

21 CFR Part 358

[Docket No. 80N-0146]

Nailbiting and Thumbsucking Deterrent Drug Products for Over-the-Counter Human Use; Tentative Final Monograph*Correction*

In FR Doc. 82-24075 beginning on page 39096 of the issue for Friday, September 3, 1982, in the second column of that page, the second complete paragraph, the seventh line, the citation should read "21 CFR 330.10".

BILLING CODE 1505-01-M

21 CFR Part 358

[Docket No. 80N-0238]

Wart Remover Drug Products for Over-the-Counter Human Use; Tentative Final Monograph*Correction*

In FR Doc. 82-24076 beginning on page 39102 of the issue for Friday, September 3, 1982, make the following changes:

1. On page 39104, the second column, the third complete paragraph, the third line should read "502, 505, 701, 52 Stat. 1041-1042 as".

2. On page 39105, the second column, the first complete paragraph, the second line, the date should read "September 3, 1983".

BILLING CODE 1505-01-M

21 CFR Part 358

[Docket No. 78N-0065]

Skin Bleaching Drug Products for Over-the-Counter Human Use; Tentative Final Monograph*Correction*

In FR Doc. 82-24077 beginning on page 39108 of the issue for Friday, September 3, 1982, on page 39114, the second column, the final paragraph, the third line, the word "domestic" should read "cosmetic".

BILLING CODE 1505-01-M

21 CFR Part 358

[Docket No. 80N-0348]

Ingrown Toenail Relief Drug Products for Over-the-Counter Human Use; Tentative Final Monograph*Correction*

In FR Doc. 82-24074 beginning on page 39120 of the issue for Friday, September 3, 1982, make the following changes:

1. On page 39123, the second column, the first complete paragraph, the second line, the citation should read "§ 358.450(c)(2)".

2. On page 39125, the third column, the second line, the date should read "January 3, 1983."

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DEPARTMENT OF THE TREASURY**Bureau of Alcohol, Tobacco and Firearms****27 CFR Part 9**

[Notice No. 434; Re: Notice No. 399]

Monticello Viticultural Area

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

ACTION: Amended notice of proposed rulemaking.

SUMMARY: This notice amends Notice No. 399 which proposed the viticultural area Monticello near Charlottesville, Virginia. During the comment period for this notice, a proposal was submitted for alternate boundaries which enlarged the area originally proposed. The alternative proposal was submitted by the Jeffersonian Wine Grape Growers Society. Notice No. 399 (46 FR 59274) was published in the *Federal Register* on December 4, 1981.

DATES: Written comments must be received by January 3, 1983.

ADDRESS: 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. 434].

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 the ATF Reading Room, Room 4405, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Norman P. Blake, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, DC 20226 (202-566-7626).

SUPPLEMENTARY INFORMATION:**Background**

On December 4, 1981, the Bureau of Alcohol, Tobacco and Firearms (ATF) published a notice of proposed rulemaking, Notice No. 399 (46 FR 59274), in which ATF considered the establishment of a viticultural area in the Charlottesville, Virginia, area to be

known as "Monticello." This viticultural area as originally proposed by six industry members in the area is located in Albemarle and Orange Counties and covers approximately 475 square miles. The comment period for Notice No. 399 closed on March 4, 1982. This notice amends Notice No. 399.

Alternative Proposal

During the comment period alternative boundaries for an enlarged Monticello viticultural area were submitted by the Jeffersonian Wine Grape Growers Society. This proposal cites boundaries for a portion of Nelson County and larger portions of Albemarle and Orange Counties than the original petition and covers approximately 1,250 square miles. The area within the second proposal includes 5 bonded wineries and 27 vineyards. The predominant grapes grown in the approximately 160 acres are of the vinifera variety and consist of *Chardonnay*, *White Reisling*, *Cabernet Sauvignon* and *Gewurztraminer*.

The Jeffersonian Wine Grape Growers Society believes that the enlarged area it is proposing, which totally encloses the area proposed in the original petition, meets requirements for approval as the Monticello viticultural area. The Society cites the same historical and current evidence as the original petitioner in support of the Monticello name as it is known locally and nationally. Several other factors are also claimed as evidence that the geographical features of the proposed enlarged area distinguish it from the surrounding areas.

The Blue Ridge Mountains to the west shelter the proposed area from cold winds. The elevation of the area allows for a span of 220 to 250 frost-free days.

This span drops to 150-175 days in the area surrounding the proposed viticultural area. The greater span of days is important since early Spring and Fall frosts can damage the growth of the grapes.

The proposed enlarged Monticello viticultural area is located within a zone of relatively low thunderstorm activity as compared to its surrounding areas. Heating degree days of 4,000 to 4,400 and cooling degree days of 1,100 to 1,200 are found in the proposed area while different conditions exist in other areas of the state.

A survey of rainfall data was taken from owners of 15 vineyards throughout the proposed area. The average annual rainfall reported was 42.4 inches with a range of 39.5 to 44.0 inches. These amounts are similar to the average annual accumulation of 47 inches of rain

between the years of 1772 and 1777 recorded by Thomas Jefferson is his *Weather Memorandum Book* at his home, Monticello.

Boundaries

The area proposed by the Jeffersonian Wine Grape Growers Society is located within the following boundaries.

From Norwood, Virginia, following the Tye River west and northwest until it intersects with the eastern boundary of the George Washington National Forest; following this boundary northeast to Virginia Rt. 664, then west following Rt. 664 to its intersection with the Nelson County line; then northeast along the Nelson County line to its intersection with the Albemarle County line at Jarman Gap; from this point continuing northeast along the eastern boundary of the Shenandoah National Park to its intersection with the northern Albemarle County line; following the county line southeast to its intersection with the Orange County line; continuing north on the county line to its intersection with the Rapidan River, which continues as the Orange County line; following the river east and northeast to its confluence with the Mountain Run River; then following the Mountain Run River southwest to its intersection with Virginia Rt. 20; continuing southwest along Rt. 20 to the corporate limits of the town of Orange; following southwest the corporate limit line to its intersection with U.S. Rt. 15; continuing southwest on Rt. 15 to its intersection with Virginia Rt. 231 in the town of Gordonsville; then southwest along Rt. 231 to its intersection with the Albemarle County line; continuing southwest along the county line to its intersection with the James River; then following the James River to its confluence with the Tye River at Norwood, Virginia, the beginning point.

Executive Order 12291

It has been determined that this notice of proposed rulemaking is not classified as a "major rule" within the meaning of Executive Order 12291 of February 17, 1981, because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in cost or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

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.

Public Participation—Written Comments

ATF requests interested persons to submit comments regarding this proposed viticultural area, as amended.

(a) *Viticultural area name.* ATF is particularly interested in evidence which supports the claim that there is an area known locally or nationally as Monticello. For example, is there evidence which supports the claim for either one of these proposed viticultural areas that either are known as Monticello? Is there evidence to support the claim that the proposed areas of Albemarle County, as well as large areas of Nelson County and Orange County are known locally and/or nationally as Monticello? How far can one travel in any direction away from Monticello Mountain, Jefferson's home, and still be in an area known as Monticello? What evidence can be submitted to support this claim?

(b) *Viticultural area size.* ATF is also concerned about the sizes of the areas proposed in relation to the number of acres planted with grapes. The size of the area as originally proposed in Notice No. 399 is approximately 475 square miles with 114 acres planted with grapes. The alternate proposal increased the area's size to approximately 1,250 square miles with 160 acres planted with grapes. ATF questions the disproportionate sizes of both areas as proposed in relation to the number of acres planted with grapes.

(c) *Alternative boundaries.* ATF is specifically interested in comments regarding other alternative boundaries that may more accurately depict the area known as "Monticello."

All pertinent comments will be considered prior to the proposal of final regulations. Comments are not

considered confidential. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comments. 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 make a request, in writing, to the Director within the 45 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 whether a public hearing will be held.

List of Subjects in 27 CFR Part 9

Administrative practice and procedures, Consumer protection, Viticultural areas, and Wine.

Drafting Information

The principal author of this document is Norman P. Blake, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, personnel in other offices of the Bureau participated in the preparation of the document, both in substance and style.

(Sec. 5 of the Federal Alcohol Administration Act (49 Stat. 391) (as amended 27 U.S.C. 205))

Signed: October 17, 1982.

Stephen E. Higgins,
Acting Director.

Approved: November 1, 1982.

David Q. Bates,
Deputy Assistant Secretary (Operations).

[FR Doc. 82-31892 Filed 11-18-82; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA 6454]

National Flood Insurance Program; Proposed Elevations and Zone Designations for Catoosa County, Georgia

AGENCY: Federal Emergency
Management Agency.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed elevations and zone designations described below.

The proposed elevations and zone designations will be the basis for the flood plain management measures that the community is required to either