

(3) Thence southeast along the South Fork and past the Rivanna Reservoir to the point at which the South Fork intersects the Southern Railway;

(4) Thence northeast along the railway to the corporate limits of the town of Orange;

(5) Thence southeast following the corporate limit line to its intersection with U.S. Rt. 15;

(6) Thence southwest on U.S. Rt. 15 to its intersection with Virginia Rt. 231 in the town of Gordonsville; continuing southwest on Virginia Rt. 231 to its intersection with the Albemarle County boundary; thence southwest along the Albemarle County line to its point of intersection with the James River; thence southwest along the James River to its confluence with the Rockfish River;

(7) Thence northwest along the Rockfish to its point of divergence with the Albemarle County boundary; thence northwest along the Albemarle County line to the point of intersection with the Southern Railway;

(8) Thence continuing northeast along the Southern Railway to the point of beginning.

Signed: November 6, 1981.

G. R. Dickerson,  
Director.

Approved: November 18, 1981.

John P. Simpson,  
Acting Assistant Secretary (Enforcement and Operations).

[FR Doc. 81-34784 Filed 12-3-81; 9:45 am]

BILLING CODE 4810-31-M

## 27 CFR Part 9

[Notice No. 398]

### Central Delaware Valley Viticultural Area, Pennsylvania and New Jersey

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms, Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in Pennsylvania and New Jersey (along the Delaware River) to be known as "Central Delaware Valley." This proposal is the result of a petition from Mr. James R. Williams, a grape grower in the area. The establishment of viticultural areas and the subsequent use of viticultural area names in wine labeling and advertising will enable industry to label wines more precisely, and will help consumers better identify wines they purchase.

**DATE:** Written comments must be received by March 4, 1982.

**ADDRESSES:** Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, D.C. 20044-0385 (Notice No. 398).

Copies of the petition, the proposed regulations, the appropriate maps, and the written comments will be available for public inspection during normal business hours at: ATF Reading Room, Office of Public Affairs and Disclosure, Room 4405, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Steve Simon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, D.C. 20226 (202-566-7626).

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite viticultural areas. The regulations also allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements.

On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added a new Part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations or origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Section 4.25a(e)(2) outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include—

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical features (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area, based on the features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and

(e) A copy of the appropriate U.S.G.S. map with the boundaries prominently marked.

#### Petition

ATF has received a petition proposing an area along the boundary of Pennsylvania and New Jersey as a viticultural area to be known as "Central Delaware Valley." The area extends along both sides of the Delaware River, from Washington Crossing State Park (near Trenton) on the south to Musconetcong Mountain (near Easton) on the north.

There are about 30 acres of grape plantation on five vineyards in the proposed area. The Delaware grape variety was first propagated there from cuttings taken from Paul Prevost of Frenchtown during the mid 1800's.

There is one winery now operating in the proposed area, but several more are planned.

The petitioner claims that the proposed viticultural area is known by the name of "Central Delaware Valley" for the following reasons:

(a) Several businesses in the area use "Delaware Valley" as part of their name.

(b) A local newspaper is named "Delaware Valley News."

The petitioner claims that the proposed viticultural area is distinguished from the surrounding area for the following reasons:

(1) The moderating climatological effects of the Delaware River extend for no more than about three miles from the river, or to the rim of the valley where ridges are pronounced. (For example, morning fog covers were observed to reach approximately that distance.)

(2) The "Central" part of the Delaware Valley is separated from the upper and lower parts by mountains (the Musconetcong to the north and the Baldpate to the south). Soil types are homogenous within the "Central" part and differ from those to the north and south. Geologically, the "Central" part of the valley of the Delaware River falls in the Piedmont Province, while the lower part of the valley is in the Coastal Plain and the upper part lies in the Readington Prong of the New England Province and the Great Valley portion of the Valley and Ridge Province. Climate also differs in that the farther north one goes the colder the winters and the shorter the growing season.

The boundaries of the proposed viticultural area may be found on seven U.S.G.S. topographical maps in the scale of 1:24,000 series: Riegelsville Quadrangle, Frenchtown Quadrangle, Lumberville Quadrangle, Stockton

Quadrangle, Buckingham Quadrangle, Lambertville Quadrangle, and Pennington Quadrangle. The boundaries are described in the proposed § 9.49.

#### Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this proposal because the notice of proposed rulemaking, if promulgated as a final rule, will not have a significant economic impact on a substantial number of small entities. The proposal is not expected to have significant secondary or incidental effects on a substantial number of small entities, because the value of the proposed viticultural area designation is intangible and subject to influence by other unrelated factors. Further, the proposal will not impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

#### Compliance With E.O. 12291

In compliance with Executive Order 12291 of February 17, 1981, the Bureau has determined that this proposal is not a major rule since it will not result in:

(a) An annual effect on the economy of \$100 million or more;

(b) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(c) Significant adverse effects on competition, employment, investment, productivity, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

#### Public Participation—Written Comments

ATF requests comments concerning this proposed viticultural area from all interested persons. Furthermore, while this document proposes possible boundaries for the Central Delaware Valley viticultural area, comments concerning other possible boundaries for this viticultural area will be given consideration.

Comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future ATF action.

ATF will not recognize any material or comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of

the person submitting a comment is not exempt from disclosure.

Any person who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his or her request, in writing, to the Director within the 90-day comment period. The request should include reasons why the commenter feels that a public hearing is necessary. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

#### Drafting Information

The principal author of this document is Steve Simon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of the Bureau and of the Treasury Department have participated in the preparation of this document, both in matters of substance and style.

#### Authority

Accordingly, under the authority in 27 U.S.C. 205, the Director proposes the amendment of 27 CFR Part 9 as follows:

#### PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.49 to read as follows:

#### Subpart C—Approved American Viticultural Areas

Sec.	* * * *
9.49	* * * *
	* * * *

Paragraph 2. Subpart C is amended by adding § 9.49 to read as follows:

#### Subpart C—Approved American Viticultural Areas

* * * *	* * * *
§ 9.49	* * * *

(a) *Name.* The name of the viticultural area described in this section is "Central Delaware Valley."

(b) *Approved maps.* The appropriate maps for determining the boundaries of Central Delaware Valley viticultural area are seven USGS maps. They are titled:

- (1) Riegelsville Quadrangle, scale of 1:24,000 series.
- (2) Frenchtown Quadrangle, scale of 1:24,000 series.
- (3) Lumberville Quadrangle, scale of 1:24,000 series.
- (4) Stockton Quadrangle, scale of 1:24,000 series.
- (5) Buckingham Quadrangle, scale of 1:24,000 series.

(6) Lambertville Quadrangle, scale of 1:24,000 series.

(7) Pennington Quadrangle, scale of 1:24,000 series.

(c) *Boundary.*—(1) *General.* The Central Delaware Valley viticultural area is located in Pennsylvania and New Jersey. The starting (and finishing) point of the following boundary description is Strawberry Hill, which is located in New Jersey near the Delaware River about one mile northwest of Titusville, at the southern end of the Central Delaware Valley Viticultural area.

#### (2) Boundary Description:

From the summit of Strawberry Hill (475 feet) in a straight line to the summit of Mt. Canoe (428 feet).

From there due east to Mercer County Route 579 (Bear Tavern Road) about .2 mile south of Ackors Corner.

Then northward along Mercer 579 to Harbourton.

From there northwestward along Route 3 (Mount Airy-Harbourton Road) to the 2nd English Presbyterian Church in Mount Airy.

From there along Old York Road northward to Benchmark 157 on U.S. Route 202.

From there westward along Queen Road and northwestward along Mount Airy Road to Dilts Corner.

From there northwestward along Dilts Corner Road to Sandy Ridge Church.

From there northwestward via Cemetery Road to Benchmark 305.

From there northward along Covered Bridge Road to Green Sergeant Covered Bridge.

From there westward along Sanford Road to its intersection with Route 519 about one mile north of Rosemont.

From there northward along Route 519 (via Kingwood, Barbertown, Baptistown, and Everittstown) to Mount Pleasant.

From there northwestward along Little York-Mount Pleasant Road to Little York.

From there northwestward, westward and southwestward along Ellis Road to its intersection with Route 519, about one half mile north of Riegel Ridge.

From there in a straight line southwestward to the 836 ft. summit of Musconetcong Mountain.

From there in straight lines connecting the 838 ft., 839 ft., 707 ft., and 386 ft. summits of Musconetcong Mountain.

From the 386 ft. summit of Musconetcong Mountain in a straight line across the Delaware River to the intersection of Routes 611 and 212.

From there along Route 212 to the intersection with the lane going up Mine Hill.

From there in a straight line to the summit of Mine Hill (488 feet).

From there in a straight line southwestward to the 522 ft. summit elevation point.

From there southwestward to the summit of Chestnut Hill (743 feet).

From there in a straight line southeastward to the 347 ft. summit elevation point (located

south of Kintnersville near Benchmark 173, about .1 mile west of Route 611).

From there in a straight line eastward to the summit of Coffman Hill (826 feet).

From there in a straight line southeastward to the 628 ft. summit elevation point (about .3 mile north of Camp Davis).

From there in a straight line southeastward to the point where Bridgeton, Nockamixon, and Tincum Boros meet.

From there in a straight line southward to the intersection of Slant Hill Road (Covered Bridge Road) and Stump Road in Smiths Corner.

From there in a straight line southeastward to the intersection of Swayger Road (Danboro-Pt. Pleasant Pike) and Carversville-Wismer Road (near the intersection with Bradshaw Road).

From there southeastward along Carversville-Wismer Road to Carversville.

From there continuing southeastward along Aquetong Road through Aquetong to the intersection with River Road (Route 32) at the boundary of Washington Crossing State Park, just north of Bowman Hill.

From there in a straight line southeastward across the Delaware River to the summit of Strawberry Hill (475 feet).

Signed: November 3, 1981.

G. R. Dickerson,

Director.

Approved: November 16, 1981.

John P. Simpson,

Acting Assistant Secretary, Enforcement and Operations.

[FR Doc. 81-34782 Filed 12-3-81; 8:45 am]

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**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

[Docket No. FEMA 6144]

**National Flood Insurance Program; Proposed Flood Elevation Determinations; Illinois, et al.**

In FR Doc. 81-28007 appearing at page 47640 in the issue of Tuesday, September 29, 1981, on page 47640, in the

flood elevation table, for "Newark, Kendall County", under location, "At upstream corporate limits" should be corrected to read "At downstream corporate limits".

BILLING CODE 1505-01-M

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 611**

**Foreign Fishing; Atlantic Mackerel Allocation**

*Correction*

In FR Doc. 81-33124, appearing on page 56480 in the issue of Tuesday, November 17, 1981, the table at the end of the document contained misaligned columns and should have read as reprinted below:

	Species	Species code	Areas	OY	DAH	DAP	JVP=(DAH-DAP)	DNP	Reserve	TALFF
Mackerel fishery	Mackerel, Atlantic	204		Current: 30,000 Proposed: 30,000	20,000 20,000				6,000 0	4,000 10,000

BILLING CODE 1505-01