

## Moonshine making comeback in legal fashion

BY ALLIE ROBINSON | BRISTOL HERALD COURIER | | Posted: Saturday, June 8, 2013  
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MARION , Va. — The still on a hill doesn't look quite like it used to.

For one, it's in a cheerfully painted little building which, though not visible from the highway, isn't exactly hidden, either. The master distiller doesn't work under the cover of night. Instead, he brazenly checks his burbling barrels in broad daylight. But the biggest giveaway might be the Virginia Alcoholic Beverage Control license posted on the wall of this operation in Marion.

That's right. Moonshine, that most mysterious and storied home-brewed concoction, is making a comeback. And it's a legal one.

### **'Paying homage'**

In the Tri-Cities region alone, two local distilleries have opened in the past year – Appalachian Mountain Spirits in Marion , Va. , and East Tennessee Distillery in Piney Flats, Tenn. The Piney Flats operation was the ninth legal distillery to open in Tennessee since liquor laws changed in the state in 2009. In Virginia , legal moonshine has been made since 1934. Now there are about 20 legal distilleries operating in the state. But it's in the past few years that craft distilleries have really taken off.

“What we're trying to do here is bring back” a heritage, said Byron Reece, who along with Neil Roberson and Gary Melvin makes up the brains behind East Tennessee Distillery. “Moonshining is synonymous with East Tennessee . A lot of families can't tell their story, but they survived selling moonshine. We're paying homage to that.”

Marion distiller Scott Schumaker said he's learned about the history of the heritage from people who have moonshine in their blood.

“Hardly a person who comes to our shop ... didn't have someone in their family do moonshine,” Schumaker said. “It really helped keep this part of the country alive.”

The most stills were busted by Virginia ABC agents in 1941, according to ABC officials. In that year, 1,771 illegal stills were found.

“It's part of the culture,” Melvin said of moonshine and the region. “Back in the Depression, people did it to survive. They didn't have unemployment checks in 1930. Moonshining back then was different than today.”

### **Making it today**

Legal moonshine made in the region currently ranges from a clear corn whiskey to a sweet caramel-flavored drink.

The distillery in Piney Flats makes Roberson's Tennessee Mellomoon white whiskey, named for master distiller Roberson.

"We've got 150 proof, and that's as straight off the still as you can get," Reece said.

The trio make a 100 proof "sippin' shine" as well as flavored moonshine.

In Marion, Schumaker also makes a lighter sippin' shine, Virginia Sweetwater, and a darker whiskey called War Horn Whisky, named after his brother, who served in Iraq.

"I make every drop," Schumaker said. "This is a handcrafted spirit."

Schumaker started making mash as an experiment in fuel. Then, it was pointed out that what he was churning out was too good not to drink.

So about a year ago he started making corn whiskey. He buys locally grown corn, and smokes the grains using red oak off of his property just outside of Marion.

"It imparts a sweet, smoky taste," he said of the oak. "And the extraction of tannins matures the spirit more quickly. I can get a very good whiskey in six weeks."

He has a 30-gallon still named Miss Kelsey, after his daughter. After the moonshine is made, it is bottled by hand.

"In November, we were making four liters on a run, and we went from four liters to 30 liters now," Schumaker said in May. "Our ABC stores can't keep up with it."

Roberson's Mellomoon is sold in 80 stores across Tennessee.

He, too, uses locally grown corn in his brew.

"We take corn and sugar and put it in these big fermenting tanks," he said, pointing out the components of his shop. "We add water. And once it gets to the right gravity, we put the yeast in. The yeast go to work and do their thing."

The yeast is a crucial ingredient, Roberson said.

"We use a special yeast of our own creation," he said.

The concoction is Roberson's own. A former Eastman Chemical Co. employee, he started messing around with the chemical formula of the moonshine and then found something that resonated.

"It happened overnight, honestly," he said.

### **'Save the heritage'**

The moonshine of today not only isn't bought from under the counter or from some guy you know, but is also touted as a cultural icon.

Schumaker has a storefront open in downtown Marion , which he envisions will be part general store, part museum and part entertainment venue.

"We want to save the heritage of Southwest Virginia ," Schumaker said. "We're trying to capture our past – put an honest and objective perspective on it and save it for our future."

Schumaker hopes to take his larger still, named Miss Dana after his wife, to the downtown Marion location and show off how moonshine is made, like Ole Smoky Moonshine does in Gatlinburg.

"I want downtown to be an entertainment center," he said. "We're putting money to the story of the mountains. We want to save the heritage of Southwest Virginia ."

He's started "still nights" on the weekends, in which people can take a four-hour workshop about the making of moonshine.

Shumaker will have to get special legislation enacted to serve moonshine at his location outside of town – a handful of other Virginia distilleries are permitted to serve their brew on premises, thanks to specific legislation. And, he wants to give back to the community of Marion , to Smyth County and to veterans groups in honor of his brother.

"Southwest Virginia has taken a lot of hits," Schumaker said. "This is an opportunity for me to do something."

East Tennessee Distillery, similarly, has gotten community support after locating in the area.

"One thing we did not anticipate was everybody wanting us here," Reece said. "We didn't anticipate people wanting tours."

The group plans to expand into their unused space at the former Paty Lumber Co. facility, and open up tours, and a general store. Their proximity to Bristol Motor Speedway might help that concept, Roberson said.

"One thing Tennessee is famous for around the world is stock car racing and moonshine," he said.

Plus, the distillery has one claim to fame, Reece said – even if they weren't the first in Tennessee , they have the largest master distiller. Roberson comes in at well over 6 feet tall and is naturally nicknamed "Tiny." He has long hair and a beard, and, dressed in Pointer Brand overalls, is the face of the brand.

"Everybody wants to hear how you came out of the holler and are legal now," Reece said.

“That’s the classic moonshine story,” Melvin added.

### **‘Mystique’**

That classic moonshine story is what fueled several Southwest Virginia and Northeast Tennessee families for many years.

Morris Stephenson, who lives in Ferrum , Va. , wrote about moonshine for the Franklin County News-Post, in a county often called the moonshine capital of the world. In 1982, Stephenson, originally from Marion , spent a night making moonshine with two local men. He wrote about his experiences in his book, “A Night of Makin’ Likker.”

“It got to the point I was going on so many ... the front page looked the same with the stills,” he said.

Last year, 23 illegal stills were found in Virginia , said Billy Maiden, assistant special agent in charge of the Abingdon branch of the Virginia Department of Alcoholic Beverage Control. Twelve were found in the 2011 fiscal year and 22 in 2010. Since June 2012, 29 stills have been found in Virginia . He said the numbers fluctuate.

“Here in Southwest Virginia, we have more than at the beach and in the city,” Maiden said.

In East Tennessee , agents have found a few stills per year in recent years, said Terry Hill, the special agent in charge of the Tennessee Alcoholic Beverage Commission for the Eastern District of the state.

“In the early ‘80s we would probably find three or five a year and then it kind of changed,” he said. “We’d run up on them in the woods a lot and then it got to where we weren’t finding a lot of them.”

He said that could be because police would find stills while conducting marijuana enforcement from helicopters, which might have prompted people to take the stills indoors.

“In the early years, I maybe only saw one contained in a building,” Hill said. “In 2001 we got some info on a couple, and found four in one location and four in another, but they were in buildings.”

When agents find a still, they destroy it by chopping it up or smashing it with heavy equipment, said Matthew Larkins, special agent in charge of the Nashville District of the Tennessee ABC.

Then in 2007, agents found the stills belonging to Marvin “Popcorn” Sutton at his home in Cocke County . The famous moonshiner and author of “Me and My Likker” was arrested again in 2008, and committed suicide in prison a year later, apparently to avoid a federal jail sentence that was set to begin soon. In the past year, Popcorn Sutton Tennessee White Whiskey has been produced at a legal distillery in Cocke County , Tenn.

“It’s not something that’s overwhelming,” Hill said of illegal moonshine. “But we’ve seen in the past few years, probably 12 to 15” stills.

### **The legalities**

In both states, would-be legal moonshiners must go through an extensive licensing process. First, a license from the federal Alcohol and Tobacco Tax and Trade Bureau must be obtained, before the state governing boards step in. Then background investigations are conducted and agents go on site to inspect the equipment before state licenses to distill alcohol are issued.

In Virginia , it is illegal to be in possession of moonshine that is not sanctioned by the Virginia ABC, punishable by up to a year in jail. Making moonshine illegally is punishable by up to five years in jail.

In Tennessee , it is illegal to possess any alcohol on which taxes have not been paid, Hill said. And, it is illegal to possess a still with intent to make alcohol.

Maiden said one good reason to drink legal ‘shine is that the process has been vetted.

“They know what they get at the ABC store,” he said. “It’s safer than what you can get from a buddy or something.”

Larkins agreed.

“There is danger associated with making it,” he said. “Not only is there a fire risk with the combustible gases but the apparatus itself is under a high, intense level of pressure and the cap can blow.”

### **‘Rather they buy ours’**

In the last fiscal year, sales of legal moonshine in Virginia increased 153 percent from the year before, said Carol Mawyer, a public relations specialist for the Virginia ABC.

“The consumer interest in legal moonshine has skyrocketed,” she said.

Part of that interest is due to the Discovery Channel’s show “Moonshiners,” Maiden said.

“When the ‘Moonshiners’ show came on ... we were getting calls two or three times a week asking if [people] could produce moonshine,” he said. “The show renewed people’s fascination with it.”

Hill also said that show helped popularize moonshine.

“It seems to be everyone is getting on the bandwagon,” he said.

And, Maiden said, it’s still got a mysterious draw to it.

“Moonshine has got that mystique,” he said. “It’s forbidden. ... That’s why people continue to manufacture it.”

The legal moonshiners here don’t seem worried that they’ll be put out of business by folks doing it the old-fashioned way.

“I’m sure in some holler, some kid saw his daddy doing it and might take up the trade,” Roberson said. “[But] right now, moonshine is very hot.”

And part of that is thanks to the illicit origins of the drink.

“It’s the stigma, the romantic aspect of yesteryear and Prohibition,” Reece said. “Without Prohibition, the alcohol industry wouldn’t be nearly as big as it is today. Even before Prohibition, people knew good alcohol came from Tennessee . We’ve got a large heritage to live up to.”

“Illegal is always going to be there,” he added. “We’d rather them buy ours.”