 36; those voting nay, 0; those absent/not voting, 0.

THE CHAIR:

Consent Calendar Number 1 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would move that all items referred to various committees from the chamber today be transmitted to those committees immediately.

THE CHAIR:

Without objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, also, would announce that we will be convening tomorrow about -- at 11:30 a.m., it's our intention to pick up with bills that had previously been marked "go" today. So I would move that all items previously marked go

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The State of Connecticut House of Representatives  
Calendar for Wednesday, May 6, 2009, on page 42,  
Calendar 369, Substitute for House Bill Number 6328,  
AN ACT CONCERNING CUSTOMER ACCESS TO REST ROOMS IN  
RETAIL ESTABLISHMENTS, favorable report of the  
Committee on General Law.

SPEAKER DONOVAN:

Chairman of the General Law Committee,  
Representative James Shapiro. Representative Shapiro.  
Representative Merrill.

REP. MERRILL (54th):

Yes, Mr. Speaker, move this item be passed  
temporarily.

SPEAKER DONOVAN:

Is there objections to this bill being passed  
temporarily? Hearing none, this bill is passed  
temporarily.

Will the Clerk please call Calendar 569?

THE CLERK:

On page 25, Calendar 569, Senate Bill Number 312,  
AN ACT CONCERNING THE SALE OF CIDER AND APPLE WINE ON  
THE INTERNET. It's amended by Senate Amendment  
Schedule A, favorable report of the Committee on  
General Law.

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SPEAKER DONOVAN:

Once again, the Chair of the General Law  
Committee, Representative James Shapiro.

REP. SHAPIRO (144th):

Thank you, Mr. Speaker. Mr. Speaker, I move  
acceptance of the joint committee's favorable report  
and passage of the bill.

SPEAKER DONOVAN:

The question is on acceptance of the Joint  
Committee's favorable report and passage of the bill?  
Will you remark, sir?

REP. SHAPIRO (144th):

Yes, Mr. Speaker. This bill does three important  
things, it deals with apple cider and apple wine, and  
it causes them to be treated for shipment in state and  
out of state in the same manner as Connecticut farm  
wineries and it's also subject to the same  
restrictions. Number two, it permits once a year, our  
farm wineries to have a wine festival in state either  
held by them or their nonprofit organizations and one  
for farm wineries from outside the state. That's due  
to the Supreme Court decision in Granholm that  
requires us to treat instate and out of state farm  
wineries in the same manner. And the third item that

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this bill does is that it moves the farm winery time of operation from 8:00 p.m. closure to a 9:00 p.m. closure.

Mr. Speaker, the Clerk is in possession of .61 -- an amendment, 6111, and I ask the Clerk to call it and I be permitted to summarize.

Deputy Speaker Godfrey in the Chair.

DEPUTY SPEAKER GODFREY:

Clerk is in possession of LCO Number 6111, previously designated Senate Amendment Schedule A. Will the Clerk please call?

THE CLERK:

LCO 6111, Senate Amendment Schedule A offered by Senator Colapietro, et al.

DEPUTY SPEAKER GODFREY:

The chairman was asked to leave the chamber to summarize. Is there any objection? Hearing none, please proceed Representative Shapiro.

REP. SHAPIRO (144th):

Thank you, Mr. Speaker. As mentioned before, the slight changes that the Amendment makes from the major bill are to move the time from 8:00 p.m. to 9:00 p.m.,

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to permit this wine festival to occur once per year and also to treat apple cider and apple wine similarly to other farm wineries. And I would urge adoption of the amendment.

SPEAKER DONOVAN:

Question is on adoption? Will you remark? Will you remark on -- I just note that the board is incorrect. That should be Senate Amendment Schedule A.

The House will stand at ease.

Chamber at ease.

DEPUTY SPEAKER GODFREY:

The House will come back to order. Will you remark further?

Distinguished Ranking Member of the General Law Committee, Representative Bacchiochi.

REP. BACCHIOCHI (52nd):

Thank you, Mr. Speaker. I just rise in support of the amendment. This was -- came unanimously out of our committee and with a bipartisan effort, so I urge my colleagues to support the amendment.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

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Will you remark further on Senate Amendment Schedule A? If not, let me try your minds. All those in favor signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

Opposed, nay.

The ayes have it. The Amendment is adopted.

Will you remark further on the bill as amended?

Representative Shapiro.

REP. SHAPIRO (144th):

Yes, thank you, Mr. Speaker. I would request that this item be moved to the consent calendar.

DEPUTY SPEAKER GODFREY:

Is there objection? Hearing none, this item will be moved to the consent calendar.

The Clerk please call Calendar Number 342?

THE CLERK:

On page 41, Calendar 342, substitute for House Bill Number 6496, AN ACT CONCERNING GREEN CLEANING PRODUCTS IN SCHOOLS, favorable report of the Committee on Appropriations.

SPEAKER DONOVAN:

The distinguished Chairman of the Education



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SPEAKER DONOVAN:

Good evening, Representative.

REP. OLSON (46th):

We're now going to be voting on the Consent Calendar. There were several items moved to the Consent Calendar yesterday, items 262, 580, 587 and 588.

Earlier today we moved Item 569 to the Consent Calendar, and that completes the Consent Calendar for today. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Motion before us is passage of the bills on today's Consent Calendar. Remark? Remark? If not, staff and guests please come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting today's consent calendar by roll call. Members to the chamber.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Have all the members voted? Have all the members voted? Representative Mioli.

HB 5809

SB 905

SB 1136

SB 1141

SB 312

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Please check the board to make sure your vote has been properly cast. If all of the members have voted, the machine will be locked. Hold it.

The machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally?

THE CLERK:

On today's Consent Calendar:

Total Number Voting	142
Necessary for Passage	72
Those voting Yea	142
Those voting Nay	0
Those absent and not voting	9

SPEAKER DONOVAN:

Consent Calendar passes.

Representative Olson.

REP. OLSON (46th):

Thank you Mr. Speaker. I move to suspend the rules for the immediate transmittal of Senate Bill 1092, which we just recently voted on, to the Governor. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

The motion is for suspension of rules for immediate transmittal of Senate Bill 1092 to the

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property that says turn in your unwanted car for -- you know, to benefit us. I'm just concerned that if this goes forward that that would prohibit that. And I don't think that that's what you're looking for.

FRED BATES: No.

SENATOR WITKOS: As long as the end result is that it goes to a licensed junkyard dealer --

FRED BATES: Right. We're the licensed haulers for most of these other donation places, and it's one of us, one or another, that goes around picking up for them. They don't advertise, We will pick up your junk car, because they have no trucks to pick these things up, so they -- they mostly call us, and we deal with them.

SENATOR WITKOS: Okay, so as long as the end person that receives that vehicle is a licensed recycler --

FRED BATES: Correct.

SENATOR WITKOS: -- then that's -- that's all that you care about?

FRED BATES: Correct.

SENATOR WITKOS: Okay, thank you. Thank you, Mr. Chairman.

REP. SHAPIRO: Okay, thank you very much.

FRED BATES: Thank you very much for your time. I appreciate your time.

REP. SHAPIRO: All right, next up is Senator Harris and Representative Piscopo.

SENATOR HARRIS: Thank you, Mr. Chairman. Good

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SB 312

afternoon Chairman Shapiro, Chairman Colapietro, Ranking Members Bacchiochi and Witkos.

I'll just briefly kind of introduce things and then turn it over to my friend John here. We are coming to support on your agenda and thank you for raising House Bills 5116, which is Number 12, and Senate Bill 312, Number 5 on your agenda. It involves hard cider and apple wine, but that really shouldn't be the focus. What I'd like to do is turn your attention quickly to what this is really about.

We often talk in this building about making the State of Connecticut more business friendly. We talk about using technology to make us more competitive in the global economy and make our local markets more robust. We also talk a lot about preserving our past, and that's really what this bill does.

What this -- what these proposals do is try to create a level playing field so that the two cider mills that you're going to hear from, you'll hear from the Hogan Cider Mill in our district in Burlington and from Clyde Cider Mill, which I believe is in Senator Maynard's district -- is that correct? -- Senator Maynard's district, can be able to do all that we said, be better competitive as businesses, be able to use technology, the Internet, to do so, and to preserve the past.

What we're doing is saying that we want to give these mills the same powers under the law to sell their product, hard cider and apple wine, through the Internet that we give currently now to farm wineries in the state of Connecticut. And these are small family-owned businesses that have a deep-rooted tradition and connection to our past. The one in

Burlington, it's been 97 years since the farm began producing cider, and while a lot has changed in that time, the historic structures, the tourist attraction, the business, the history that we all speak so much about has remained there for nearly a century.

So, simply said, a lot of times people will look at hard cider and apple wine, which is a good thing, we can all rejoice in that aspect, this bill really is about a much larger issue, and I hope that the committee will support it.

REP. PISCOPO: Thank you Chairs and Ranking Members, Members of the Committee for raising this. We really appreciate it.

The Senator summed it up very well. The only thing I can add is that Connecticut's climate and soils is conducive to growing the best apples in the world, and this is some way that they can expand their business. And if there's any way we can help with -- with drafting this legislation or massaging it in any way, please let us know. I think it's -- it's done just to help these small cider mills, and it would go a long way to helping them expand their business a little bit and survive. Thank you again.

REP. SHAPIRO: Thank you. A quick question. You were talking about equalizing the treatment of the cider mills with the farm wineries, particularly with respect to shipment. Are you also looking for it with respect to the other things farm wineries can do, tastings and selling on site, things of that nature?

REP. PISCOPO: Well, they already do that. They already have the ability to sell on site and offer tastings, so all we are is -- yes, Mr. Chairman, all we are is asking just for

that ability to market their wine.

REP. SHAPIRO: Thank you.

SENATOR HARRIS: Mr. Chairman, there are 28 licensed farm wineries now in the state of Connecticut that can do this, so again, we're just asking for a level playing field as Representative Piscopo said.

SENATOR COLAPIETRO: I was going to ask basically the same question that Representative Shapiro did, and that was that if it was put and considered like another wine, would you be opposed to going under the same laws as the wine goes?

SENATOR HARRIS: Exactly.

SENATOR COLAPIETRO: That's pretty much what I was going to ask him.

SENATOR HARRIS: Thank you. One thing, if I could clarify, Mr. Chairman, is that in the proposal that I submitted, 312, I wasn't as artful in submitting it as Representative Piscopo, and I just put hard cider, but it's important that when the statute hopefully will be amended it will include both hard cider and apple wine. They're two separate products.

SENATOR COLAPIETRO: Do you have a sample? I never tried that before.

I believe Representative Witkos had a question?

SENATOR WITKOS: Thank you, Mr. Chairman, and thank you both for testifying today. There is some written testimony in opposition to both of your bills, and do you know approximately how much of the product that we're talking about,



because the opposition states it doesn't go through the (inaudible) system, are we talking about a large, large quantity of product that you anticipate?

REP. PISCOPO: No, Senator. It's a very, very small amount. It's pretty -- pretty low level of production. The people coming up after me in the public sector will be able to tell you exactly how many gallons or -- I don't know how they measure it, quarts or gallons, that they do produce. But, no, it's a very small amount, and we are looking forward to sitting down with any letters -- stakeholders of opposition to try and work out something with them. They seem very willing to sit down with us and aid us in getting this legislation through.

SENATOR WITKOS: Thank you.

SENATOR HARRIS: Senator, that was a very good question. I want to be clear that this is really just trying to expand the retail market of these already existing businesses, again, to help them be more competitive, to help them preserve our past by giving them another source of income that's out there for everybody else. And the bill would limit, I believe, and you can get more specifics on there, the Internet sales to five gallons per person in a 60-day period. So you're not talking about someone going on and ordering, you know, a delivery truck full of this item. It is a retail purpose, it is small, it's targeted, but it'll help give them the income they need to keep themselves competitive and preserve our past.

SENATOR WITKOS: Thank you. I want to thank you because I kind of went ahead and read the opposition testimony, so I wanted to make sure

that you had your side on the record. Thank you very much.

Thank you, Mr. Chair.

REP. SHAPIRO: Further questions from the committee? Thank you very much, gentlemen.

Senator Caligiuri. On deck is Representative Widlitz, if she's in the house.

SENATOR CALIGIURI: Good afternoon, Chairman Shapiro, Senator Colapietro, our Ranking Members Witkos and Bacchiochi. For the record, my name is Sam Caligiuri. I'm a State Senator from the 16th District representing Cheshire, Southington, Waterbury and Wolcott, and I'm here today to speak in favor of Senate Bill 317, An Act Concerning Fines for the Willful Violation of Provisions of the Do Not Call List, and let me begin by thanking the committee for raising this bill and for including it in today's public hearing. I appreciate it a great deal.

Very simply, what this bill would do is increase the penalty for a willful violation of our Do Not Call registry laws from the current level of \$5,000 to the federal standard of \$11,000. This came to my attention when a constituent contacted me, who was on the Do Not Call list and who got called notwithstanding that. I understand that constituent has filed a complaint with the Department of Consumer Protection using the procedure that's available to this person, but it got me thinking about whether as a matter of policy the public in Connecticut would be even better served than they are today by further strengthening the standard for a violation of our Do Not Call laws.

decided at one point that, you know --

SENATOR COLAPIETRO: It's a nicer name, huh?

GARY STEWART: -- we'd rather be a dismantler, you know, than a junkyard.

REP. SHAPIRO: I will call you whatever you like as long as we have no further questions.

All right, hearing none, thank you gentlemen very much.

Next we have Peter Berdon, followed by Ralph Biondi.

PETER BERDON: Good afternoon, Senator Colapietro, Senator Shapiro -- that should be Representative Shapiro.

My name is Peter Berdon, and I am the executive director and general counsel of the Wine and Spirits Wholesalers of Connecticut. I'm here to testify on three bills today, Proposed Bill 312, Proposed Bill 5116, both of those deal with hard cider and the direct shipping of hard cider, and then, lastly, bill 516.

We've provided written testimony with respect to the hard cider legislation. I would like to make one point that actually was not contained in my testimony, and I think it's an important issue that kind of came up in some of the earlier testimony today.

A cider manufacturer has absolutely no limit under Connecticut statute as to the amount of cider that could be produced by that cider manufacturer. So there is a distinct difference between a cider manufacturer and a farm winery. A farm winery in the state has

to produce their wine from fruit that is grown at least in part on the -- on the winery premises. So, therefore, because of the state of our geography and the amount of open land and farmland that we have, there is a natural limit to the size of a farm winery. We've also put in gallonage caps with respect to farm wineries.

As many of you are aware, under the Granholm decision that came up from the U.S. Supreme Court in 2005, you have to treat in-state entities the same as you're going to treat out-of-state entities. By opening up the cider manufacturers to sell at all three tiers within the three-tier system, both -- not only our in-state cider manufacturers but also out-of-state cider manufacturers would have the same ability to do that, and in fact there are several lines of mass-produced cider, hard cider, that is sold through the three-tier system. By making the proposed change, as I understand it, those manufacturers would then be able to sell directly into the package stores or directly to consumers. We see that as a significant inroad into the three-tier system. Frankly, we think that sales should go through a traditional face-to-face transaction system as opposed to moving in the opposite direction, which is the direction of these two proposed bills. So I'd just like to add that as part of our testimony with respect to -- to those bills.

I won't go through our written testimony on those bills. You'll have that -- you have that before you.

I would like to point out on the act with respect to 516, the one concerning farm wineries, I was somewhat confused. The Act seems to propose that in-state farm wineries

and out-of-state farm wineries be permitted to sell in the same quantities. My reading of the statute is that that is currently already in play.

I see that my time is up. I'm happy to answer any -- any questions that you may have.

SENATOR COLAPIETRO: One is I think -- I think you're right. I think there was a mistake in this bill, in the explanation of it, and we're going to fix that.

The other thing was I thought you were going to shock the daylights out of me and come in here and testify for something.

PETER BERDON: Senator, I would never want to disappoint your expectations. I would like to live up to them as best as I possibly can. Perhaps when there is a bill that would prevent direct shipping, I would be happy to come in and testify in favor of that.

In all seriousness, I do see the direct shipping issue as a serious issue. There are approximately 1200 licensed package stores in the state of Connecticut, approximately another 3500 licensed restaurants, and that is a defined universe that law enforcement has to observe in terms of sales to minors, sales to someone who might be intoxicated. When you open up sales to home deliveries, you're talking about over a million point of delivery, nearly impossible for any law enforcement agency to effectively monitor a million points of entry. And so I quite honestly think we should be going in the opposite direction, trying to preserve state taxes, trying to preserve state drops and require, actually, face-to-face transactions through our licensed retailers here in the

state, and I would strongly support that change and move in that direction.

SENATOR COLAPIETRO: I don't want to disagree with you, but there are certain -- there's only a few, but there's certain places that can deliver to your home, and we can't, by federal statute, determine the difference between a local and a -- and a California wine. They have -- they have the right to ship. And so we're just complying with the law.

But if you'll remember, if you heard the testimony, the one question I asked the two gentlemen who testified for the hard cider was would you object if we considered it a wine. And that means they'd go under the same laws that your wines do. So I thought that was a valid question, and they seemed to be very susceptible to that.

PETER BERDON: And actually, Senator, I was here for that and I did hear your question, and that's actually what made me think about the difference between what it means to be a farm winery versus what it means to be a cider manufacturer. A cider manufacturer is just -- it's a manufacturer. There's no natural limit that would prevent them from producing a million gallons. They could buy the apples from anywhere. They could crush the apples and produce a million gallons and sell it here in the state direct. That's not the case on the farm winery side.

So I -- I do see your point, and, you know, we're happy to talk to folks about that, happy to work with folks in terms of that, and that may be -- may be the solution that we end up at.

REP. SHAPIRO: To address the issue that you just

raised with respect to the market for hard cider, and that is potentially limitless, I would be surprised if that were actually the case, but what percentage does it currently comprise of the beverages that you distribute?

PETER BERDON: Perhaps I -- I misspoke or you didn't understand the statement. It's not that the market, the consumer demand is limitless; it's that there is no control over the production on the supply side.

REP. SHAPIRO: I understand what you said, but I think there's a natural limit out there regardless of statutory limitations.

PETER BERDON: There may -- there may be for -- for cider, but when you talk about other alcohol products, you're probably not talking about limits. And so what you're starting to do is you're starting to erode the system that we have in place that provides for the controlled distribution of beverage alcohol.

REP. SHAPIRO: Right, but today we're talking about cider, and the question on the floor is, what percentage of the beverages you distribute are comprised by cider?

PETER BERDON: That -- that statistic I don't have at hand. I could provide that for you next week.

REP. SHAPIRO: I'd appreciate that. Thank you. I believe Senator Witkos has a slew of questions.

SENATOR WITKOS: No, I don't have any questions, Mr. Chairman. I just wanted to make a clarification on the Bill 516 was -- was asked for by myself, and there was a drafting problem when it was initially proposed as a

language, but there is somebody that will be here to testify, five or six people down the list, that will kind of give you a better idea of what -- what direction we're going with that language.

PETER BERDON: And I appreciate that. I was up late last night trying to make sure that I wasn't missing something because I thought I had it right, and I'm comforted to know that at least I wasn't missing the issue on the -- on the gallonage thing. I think I made my point in our written testimony with respect to the gift baskets.

REP. SHAPIRO: Thank you very much, Peter.

PETER BERDON: Great. Thank you very much for your time.

REP. SHAPIRO: Ralph Biondi, followed by Annette Miner and Harold Miner. I'm guessing you're a team.

RALPH BIONDI: Good afternoon Co-Chair Colapietro, Co-Chair Shapiro and members of the joint committee on general law. My name is Ralph Biondi. I'm a general certified appraiser with the firm of Biondi & Rosengrant in Waterbury, Connecticut. I am here today on behalf of the Connecticut Chapter of the Appraisal Institute to testify on Proposed Bill 303.

As background, the Appraisal Institute is a global membership association of professional real estate appraisers with 25,000 members with 400 years in Connecticut. Members of the Appraisal Institute benefit from an array of professional education and advocacy programs and hold prestigious designations in the field of property valuation. Members of our chapter



saying that we don't do enough in Connecticut homegrown, and I'm glad to see you were able to take some time away from your business and your family to come up here and testify before us. Thank you.

REP. SHAPIRO: Thank you very much. Theresa, followed by -- is it David Roache?

DAVID ROACHE: Roache.

THERESA CLIFFORD DUNLOP: Hello. Good afternoon. Thank you for having us here today. My name is Theresa Clifford Dunlop, and my husband and I own Hogan Cider Mill in Burlington, Connecticut.

Hogan Cider Mill was established by Morris and Richard Hogan on Hogan Family Farm in 1912. We are here today to ask for your support to help us step from that time into the 21st century by allowing us to sell our hard cider and apple wine on the Internet as proposed by Bill HB 5116 and SB 00312.

We who hold the fort of hard cider licenses in this state are asking for the same rights and privileges which this body has already granted to the 28 licensed farm wineries in the state of Connecticut. We are a small, family-owned business who produces less than 1 percent of the state's alcohol products. We're asking only for a level playing field with those who produce similar products in our state. We need to reach out and expand our retail market beyond those who can find their way to our doors so that we're allowed to keep those doors open. We need to service those visitors who only are visiting our area but want to take a little bit of Connecticut home with them.

Safeguards have already been placed into the existing bill to limit the volume of sales to no more than five gallons, which is about two cases, to any specific individual in a 60-day period. We are attempting to expand our retail market only.

In the 97 years since this farm has produced cider, much has changed in the state of Connecticut, but if you look at the beautiful barns that retain the rural charm, that is treasured by both the residents of Connecticut and those who come to visit Connecticut. Each year thousands of families come into our cider mill. I can't tell you how many times a day I hear, "I'm so glad that you're here. This is my grandchild. This is my -- my grandchild's grandchild."

There's been thousands of teenagers who have had their first job working at the cider mill. They develop a different set of values from being there. It's important, I think, for us in this state to retain what is good and beautiful about Connecticut by allowing us to hold on to the past as we step into the future. Thank you.

REP. SHAPIRO: Thank you very much. A quick question, which I could have asked earlier. You've been in business for 97 years, I think you said, the other farm 127 years. Are you in danger of producing a million gallons a year --

THERESA CLIFFORD DUNLOP: I wish.

REP. SHAPIRO: -- as previously asked before --

THERESA CLIFFORD DUNLOP: I wish.

REP. SHAPIRO: -- in all those years?

THERESA CLIFFORD DUNLOP: I have no idea where that statement came from, and I think it.

REP. SHAPIRO: It's a hypothetical, but we're --

THERESA CLIFFORD DUNLOP: But even so, it's frightening, and I think it's wrong to use that kind of language to discourage exactly, I think, what we're trying to preserve in the state of Connecticut.

REP. SHAPIRO: Thank you very much. Questions from the committee? Representative Nicastro.

REP. NICASTRO: Thank you, Mr. Chairman.

I just wanted to thank you very much for coming in and testifying. I mean, I know Burlington well, very well, and I go back for many, many years, and I appreciate where you're coming from on this, and I hear what you're saying. You need the right to be able to compete, and I feel that your testimony here that you've left, it says it all here. A job well done. I wanted to compliment you on that. Thank you very much.

Thank you, Mr. Chairman.

REP. SHAPIRO: Further questions? No? Thank you very much for your testimony.

David Roache, followed, I believe, by Diana and Stephen, I believe it's Hendersen, although it's written in small handwriting.

DAVID ROACHE: I want to have Phil Benoit, who is a licensed board member, sit with me, if that's okay.

HB5220

Good afternoon, Senators Colapietro and



## WINE AND SPIRITS WHOLESALERS OF CONNECTICUT, INC.

PETER A. BERDON  
EXECUTIVE DIRECTOR  
GENERAL COUNSEL

GEORGE MONTANO  
PRESIDENT EMERITUS

February 5, 2009

TESTIMONY OF  
WINE AND SPIRITS WHOLESALERS OF CONNECTICUT  
Before  
THE GENERAL LAW COMMITTEE

Opposing:

Proposed S.B. No. 312 AN ACT CONCERNING THE SALE OF HARD CIDER VIA THE INTERNET. (Calendar item 5)

Proposed S.B. No. 516 AN ACT CONCERNING FARM WINERIES. (Calendar item 10)

Proposed H.B. No. 5116 AN ACT CONCERNING THE SALE AND SHIPMENT OF HARD CIDER AND APPLE WINE. (Calendar item 12)

The members of the Wine and Spirits Wholesalers of Connecticut ("WSWC") oppose Proposed S.B. No. 312 AN ACT CONCERNING THE SALE OF HARD CIDER VIA THE INTERNET and Proposed H.B. No. 5116 AN ACT CONCERNING THE SALE AND SHIPMENT OF HARD CIDER AND APPLE WINE. While most beverage alcohol products are distributed through the Three Tier System, products manufactured by Connecticut Cider Manufacturers are an exception to the rule. Connecticut General Statutes Section 30-16(c) provides, in pertinent part:

"A manufacturer permit for cider not exceeding six per cent alcohol by volume and apple wine not exceeding fifteen per cent alcohol by volume shall allow the manufacture, storage, bottling and wholesale distribution and sale at retail of such cider and apple wine to permittees and nonpermittees in this state as may be permitted by law..." (emphasis added)

Thus, a Connecticut Cider Manufacturer is currently permitted to operate at all three levels of the Three Tier System, and therefore has a competitive advantage over other manufacturers, wholesalers, package stores, restaurants and bars. Only Farm Wineries and Brew Pubs enjoy such similar competitive advantages as granted by statute.

Expanding the privileges of in-state Cider Manufactures will, pursuant to the United States Supreme Court's holding in the Granholm case<sup>1</sup>, necessitate a similar expansion of

<sup>1</sup> Granholm v. Heald, 544 US 460 (2005). The Court in Granholm held that the Dormant Commerce Clause of the United States Constitution prohibited states from treating wine produced within the state differently than wine produced outside of the state.

privileges to out-of-state producers. Connecticut wholesalers and retailers have already suffered from the recent legislative changes<sup>2</sup> which have enabled the internet and mail sales of wines. Due to the inherent under reporting of interstate sales and the inability to audit such sales there is scant actual data; however, such sales are estimated to be 10% of all wine sales with half of those sales not being report to the appropriate state regulating bodies.

Secondly, because it is nearly impossible for local police and other law enforcement officials to monitor whether or not an alcoholic beverages delivered to the home or work place are being delivered to a person over the age of 21 and that the excise and sales taxes have been paid. There are approximately 1200 licensed package stores within the state and over One Million households. By permitting internet sales of cider within the state, the points at which police will have to monitor such sales will increase nearly 850 times –an impossible task.

Lastly, the WSWC believes that the appropriate regulatory goal should be to closely control and regulate the sale and distribution of beverage alcohol so as to prevent sales to minors, eliminate drunk driving, preserve state tax revenue (both excise and sales taxes) and retain and grow Connecticut jobs. The WSWC has demonstrated its commitment to these goals through its Community Relations Program whose mission it is to stamp out underage drinking and drunk driving. To date the CRP has: trained over 650 servers, aired over 1000 PSA spots (both radio and TV) and organized 5 significant public service campaigns such as, “Boat Safe Boat Sober” and “Holiday Tips.” These proposed bills, while facially they may appear to have limited impact, are a move in the opposite direction from these objectives.

The members of the Wine and Spirits Wholesalers of Connecticut (“WSWC”) **oppose** Proposed S.B. No. 516 AN ACT CONCERNING FARM WINERIES for three reasons. First, the proposed bill seek to equalize the limits that an in-state and out-of-state wineries can sell to consumers. It appears that such limits are already equal and thus the WSWC is unclear as to why any such revision is required. The Farm Winery Permit (CGS Sec 30-17(e)) and the Out-of-State Shipper Permit (used by out of state wineries to import wine into Connecticut, CGS Sec. 30-18 and 30-18a) all set the limit as follows: “...not ship more than five gallons of wine in any two-month period to any person in this state ...”

Second, it seems unfair to prohibit package stores, who compete with farm wineries for retail sales from selling gift baskets with food items<sup>3</sup> and yet grant such privilege to farm wineries.

Third, as the WSWC noted above with respect to the expansion of cider to internet sales, the WSWC believes that the appropriate regulatory goal should be to closely control and regulate the sale and distribution of beverage alcohol so as to prevent sales to minors, eliminate drunk driving, preserve state tax revenue (both excise and sales taxes) and retain and grow Connecticut jobs. The WSWC has demonstrated its commitment to these goals through its Community Relations Program whose mission it is to stamp out underage drinking and drunk driving. To

<sup>2</sup> PA 05-274

<sup>3</sup> CGS Sec. 30-20 “...such [package] store may sell ... (4) gift packages of alcoholic liquor shipped into the state by a manufacturer or out-of-state shipper, which may include a nonalcoholic item in the gift package that may be any item, except food or tobacco products, provided the dollar value of the nonalcoholic items does not exceed the dollar value of the alcoholic items of the package...”



**State of Connecticut**

**HOUSE OF REPRESENTATIVES**

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HARTFORD, CONNECTICUT 06106-1591

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**MINORITY WHIP**

FINANCE, REVENUE AND BONDING COMMITTEE  
ENVIRONMENT COMMITTEE  
EXECUTIVE AND LEGISLATIVE NOMINATIONS  
COMMITTEE

General Law Committee  
Public Hearing Testimony  
Thursday, February 5, 2009

Good Morning Senator Thomas Colapietro, Representative Jim Shapiro, Senator Andrew Maynard, Representative Joseph Taborsak, Senator Kevin Witkos, Representative Penny Bacchiochi and Members of the General Law Committee.

I thank you for raising H.B. 5116, *An Act Concerning The Sale And Shipment Of Hard Cider And Apple Wine*, and S.B. 312, *An Act Concerning The Sale Of Hard Cider Via The Internet*, for this public hearing.

One of the blessings Connecticut enjoys is the soil and climate to grow the world's best apples. We have made great strides in allowing our growers to market their apples in many forms, including hard cider. There are some cider mills that have been doing this for generations. They carry on the tradition of collecting apples grown from family orchards to make cider. These bills simply seek to include this distinct Connecticut group in statutes so they can better market their produce.

As such, I thank you for your consideration and hope you will support these legislative proposals. If you have any questions, I am happy to answer them.



Hogans Cider Mill  
Since 1912  
Burlington, CT

Hogans Cider Mill was established by Morris and Richard Hogan on the Hogan Family farm in 1912. We have come to you today to ask for your support to help us take the step into the twenty first century by allowing us to sell our Hard Cider and Apple Wine on the internet as proposed in The Bill HB 5116 and SB 00312 as presented by Representative John Piscopo and Senator Jonathan Harris. We who hold the four hard cider licenses in this state are asking for the same rights and privileges which this body has already granted to the twenty eight licensed farm wineries in the state of Connecticut.

We are small family owned businesses who produce less then one percent of the state's alcohol products. We are asking for a level playing field with those who produce similar products within our state. We need to reach out and expand our retail market beyond those who can find their way to our doors in order to keep those doors open. We need to service those visitors who only visit our area, but want to have a taste of Connecticut when they return home. Safeguards have been placed into the existing bill to limit the volume of sales to no more then five gallons in a 60 day period to any one person; we are attempting to expand our retail market only.

In the 97 years since this farm has been producing cider much has changed in the State of Connecticut but these beautiful barns retain the rural charm that is treasured by both residents and visitors to our state. Each year thousands make their yearly pilgrimage to our doors. Generations of families share this familiar journey and introduce their newest members to the ritual that epitomizes autumn in New England. Guests from all over the world find their way to us, and enjoy joining in the experience of partaking of apple cider, the oldest beverage in Connecticut.

This small business has a big impact on the quality of life in our state and we need your support to continue to move toward the future while preserving the treasures of our past.

February 5, 2009

Theresa Clifford Dunlop

Hogans Cider Mill

522 Spielman Highway

Burlington, CT 06013

860-675-7320

Website: [hoganscidermill.com](http://hoganscidermill.com) --- email: [info@burlingtongolfcenter.com](mailto:info@burlingtongolfcenter.com)

## "MR. BURLINGTON" DEAD AT 87 80 YEARS OF MEMORIES REMAIN

by Tom Hebert, Burlington Times

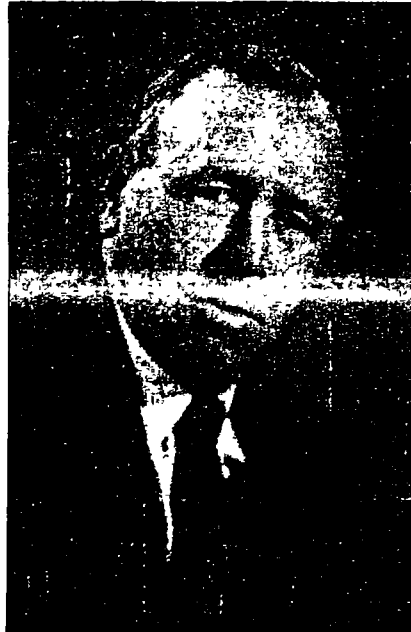
*I first met Morris Hogan in 1974 when I stopped at his cider mill after a long drive and quenched a terrible thirst with the finest cider I'd ever tasted. I met the man in sauce-splashed overalls many times but I never really knew him. After researching this story, I wish I'd known him better.*

*I'd like to thank Alice and Dot Szczesnuak, Marj Grelo and Helen and James Mullen for sharing their memories of Morris with me.*

Morris Hogan was born on February 22, 1902 and died 87 plus years later on September 27, 1989. He saw most of what the twentieth century had to offer and he had a lot to offer in return. He was a farmer first, but much of his life was spent in public service to Burlington and surrounding communities. He was also a philanthropist.



He became a farmer at the age of 15 after his father died and he and his older brother Richard were left to run the farm. Morris was born in Harwinton and moved to Burlington in 1909 when his father sold his Torrington store to buy the farm. The cider mill itself was opened in 1912. Morris "graduated" from a one-room schoolhouse in Burlington at the age of 12 (far left, back row in photo above) and chose farming over high school. The fact that he was self-educated makes his accomplishments all that more impressive. He summed it up simply - "I didn't have a lot of schooling but I had a lot of common sense."



He got his start in town government in 1923, and running as a Republican, he was elected in 1936 to the General Assembly as Burlington's state representative. He lost in 1940 to a Democrat but decided to run again in 1954. In his words, "It took me a while to recover." He won that election and returned every year until 1972 when he retired - a total of 22 years service during which he was best known as "a champion of small town causes." He was also noted for his satire and wit and never prepared speeches in advance.



In 1932 he took over as the chairman of the town Republican party, a post he held onto until 1973, when he was asked to serve on the state's Central Committee which he did until 1979. He was also a member of Burlington's Board of Selectmen for eight years and the town's first selectman from 1951-1955. In 1973, more than 400 friends gathered at the Burlington Inn for a testimonial to honor his accomplishments.

All the while he was devoting himself to public service, he showed himself to be a successful businessman as well. His annual cider mill production was more than 50,000 gallons at one point. His land ownings grew to 480 acres.

His sense of humor was legendary. In one newspaper story, at the age of 82, he is quoted as saying he raises "strawberries, silo corn, pumpkins, hay, hell and wood." Pictures of him in his younger days testify to the fact that he was quite capable of the one non-farm product mentioned.

Though he and his wife Mabel, who died in 1984, had no children, he wasn't lacking for "children." Nobody knows just how many Burlington and Harwinton youths worked on the farm over the years, but everyone agrees it was a very large number. He took a keen interest in these kids and they learned from him. All three of the children of Mr. and Mrs. Mullen spent time there and feel that "their values could have been so different" had they not had the experience.



He especially liked to attend the Lewis Mills girls basketball games because so many of the team members had worked for him. Before one particular game, about five years ago, he told the team he'd take them all out to dinner if they won. They did and Morris had rewarded the team with a post-season dinner every season since - win or lose.

The man, who his friends also called "Mr. Republican", was generous in other ways as well. Two years ago, he donated \$10,000 to Lewis Mills for scholarships. When the Burlington Fire Department needed some land for a new firehouse, he sold them some prime property on George Washington Turnpike for a third of its market value. When he died, he left \$20,000 each to eleven relatives, friends and employees. He also left \$20,000 and 1/8 of his estate to the Immaculate Heart of Mary Church.





# Cider mill bottles vintage beverage

## Hogans adds hard cider

By PAM LONGWELL  
Register Citizen Staff

**BURLINGTON** - A local cider mill is bottling a traditional, colonial beverage - hard cider.

Hogans Cider Mill, a Burlington fixture for many years, has just introduced its own hard cider. Although the cider has been in production for two years, this is the first year Theresa Clifford Dunlop and Chet Dunlop have bottled it and offered it to the public. "Next year I have hope to do apple-raspberry, apple-cherry and apple-peach (hard) cider," said Dunlop. To celebrate the new millennium, the Dunlops are working on a sparkling cider. And, for Christmas, they will offer a mulled hard cider.

Dunlop said that about three years ago, people started to inquire whether they made hard cider. She said, "The more I found out about it, the more interesting it was to me." She did some research and learned that at one time, hard cider was the most popular beverage in New England. And, according to some accounts, colonists brought apple tree seedlings to North America for the purposes of harvesting apples to make hard cider. Dunlop's reading reveals that in Massachusetts in 1786, the average per capita consumption of hard cider was 50 gallons per year.

Hard cider was considered a healthful drink. And, its relative, apple cider vinegar, was used to treat a variety of ailments, including acne, headaches, hives, nosebleeds, sore throats and warts.

Dunlop explained that typically, every family kept a barrel of hard cider in the cellar. But, as farms started to diminish and when Prohibition took hold, hard cider fell out of fashion.

Today, Chet Dunlop said, hard cider is the smallest but the fastest growing segment of the beverage market. It is a very popular drink in Europe. Here, many people aren't very familiar with it, said the Dunlops, but they do have a curiosity about it.

To start production, the Dunlops read many books and visited the only other hard-cider winery in the state, which is located in Mystic. Dunlop said that Annette Minor at Clydes Cider Mill has been a great resource for her



SONJA A. BLASS/Staff Photographer

Theresa Clifford Dunlop of Hogans Cider Mill in Burlington with bottles of Hogans new hard cider.

This year, Chet Dunlop estimates Hogans Cider Mill has bottled about 7,500 standard wine bottles of cider. So far, they have sold about 1,000. And, they say customers are returning to buy more of the golden bev-

with the mill, and continued its operation.

Hogans Cider Mill is housed in a white barn, which is decorated with an array of brightly colored wooden flowers. Theresa Dunlop, who has a background as a florist, has turned the rustic barn into a cheerful, country-style retail outlet. Customers will find cider - hard or sweet, pies, pastries, locally produced honey and maple syrup, wreaths, country crafts by local artists and the artwork of a Senegalese family that Dunlop and her daughter sponsor.

The barn is filled with interesting antiques, like an old, enamel stove, a wooden phone booth from the offices of the *The Evening Sentinel* in Ansonia, an organ donated by the local historical society, and a number of family photos from the Hogan and the Clifford families. Climbing the stairs to the upper loft, which historically was the site of Saturday night dances, one will spy an old straw hat sporting the message "Re-elect Hogan" hanging from the rafters.

Hogans Cider Mill is located at 522 Spielman Highway (Route 4), just a short distance from the Harwinton border. Dunlop says the mill's busy season is underway - running from Labor Day through Thanksgiving.

**"The more I found out about it, the more interesting it was to me."**  
Theresa Clifford Dunlop, Owner

erage. The alcohol content of the brew is about 10.5 percent by volume.

Hogans Cider Mill has operated since 1908. The Dunlops press sweet cider in addition to operating a bonded winery for the production of the hard cider. Brothers Morris and Richard Hogan ran the mill for years before the Dunlops purchased the property in 1992. Originally, the Dunlops bought the Hogan property to use the land for a golf school (Chet Dunlop is also a golf pro). But, Dunlop said, they just fell in love

# THE HARD SELL

Burlington mill has old-time cider with lots of kick

**BURLINGTON**  
The sweet sap made of a blend of apples squeezed through cloth and mingled with pears, earns its time-honored flavor as the late summer and autumn season — cider.

Set it aside and the sugar will bubble slowly into alcohol as the carbonation of fermentation begins. Six months to a year later coaxed with sweet additives and yeast, filtered of its brown sediments and siphoned off from barrels into glass bottles, the souring seizer ripens to a clear liquid. First they called it in the last century, and minister's brew.

Hard cider earned its reputation as the moonshine of New England villages, where the ingredients were plentiful and the excuse of making vinegar an easy fall tale during Prohibition. Instead of stills, farmers secreted kegs in cellar holes where time did the work of making alcohol. In Torrington, the legendary birthplace of John Brown, the Rev. Samuel Orcutt supposed in the 1800s that uprisings both for and against slavery would not have been so feisty but for the cider that fueled men's ire.



County  
Chronicles

Brigitte  
Ruthman

The brew, once as common as beer, is really not so sinister, say contemporary aficionados who are working to revive the old recipe.

Wendell Gunn remembers them, he says smiling, not quite looking you in the eye. His glance is just enough to judge whether you're part of a hurry-up generation. No one rushes the man in suspenders and green work pants.

At 84, Gunn isn't in a hurry to push the cash register keys at Hogan's Cider Mill, where he has worked since 1943. He's been a fixture and a resource ever since. So Gunn's experience proved crucial when the heirs of master cider pressman Morris Hogan sold the mill and 17 acres in 1992 to Theresa Clifford Dunlop and Chet Dunlop Jr.

In last cider farming, though, that saved the scenic hill-sides along Route 4 across from Johnnycake Airport from development into ten house lots.

It was golf. That's right, putting greens. When he isn't waxing poetic about homemade brew, Chet — a PGA golf professional named one of the top three teachers in the state by Golf Magazine — is giving lessons. Hogan's Cider Mill remains a quaint retail store which also offers up for sale home-grown squashes and pumpkins, locally made crafts as well as Theresa's floral designs. But barns painted with colorful golfing scenes portray the farm's more profitable if dual identity as the Burlington Golf Center, home of the New England School of Golf.

The Dunlops' decision last year to restore hard cider to the shelves recently produced some of the first batch of 3,300 gallons for sale. Hogan's is one of only two cider mills in the state to secure proper state and federal Alcohol, Tobacco and Firearms permits to make and sell the hard stuff. The Clyde Cider Mill in Mystic is the only other one, started by Annette Miner's great grandfather in the last century.

The process begins with the consignment of apples, not the shiny red but mealy tasting sorts found in supermarket bins but the spicier Pearsmain, Spitzenburg, Pippins and sweet Russets which once hung from crooked branches along even the craggiest New England slopes. Baldwins are treasured for cider, Wendell says.

The apples arrive from a handful of selected local growers like Peter Hayward and from New York State. Morris had a saying — farm the farmers not the farm, so he never planted an orchard, Theresa said.

Old cider recipes favor the addition of hard, tart apples and a balance of supersweet varieties such as the rare and homely Golden Russet. Pears serve the same purpose as a

## RUTHMAN: Hard cider makes a comeback

Continued from 1A

has own much later. Hogan died 10 years ago at the age of 89 a fan of both hard and soft ciders but not alcohol for sale. "A man came in, bought a gallon and sat down to drink it," Gunn recalled. "He made some unseemly remarks to every one about what it would do to you, it is a laxative you know. He stopped selling it that day but always kept a barrel in the cellar."



Casey Kell, *Republican-American*

Chet Dunlop of Hogan's Cider Mill in Burlington checks an air valve on a barrel of fermenting cider

sweetness elixir, though to one here will say just what the secret recipe includes.

The mixture is ground to a pulp called pomace and pressed in layered rakes separated by cloth. A bushel of apples produces three gallons of liquid which turns quickly from a milky amber to brown as it is exposed to air.

The process of aging is stopped by sulfites. The uncracked taste is still so subtle, a combination of the complex flavors of a dry Benedictus or cran de vin with a hint of vinegar that old timers say you stop noticing once you get used to it.

Once Gunn said, every farmer stashed a barrel or two in the cellar. Apples and kegs were delivered regularly every fall to the mill. There was a time, Torrington Historical Society Director Mark V. LaLum said, that drinking

got out of hand. In the late 1700s, the average per capita consumption of hard cider was 50 gallons. Theresa said reading from a cider making book, *The American Cider Book*, by Vest Orcutt. And per capita it was, from slaves to presidents.

The pendulum of temperance swung back earlier this century. A general intolerance for drunkards, who took up adding rum to the inexpensive drink, helped bring about a prohibition for alcohol. Drinking was removed to shriveled bars and from personal stashes defended more than once by shotguns.

Gunn said Hogan, who learned from his father and older brother how to press apples in 1912, reached that point on

Please turn to 4A, RUTHMAN

It actually doesn't deserve its reputation for upsetting digestion. It is improperly fermented brew that can sour a stomach.

Production was greatest around 1880 when one farmer made 300 barrels in Torrington, Orcutt wrote.

There were dozens of mills throughout Burlington and Torrington, including one at Brandy Hill which produced apple brandy.

In the trend of microbreweries, cider mills are reclaiming a market in the last

to Prohibition. Hard cider still represents less than one percent of the total sales of alcohol, but demand has skyrocketed since 1990 and is the fastest growing alcoholic drink according to experts who publish the *Wine Spectator*.

In Burlington, there are plans to create a bubbly champagne cider not quite in time for the millennium.

Brigitte Ruthman is chief of the *Republican-American's* Litchfield County bureau in Torrington.