

intersection of the Kalamazoo River; easterly along the course of the Kalamazoo River for approximately 11.25 miles (seven miles due east) to 86°5' west longitude which is 1.25 miles east of the community of New Richmond; south along 86°5' west longitude for 13.5 miles to the intersection of the Middle Fork of the Black River; westerly along the course of the twisting Middle Fork of the Black River until it joins the Black River, continuing west for a total of 12.5 miles (10 miles due west) to the starting point. The entire viticultural area comprises approximately 75,000 acres.

The exact boundaries of the proposed area and the appropriate U.S.G.S. maps used to determine the boundaries are listed in the proposed regulations.

Public Participation—Written Comments

ATF requests comments from all interested persons concerning this proposed viticultural area. Furthermore, while this document proposes possible boundaries for Fennville viticultural area, suggestions concerning other alternative boundaries will be given consideration prior to any final decision.

All 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 and 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 any person submitting comments is not exempt from disclosure.

Any interested 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 60-day comment period. The Director, however, reserves the right to determine, in the light of all circumstances, whether a public hearing should be held.

Drafting Information

The principal author of this document is Norman P. Blake, Specialist, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

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

Par. 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.33. As amended, the table of sections reads as follows:

Subpart C—Approved American Viticultural Areas

Sec.
* * * * *
9.33 Fennville.

Par. 2. Subpart C is amended by adding § 9.33. As amended, Subpart C reads as follows:

§ 9.33 Fennville.

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

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Fennville viticultural area are three U.S.G.S. maps. They are entitled:

- (1) "Fennville Quadrangle, Michigan-Allegan County," 15 minute series;
- (2) "Bangor Quadrangle, Michigan," 15 minute series; and
- (3) "South Haven Quadrangle, Michigan," 15 minute series.

(c) *Boundaries.* The Fennville viticultural area is primarily located in the southwestern portion of Allegan County, Michigan, with a small finger extending into the northwest corner of Van Buren County, Michigan.

(1) The western boundary is the eastern shore of Lake Michigan, extending from the Black River, at the City of South Haven, north to the Kalamazoo River.

(2) The northern boundary is the Kalamazoo River, extending easterly from Lake Michigan to 86°5' west longitude.

(3) The eastern boundary is the 86°5' west longitude meridian, extending south from the Kalamazoo River to the intersection with the Middle Fork of the Black River.

(4) The southern boundary is the Middle Fork of the Black River extending westerly from 86°5' west longitude until it joins the Black River, continuing west along the Black River to the eastern shore of Lake Michigan.

Signed: September 25, 1980.

G. R. Dickerson,
Director.

Approved: October 14, 1980.

Richard J. Davis,
Assistant Secretary (Enforcement and Operations).

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27 CFR Part 9

[Notice No. 350]

Guenoc Valley Viticultural Area; Wine Labeling

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in California to be known as "Guenoc Valley." This proposal is the result of a petition submitted by an interested person.

DATES: Written comments must be received by December 26, 1980.

ADDRESS: Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044.

Copies of the petition, the proposed regulations, the appropriate maps, and written comments will be available for public inspection during normal business hours at: ATF Reading Room, Room 4407, Federal Building, 12th and Pennsylvania Avenue, NW, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Roger L. Bowling, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC (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 application 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 to be used as appellations of 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 procedures 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 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 in Lake County, California, as a viticultural area known as "Guenoc Valley." The proposed area consists of 4396.3 acres.

The petition claims that the proposed viticultural area is historically and currently known by that name and is distinguished from surrounding areas by soil classifications, physiographic characteristics, and climate. The petitioner bases these claims on the following:

(a) The valley was a portion of Rancho Guenoc, a land grant from the Mexican Government to George Rock in 1845. The United States surveyed the area in 1857. In the field notes of the surveyor, W. M. Denton, Deputy U.S. Surveyor, the name "Guenoc" was given this area. The names "Guenoc Rancho," "Guenoc Valley," and "Guenoc" continue to be associated with this property through their use in legal documents;

(b) In 1888, Lillie Langtry purchased a ranch of 4,000 acres which includes much of the proposed viticultural area. An admirer, Frederick Gebhard, purchased an adjacent ranch of approximately equal size. These two ranches comprise most of Guenoc Valley. There was a vineyard and winery in operation on Mrs. Langtry's property prior to her purchase of it. The winery operation continued until Prohibition;

(c) Mrs. Langtry published her autobiography, "The Days I Knew," in 1925, in which she recounted her stay in Guenoc Valley;

(d) Guenoc Valley is located about 6 miles east of Middletown, California. During the growing season, generally days are warm with cool nights. Rainfall is less than that received in the

Middletown area, and fog is generally less severe than that in Middletown;

(e) The valley floor elevation varies from 900 to 1000 feet above sea level. The soil consists largely of alluvial and younger terrace deposits, unconsolidated sand, gravel, silt, and clay, which forms a single continuous unit. Sand and gravel alluvial deposits, along Bucksnot Creek and other large drainages, are usually 5 to 15 feet thick. Thinner alluvium with silt and clay is common along the smaller drainages. Local clay, sand, and silt alluvial deposits, estimated at 5 to 10 feet in thickness, occur at the bases of steep slopes.

The boundaries of the proposed viticultural area, using landmarks and points of references are as follows: "Starting from the southwest end of Detert Reservoir Dam to just north of Foley Reservoir No. 1, thence across McCreary Ridge and McCreary Lake to Jim Davis Peak thence to Goat Hill thence southwesterly to the foothills adjacent to the southern open areas of Guenoc Valley, thence back to Detert Reservoir Dam."

The proposed regulations describe this area through the use of angles and feet from one reference point to another. The exact boundaries of the proposed area and the appropriate U.S.G.S. maps used to determine the boundaries are listed in the proposed regulations.

Public Participation—Written Comments

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

All 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 and 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 any person submitting comments is not exempt from disclosure.

Any interested 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 60-day comment period. The

Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing should be held.

Drafting Information

The principal author of this document is Roger L. Bowling, Specialist, 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

Par. 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.26. As amended, the table of sections reads as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *

9.26 Guenoc Valley.

Par. 2. Subpart C is amended by adding § 9.26. As amended, Subpart C reads as follows:

Subpart C—Approved American Viticultural Areas

* * * * *

§ 9.26 Guenoc Valley.

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

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Guenoc Valley viticultural area are four U.S.G.S. maps. They are entitled:

- (1) "Middletown Quadrangle, California-Lake Co.," 7.5 minute series;
- (2) "Jericho Valley Quadrangle, California," 7.5 minute series;
- (3) "Detert Reservoir Quadrangle, California," 7.5 minute series; and
- (4) "Aetna Springs Quadrangle, California," 7.5 minute series.

(c) *Boundaries.* The Guenoc Valley viticultural area is located in Lake County, California.

(1) Beginning at Station 20 of Denton's Survey of said Guenoc Rancho, as said Station is shown on the United States General Land Office Plat for Township 11 North, Range 6 West, M.D.B. & M. filed for record and approved by the Surveyor General's Office, San Francisco, California, on February 12, 1890, said Station being designated by

said Denton as a post on the top of a Sugar Loaf Mountain (Jim Davis Peak), and is presently marked by 1½ inch galvanized pipe; and is herein noted as Point (1);

(2) Thence from said point of beginning S. 07° 49' 34" E., 9,822.57 feet to U.S.G.S. Triangulation Station "Guenoc," Point (2);

(3) Thence S. 29° 14' 31" W., 10,325.08 feet, Point (3);

(4) Thence S. 00° 00' W., 2,100.00 feet, Point (4);

(5) Thence N. 90° 00' W., 4,150.00 feet, Point (5);

(6) Thence N. 24° 23' 11" W., 16,469.36 feet, Point (6);

(7) Thence N. 75° 47' 20" E., 7,943.08 feet, Point (7); and

(8) Thence N. 60° 47' 00" E., 7,970.24 feet, to Point (1), the point of beginning, containing 4,396.3 acres.

Signed: September 24, 1980.

G. R. Dickerson,
Director.

Approved: October 14, 1980.

Richard J. Davis,
Assistant Secretary (Enforcement and Operations).

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27 CFR Part 9

[Notice No. 352]

Lime Kiln Valley Viticultural Area; Wine Labeling

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in San Benito County, California, to be known as "Lime Kiln Valley." This proposal is the result of a petition from an industry member.

DATE: Written comments must be received by December 26, 1980.

ADDRESSES: Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, D.C. 20044.

Copies of the petition, the proposed regulations, the appropriate map, and the written comments will be available for public inspection during normal business hours at: ATF Reading Room, Room 4407, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Roger L. Bowling, 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 to be used as appellations of 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. A petition should include:

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the name 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 features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale.

(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 in San Benito County, California, as a viticultural area to be known as "Lime Kiln Valley." The proposed area is a valley consisting of approximately 9,472 acres.

The petitioner claims that the proposed viticultural area is distinguished from surrounding areas physically and historically. The petitioner bases these claims on the following:

(a) The valley is located about 19 miles from the San Joaquin Valley and approximately 18 miles from the Pacific Ocean.

(b) Rainfall averages over 40 inches per year in the upper western reaches of Lime Kiln Valley, and over sixteen inches per year in the lower eastern reaches. The valley receives over two inches more rainfall per year than Hollister, California, located approximately 11 miles northwest from Lime Kiln Valley.

(c) Winter temperatures are well below freezing. Summer temperatures average between 85-95 degrees Fahrenheit, while dropping at night to between 45-50 degrees. Usual morning fog during early summer is burned off by mid-morning. The prevailing winds are predominantly northwesterly from the ocean.

(d) The soil structure of the valley is basically a sandy and gravelly loam over bedrock of limestone and dolomite.

(e) The Coulter pine is the dominant vegetation. It grows in limited areas due to climatic conditions. In the area here, the pine grows only within the watershed boundary which very closely approximates the boundary of the viticultural area.

(f) Ground water is available in the form of natural springs and artesian wells.

(g) Historical and current usage is well established.

(1) The area has been a grape-growing area since 1887. San Benito County histories relate to vine cuttings brought from France and obtained by the Spanish padres.

(2) The general area has long been known as Limekiln. On September 6, 1977, the County Board of Supervisors unanimously adopted a resolution naming the valley surrounding Limekiln as Lime Kiln Valley.

(3) The area derived its name from a number of lime kilns built in the area. Many of the kilns were in operation prior to 1910.

The proposed boundaries closely approximate the watershed boundary. The proposed boundaries are based on features found on one U.S.G.S. map entitled "Gonzales Quadrangle, California." Beginning at the intersection point of Thompson Creek and Cienega Road, the boundary proceeds in a southwest direction to the northwest corner of Section 33, then in a southwesterly direction to McPhails Peak, following the county line around to the northwest corner of Section 34, northward to Mt. Harlan, in a straight line to the southeast corner of Section 23, then proceeding in a line to the northwest corner of Section 19, then