



A Tradition of Stewardship  
A Commitment to Service

Conservation, Development and Planning

1195 Third Street, Suite 210  
Napa, CA 94559  
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Main: (707) 253-4417  
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Hillary Gitelman  
Director

## NOTICE *of* VIOLATION

Diageo Chateau & Estate Wines Company  
Dbas Mumm Napa Estates LLC  
Attn: Tax Department  
801 Main Avenue 4<sup>th</sup> Floor  
Norwalk, CT 06851

July 28, 2009

**SUBJECT: NAPA COUNTY CODE VIOLATION**  
**LOCATION: 8445 ST HELENA HIGHWAY APN 030-200-030**

Dear Property Owners:

The Department of Conservation, Development and Planning believes that the following conditions and/or discrepancies exist on the property identified above in violation of **Title 18 of the Napa County Code**.

Information recently provided to this office indicates that your [mummnapa.com](http://mummnapa.com) website offers a series of food and wine events to the general public at the winery location identified above. Use Permit #U-628687, approved by the Planning Commission on July 15, 1987, established the winery and permitted public tours and wine tasting during its hours of operation. The use permit, however, does not include food pairings, entertainment or other expanded activities under its Conditions of Approval. There is no approved marketing plan nor does the use permit provide for wedding planning services to the general public. As you are aware, Temporary Event Licenses have been authorized at the winery, however, they do not include other commercial offerings to the general public, such as your "Prix Fixe" elegant multi-course dinners for up to 100 people or your "Lobster Experience". In addition, it has been brought to the attention of this office that the Department of Environmental Management has not issued a permit for your kitchen.

**Until such time as the winery receives approval of a use permit modification to allow said public commercial offerings, you are directed to comply with Use Permit, #U-628687 and its conditions of approval and also promptly correct all website or other advertisements offering said unauthorized activities.**

Please call me at (707) 259-8226 within ten (10) days of the date of this letter to discuss your compliance plans.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Colby".

Edward S. Colby, Planner III  
Code Compliance Unit

Cc: Diane Dillon, Supervisor District 3  
Hillary Gitelman, Director  
Darrell Mayes, Chief Building Official

John McDowell, Deputy Planning Director  
David Giudice, Code Enforcement Supervisor  
Stacy Harrington, Environmental Management Coordinator

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**FARHAAD VIRANI**  
fvirani@fbm.com  
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August 17, 2009

*Via Email and US Mail*

Edward S. Colby, Planner III  
Code Compliance Unit  
Department of Conservation Development and Planning  
Napa County  
1195 Third Street, Suite 210  
Napa, CA 94559

Re: Notice of Violation  
8445 Silverado Trail; APN 030-200-030  
Mumm Napa

Dear Mr. Colby:

I am writing on behalf of our client, Pernod Ricard USA, LLC (formerly Mumm Napa Estates, LLC), in response to your Notice of Violation dated August 7<sup>th</sup>, 2009.

Thank you for bringing to our client's attention the fact that the [mummnapa.com](http://mummnapa.com) website references certain food and wine offerings that are not permitted by the facility's current use permit. Our client has informed us that the number of such events actually held was limited, and, in any event, such offerings have been discontinued since the receipt of your notice. In addition, all references to such events have been removed from the website. Our client is currently considering its options regarding applying for a use permit modification in order to allow for food-pairings and certain marketing activities, and we will contact your office in the near future when we are prepared to pursue these plans.

With respect to the "wedding planning services" referenced in your letter, please be aware that our client does not offer commercial wedding planning services. The wedding-related features contained on the website consist solely of resources for use in selecting Mumm Napa wines for wedding events, determining appropriate quantities of wine, and creating appropriate food pairings. Our client does not charge for these services. The website does contain links to additional wedding planning resources that visitors might find useful, but these resources have no affiliation with our client and the website clearly states this. We trust that this should satisfy your concerns regarding this issue.

In addition, please be aware that the kitchen located within the facility is dedicated to staff (non-commercial) use and has never been used for the purpose of preparing or storing food

Edward S. Colby, Planner III

August 17, 2009

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for any commercial purpose, including those food and wine events referenced in your letter. The limited food and wine events held at the facility employed fully-permitted professional caterers which provided their own mobile kitchen and storage equipment. It is our client's understanding that no permit is required from the Department of Environmental Management for a kitchen limited to staff use.

I trust that this letter adequately addresses the concerns raised in your Notice letter. If we do not hear from you further, we will consider this matter satisfactorily resolved. If you have any additional questions or comments, please do not hesitate to contact me directly.

Very truly yours,



Farhaad Virani

cc: Katherine Philippakis, Esq. (*via email*)  
Robert M. McNeill (*via email*)

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