

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).

[FR Doc. 80-33359 Filed 10-24-80; 8:45 am]
BILLING CODE 4810-31-M

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

northward to the southwest corner of Section 18, eastward to the Cienega School Building then along Cienega Road to the point of beginning. The regulations describe the boundary by using the summits of peaks as reference points. The petitioner believes this area adequately encompasses the land in the valley suitable for grape-growing.

Public Participation—Written Comments

ATF requests comments from all interested persons concerning this proposed viticultural area. Furthermore, while this document proposes possible boundaries for Lime Kiln 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 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 the 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, 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 § 9.27. As amended, the title of sections reads as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *
§ 9.27 Lime Kiln Valley.

Par. 2. Subpart C, is amended by adding § 9.27. As amended, Subpart C reads as follows:

Subpart C—Approved American Viticultural Areas

* * * * *
§ 9.27 Lime Kiln Valley.

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

(b) *Approved map.* The appropriate map for determining the boundaries of the Lime Kiln Valley viticultural area is one U.S.G.S. map. It is entitled: "Gonzales Quadrangle, California", 15 minute series.

(c) *Boundaries.* The Lime Kiln Valley viticultural area is located in San Benito County, California. From the beginning point at the intersection of Thompson Creek and Cienega Road, the boundary proceeds, in a straight line to the summit of an unnamed peak (1270 feet) along the section line of Sections 21 and 28, T. 14 S./R. 6E.;

(1) Thence in a straight line to the summit of an unnamed peak (1375 feet) in the center of Section 28, T. 14 S./R. 6 E.;

(2) Thence in a straight line to the summit of an unnamed peak (1847 feet) in the northwest corner of Section 33, T. 14 S./R. 6 E.;

(3) Thence in a straight line to the summit of McPhails Peak (3335 feet) in the east ½ of Section 1, T. 15 S./R. 5 E.;

(4) Thence following the San Benito County and Monterey County line to the summit of an unnamed peak (2054 feet) along the section lines of Sections 33 and 34, T. 14 S./R. 5 E.;

(5) Thence in a straight line to the summit of an unnamed peak (2707 feet) in the northwest corner of Section 27, T. 14 S./R. 5 E.;

(6) Thence in a straight line to the summit of Mt. Harlan (3262 feet) in the center of Section 22, T. 14 S./R. 5 E.;

(7) Thence in a straight line to the summit of an unnamed peak (2768 feet) in the southern half of Section 23, T. 14 S./R. 5 E.;

(8) Thence in a straight line to the summit of an unnamed peak (1974 feet) in the northwest corner of Section 19, T. 14 S./R. 6 E.;

(9) Thence in a straight line to the summit of an unnamed peak (2240 feet) in the southwest corner of Section 18, T. 14 S./R. 6 E.;

(10) Thence in a straight line to the summit of an unnamed peak (1713 feet)

in the southeast corner of Section 18, T. 14 S./R. 6 E.;

(11) Thence in a straight line to the Cienega School Building along Cienega Road;

(12) Thence following Cienega Road back to the point of beginning.

Signed: September 25, 1980.

G. R. Dickerson,
Director.

Approved: October 14, 1980.

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

[FR Doc. 80-33382 Filed 10-24-80; 8:45 am]
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27 CFR Part 9

[Notice No. 351]

San Pasqual 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 Diego County, California, to be known as "San Pasqual Valley." This proposal is the result of a petition from a representative of an industry member.

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, D.C. 20044.

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, 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