amounts that were added to a check by customers as a tip and paid over to the employee or (ii) amounts that were paid by a customer for food or beverages with respect to which tips generally would be received by the employee. Examples of documentary evidence are copies of restaurant bills, credit card charges, or charges under any other arrangement (see § 31.6053-3(j)(4)) containing amounts added by the customer as a tip.

(b) *Retention of records.* Records maintained under this section shall be kept at all times available for inspection by authorized internal revenue officers of employees, and shall be retained so long as the contents thereof may become material in the administration of any internal revenue law.

(c) *Effective date.* The substantiation requirements of this §31.6053-4T shall be effective for tips received on or after October 1, 1985. For the rules in effect prior to October 1, 1985, see section 6001 and the regulations thereunder. Substantiation considered sufficient as provided in this § 31.6053-4T will also be considered sufficient for tips received before October 1, 1985.

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

Par. 5. The authority for Part 602 continues to read as follows:

Authority: 26 U.S.C. 7805.

§ 602.101 [Amended]

Par. 6. Section 602.101(c) is amended by inserting in the appropriate places in the table "§ 31.6053-3T and § 31.6053-4T . . . 1545-0065."

* * * * *

There is a need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impracticable to issue it with notice and public procedure under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

Approved: July 12, 1985.

J. Roger Mentz,

Acting Assistant Secretary of the Treasury.

[FR Doc. 85-17456 Filed 7-18-85; 4:06 pm]

BILLING CODE 4830-01-M

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[T.D. ATF-210; Notice No. 559]

Establishment of Cumberland Valley Viticultural Area

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Treasury decision, final rule.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms is establishing in portions of the States of Maryland and Pennsylvania an American viticultural area known as "Cumberland Valley." This final rule is the result of a petition filed jointly by Charles M. Webster, a grower of wine grapes in Sharpsburg, Maryland, and Robert W. Ziem, the proprietor of a Vineyard and bonded winery in Downsville, Maryland.

The establishment of the Cumberland Valley viticultural area and the use of the name as an appellation of origin in the labeling and advertising of wine allows the proprietor of a winery to designate the area as the locale in which grapes used in the production of a wine are grown and enables the consumer to identify and to differentiate between that wine and other wines offered at retail.

EFFECTIVE DATE: This final rule is effective August 26, 1985.

FOR FURTHER INFORMATION CONTACT: Michael J. Breen, Coordinator, FAA, Wine and Beer Branch, Room 6237, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226, Telephone: (202) 566-7626.

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in Title 27, Code of Federal Regulations, Part 4. These regulations allow the establishment of definite American viticultural areas. The regulations also allow the name of an approved viticultural area to be used as an appellation of origin in the labeling and advertising of wine. On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added to Title 27 a new Part 9 providing for the listing of approved American viticultural areas.

Section 4.25a(e)(1) 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 shall 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 characteristics (climate, soil, elevation, physical features, etc.) which distinguish features of the proposed area from surrounding areas;

(d) A description of the specific boundary of the proposed 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 (or copies) of the appropriate U.S.G.S. map(s) with the proposed boundary prominently marked.

Petition

In December 1982, ATF received the petition submitted by Mr. Webster and Mr. Ziem for the establishment of a viticultural area in Washington County, Maryland, to be known as "Cumberland Valley, Maryland." ATF's initial examination of the U.S.G.S. maps and the Washington County, Maryland, soil survey submitted with the petition indicated that the area for which the petition was submitted is more commonly known as the Hagerstown Valley, a portion of the larger Cumberland Valley which extends north above the Mason-Dixon Line, the geopolitical boundary between the States of Maryland and Pennsylvania. In light of this determination, the petitioners agreed to amend the petition to include the portions of the Cumberland Valley which are located in Franklin and Cumberland counties in Pennsylvania and to petition for the name "Cumberland Valley." In Notice No. 559 published in the **Federal Register** of February 28, 1985, ATF proposed the establishment of the Cumberland Valley viticultural area.

Comments

ATF received three comments during the comment period which closed April 29, 1985. All three commenters support the proposal to establish the viticultural area. One commenter, a proprietor of a bonded winery located in the vicinity of Shippensburg, Pennsylvania, states that the historical reference to Cumberland Valley is evidenced by the number of schools and businesses which include "Cumberland Valley" in their names.

Another comment, submitted by the Office of the Secretary of Agriculture of the State of Pennsylvania states the Cumberland Valley has been a locally and nationally recognized designation for this area since Colonial times and that use of this name continues to this day, both in common reference, and in the names of a host of agricultural, industrial, commercial and social organizations ranging from the Cumberland Valley Cooperative to the Cumberland Valley School District. This commenter describes the area of the Cumberland Valley as "located generally between South Mountain on the southeast and Blue Mountain and adjacent ridges of the Appalachian Mountains on the northwest, and by the Susquehanna and Potomac rivers on the northeast and southwest, respectively."

ATF received no comments expressing opposition to the proposal.

The Cumberland Valley

The Cumberland Valley is an 80-mile long valley which bends in a northeasterly direction from the Potomac River in Washington County, Maryland, to the Susquehanna River in Cumberland County, Pennsylvania. The valley is bordered on the southeast by South Mountain, which is the northernmost extension of the Blue Ridge Mountains, and on the northwest by the Allegheny Mountain complex. The principal streams that drain the valley are Conococheague Creek and Antietam Creek, tributaries of the Potomac River, and Conodoguinet Creek and Yellow Breeches Creek, tributaries of the Susquehanna River. The land drained by these streams shares similar geological history, topographical features, soils, and climatic conditions.

The boundary of the proposed viticultural area encompasses approximately 1,200 square miles or 765,000 acres. The petitioners state that within the Cumberland Valley there are approximately 60 acres devoted to the cultivation of wine grapes and there are three bonded wineries. Due to the effects of soil, drainage, rainfall, frost and winter kill, the areas of this valley which are devoted to viticulture consist primarily of high terraces along the north bank of the Potomac River, hills and ridges in the basin of the valley, and upland areas along the slopes of South Mountain.

Name

The name "Cumberland Valley" is well established by the petition. The area is known locally and nationally by the name "Cumberland Valley" and use of this name is well documented. The name was given to the valley in 1736 by the earliest settlers who came from Cumberland County, England. In 1751 the name was formally adopted when the northeast part of the valley was named Cumberland County and the City of Carlisle (PA) was named for its counterpart in Cumberland County, England. Today, numerous references to the name of the valley are made in industrial, business and organizational names.

Geography

The Cumberland Valley viticultural area consists of a large elongated intermountain valley and the immediately surrounding upland areas. Mountains of the Allegheny Mountain complex form the western and northern portions of the boundary of the viticultural area and South Mountain, the northernmost extension of the Blue Ridge Mountain complex, forms the southern and eastern portions of the boundary. The southwestern and northeastern portions of the boundary are, respectively, the northeast bank of the Potomac River in Maryland and the southwest bank of the Susquehanna River in Pennsylvania. The valley is approximately 80 miles long from river to river. Its width is approximately 20 miles along the Potomac River (MD), approximately 24 miles at the Mercersburg-Waynesboro (PA) corridor, approximately 12 miles near Shippensburg (PA), and narrows to approximately 8 miles at Harrisburg (PA) along the Susquehanna River.

Distinguishing Characteristics

The viticultural area is distinguished geographically from surrounding areas by its topography, geology and soils, and to a lesser extent by climatological characteristics.

Topography

The topography of the basin of the Cumberland Valley is nearly level. The basin of the valley is a gently rolling plain which at its western edge along the Potomac River is approximately 300 feet above sea level and which over a distance of approximately 80 miles gradually ascends to an average elevation of 600 feet above sea level and then descends to an altitude of 300 feet above sea level along the Susquehanna River. The valley floor has some areas of higher elevation, i.e., lowlying hills and ridges.

The portions of the boundary to the northwest, north and southeast are higher due to the slopes of the mountains. The ridges and peaks of these mountains range from 1,000 feet to 2,100 feet above sea level. The areas of higher elevation range from 700 feet to 1,600 feet above the valley floor and include South Mountain (2,145 feet) to the south and east of the valley floor, the Bear Pond Mountains (2,062 feet), Cove Mountain (1,582 feet), and Kittatinny Mountain (2,056 feet) to the west and Blue Mountain to the north (2,000 feet). Most of the land above 1,000 feet in elevation along the southestern portion of the boundary and above 700 feet in elevation along the northern and western portions of the boundary is stoney and unsuitable for agriculture, and consequently, remains forested.

Geology

The Cumberland Valley is an example of a mountain landscape that has been formed by erosion during a long interval of geologic time and that has reached a condition of dynamic equilibrium in which the adjustment between the landforms and the rocks beneath is nearly complete.

The Cumberland Valley is a segment of the Great (Limestone) Valley, a long and fertile lowland trough, underlain by Cambrian and Ordovician limestone and shale, that extends along the axis of the Appalachian Highlands from the State of Alabama north into Canada. It is geologically well defined by South Mountain to the south and east and by the Allegheny Mountains to the west and north. The segment of the Great Valley lying to the northeast of the Cumberland Valley is known as the Lebanon Valley and the segment lying to the southwest is known as the Shenandoah Valley.

Soil Characteristics

The topography and soils of the Cumberland Valley result from the geology of the area. The valley is a limestone bed that has been weathered to a gently rolling plain. The valley lies at approximately 600 feet above sea level between low mountains that rise to an elevation of about 2,000 feet above sea level and belong to the easternmost fringes of the Appalachian Mountains. The mountains to the west, north and south of the valley are formed of sedimentary, metamorphic sedimentary, and igneous rocks while the valley is composed almost entirely of limestone.

The soils found in the Cumberland Valley are typical of those derived from limestone. The Shenandoah and Lebanon valleys, respectively to the southwest and northeast, are contiguous segments of the Great (Limestone) Valley and bear soil characteristics similar to those of the Cumberland Valley. The soils in these valleys are deep, well drained, generally alkaline, and highly productive with a high

moisture holding capacity whereas the mountains which border to the west, north and south, have soils generally of associations which are not as productive, deep, or well drained and which are acidic.

The General Soil Map of Pennsylvania, prepared by the Pennsylvania State University in collaboration with the Soil Conservation Service of the U.S. Department of Agriculture, and the General Soil Map of Maryland, prepared by the University of Maryland in collaboration with the Soil Conservation Service of the U.S. Department of Agriculture, show that the soils suitable for agriculture in the Cumberland Valley can, in fact, be used to delineate the basin of the valley from the surrounding highlands.

Data from the soil surveys for Washington County in Maryland and the counties of Franklin and Cumberland in Pennsylvania strongly support carrying the Cumberland Valley appellation all the way from the Potomac River to the Susquehanna River.

The major soil associations found in the three counties which make up the Cumberland Valley are Berks, Hagerstown and Murrill and are distributed within the total land area of each county as follows:

Name of county	Soil associations (in acres)			Area (in acres)
	Berk	Hagers-town	Murrill	
Washington (MD)	15,000	136,000	19,000	295,680
Franklin (PA)	150,000	154,000	43,500	482,680
Cumberland (PA)	61,000	58,000	12,700	335,000
Totals	226,000	348,000	75,200	1,113,360

Washington County, Maryland

Soils of the Waynesboro association are found almost entirely on the high terraces along the Potomac River. The Waynesboro soils consist of very old, acid alluvium, mostly gravelly, which have been eroded from highland areas and deposited in rather thick beds above the Potomac River. These soils are well-drained, deep and medium-textured, but require liming in order to be productive for grapegrowing.

Soils of the Berks association have differences in capability depending upon underlying rock formations which can be either limestone (alkaline) or other than limestone (acidic). Berks soils require periodic liming in order to be productive. Berks soils found on slopes hold less moisture than Berks soils found along the beds of creeks which drain the basin of the valley. However, the Berks soil along creek beds is not used for the cultivation of fruit.

Soils of the Murrill association are underlain by limestone and are influenced by limestone materials. These soils are used generally for farming with emphasis on dairying and other livestock enterprises. There are orchards and vindyards on the somewhat higher intermediate slopes where air drainage is better. These soils occur on the lowest western slopes of South Mountain from the Pennsylvania line southward almost to Rohrersville, Maryland. These soils are also on the lowest western slopes of Elk Ridge from near Porterstown, Maryland, southward to the Potomac River; in a small isolated area just north of Antietam, Maryland; and in a large area on the lowest eastern slopes of Fairview Mountain from the Pennsylvania line southward beyond Clear Spring and southeastward to the Potomac in the vicinity of Two Locks.

Soils of the Hagerstown-Duffield-Frankstown association occupy most of the main basin of the Great (Limestone) Valley that crosses Washington County between South Mountain and Fairview Mountain. These are the dominant soils which made up more than 90 percent of soils in the valley in Washington County and are the most important in its agricultural economy which lies chiefly in corn, small grains, hay crops, dairying, breeding of livestock, and fruit.

Franklin County, Pennsylvania

The land area of Franklin County, Pennsylvania, is located primarily in the Great Limestone Valley.

The principal soil associations in Franklin County are: Hagerstown-Duffield, Murrill-Laidig and Weikert-Berks-Bedington.

The deep and well drained Hagerstown-Duffield soils make up about 32 percent of the land in the county and are found in the limestone valleys which are dedicated to crops, fruit, hay, and pasture.

The Murrill-Laidig association consists of deep, well-drained, gently sloping to moderately steep soils formed in colluvium on the foot slopes and benchlike areas on mountainsides. Nearly all of the soils of this association have been cleared and are used for crops, hay, pasture and fruit. They are among the best in Franklin County for farming.

Soils of the Weikert-Berks-Bedington association are shallow to deep, well-drained soils formed in materials weathered from shale and interbedded shale, siltstone and sandstone and are found in the valleys where crops are planted.

Cumberland County, Pennsylvania

Although the soils in Cumberland County have been surveyed, the report of the survey has not yet been published. The Soil Conservation Service in Carlisle, Pennsylvania, furnished field data and a preliminary map which shows continuation into Cumberland County of the major soil types found in Washington and Franklin counties. The Hagerstown type soil (limestone) continues all the way to the floodplain of the Susquehanna River and the Murrill colluvial fans (sandstone over limestone) continue along the slopes of South Mountain.

Climatological Characteristics

Climate is a feature which differentiates the Cumberland Valley from surrounding areas. Because of the location of the Allegheny Mountain complex to the west and north and South Mountain to the south, as well as the movement of warm, moist air northward from the Gulf of Mexico over the basin of the Great (Limestone) Valley, the climate, including average temperature and precipitation, is relatively uniform throughout the Cumberland Valley.

The valley lies in an area of prevailing westerly winds which originate in the interior of North America. Warm, moist air from the Gulf of Mexico flows northward along the basin of the Great (Limestone) Valley into the Cumberland Valley. In addition, the Atlantic Ocean to the east is a modifying factor and an occasional source of warmth and moisture. These conditions give a "Humid Continental" type of climate, typical of the Middle Atlantic States. Most weather systems that affect this area originate in Canda or on the Central Plains of the United States, are caught up in the prevailing westerly flow aloft, move eastward over the Appalachian Mountains, and lose moisture in the form of precipitation over the basin of the valley.

By the time an air mass has passed over the Appalachian chain, it is considerably modified in both temperature and moisture. After cooling and losing moisture while traversing the mountains, an air mass tends to warm and at least partly replenish its moisture supply over the valley. Orographic uplift along the windward side of South Mountain, which forms the eastern portion of the border of the proposed viticultural area, results in increased cloudiness and the greatest precipitation along this eastern ridge. Annual temperatures generally average near 53 °F over the Cumberland Valley but at

higher elevations along the western and eastern borders average two to three degrees lower. Precipitation also follows topographical features; the annual average is 40 inches in the western mountain and valley region and approximately 45 inches in the South Mountain region. The lower totals along the western border are due to the drying of the air mass over the mountains farther west and the lack of a moisture source.

Average temperature and precipitation are relatively consistent throughout the valley. In addition to the data obtained by the petitioners from weather stations within and outside the proposed boundary of the petitioned area, ATF found evidence presented in the notices and Treasury decisions for the Catoctin, Lancaster Valley, and Shenandoah Valley viticultural areas that documents the climatological differences between the Cumberland Valley and surrounding areas.

The climate of the Catoctin viticultural area which lies to the south of the Cumberland Valley has an average annual rainfall of 36–42 inches, temperatures of 50–55 degrees F., and a frost-free season of 160–170 days. The Lancaster Valley viticultural area to the southeast of the Cumberland viticultural area has an average annual rainfall of 40–42 inches, temperatures of 55–60 degrees F., and a frost-free season of 170–180 days. The Shenandoah Valley viticultural area to the southwest of the Cumberland Valley has an average annual rainfall of 34–38 inches, temperatures of 54–56 degrees F., and a frost-free season of 150–160 days.

The petitioners cite data from three weather stations of the National Oceanic and Atmospheric Administration, U.S. Department of Commerce, specifically, the stations at Chewsville (elev. 640 feet) located near Hagerstown (MD) at the southern end of the valley, Chambersburg (PA) located centrally (elev. 570 feet), and Carlisle (PA) located in the northeastern end of the valley (elev. 465 feet). These stations show average temperatures ranging from 51.6 °F to 53.4 °F, total precipitation from 34.9″ to 39.8″, and degree growing days of 3,050 at Chewsville, 2,890 at Chambersburg, and 3,150 at Carlisle. The average annual temperature is 52° Fahrenheit with the coldest month being January (32° Fahrenheit) and the warmest month being July (75° Fahrenheit). Based upon data recorded at Chambersburg, annual precipitation averaging 38.25 inches occurred fairly evenly throughout the 30-year period from 1931 to 1960.

In summer, several periods of hot and humid weather are observed, however, and valley temperatures reach into the nineties about 30 times during summer. On the average, daytime highs reach the middle to upper eighties and nighttime lows are near 60°. Temperatures in the mountains are lower.

Freezing temperatures have not been experienced during summer in the valley. Cloud cover is at a minimum in summer; the valley receives more than 60 percent of the available sunshine, and nights are generally clear.

The prevailing wind is from the southwest and averages 8 miles per hour. Rainfall is generally adequate but dry periods of 2 to 3 weeks duration are sometimes experienced. Summer rainfall is usually in the form of afternoon and evening thundershowers, which occur on an average of 24 days during the months of June, July and August.

The length of the growing season is fairly consistent over the valley and averages 160 to 170 days. Frost occurs as late as mid-May and as early as mid-September. A shorter growing season exists in the mountains. About 57 percent of the annual precipitation falls during spring and summer.

The Climatological characteristics of the Cumberland Valley and surrounding areas may be summarized as follows:

Name of area	Temperature degrees Fahrenheit	Rainfall inches	Frost-free days
Mountains (west).	48 to 50	40	Less than 160
Mountains (north).	48 to 50	40	Do.
South Mountain.	49 to 52	45	Do.
Catoctin	50 to 55	36 to 42	160 to 170.
Cumberland Valley.	51 to 54	34 to 40	Do.
Shenandoah Valley.	54 to 56	34 to 38	150 to 160.
Lancaster Valley.	55 to 60	40 to 42	170 to 180.

Boundary

The boundary of the Cumberland Valley viticultural area is found on 32 United States Geological Survey maps of the 7.5 minute series, scale 1:24,000. The boundary is described in § 9.105.

Viticulture in the Area

The following statistics were developed from information (not necessarily in the petition) available to ATF:

(1) Total acreage in the area—approximately 765,000 acres.

(2) Commercial vineyards (winegrapes)—approximately 20 acres in Maryland and approximately 40 acres in Pennsylvania.

(3) Commercial wineries—one in the Maryland portion of the area and two in the Pennsylvania portion.

Grapes grown commercially for winemaking are mainly *vitis Labrusca* and *vitis Labrusca-vitis vinifera* crosses (French hybrids). Only a few *vitis vinifera* varieties are grown commercially in the area.

Compliance with Executive Order 12291

It has been determined that this final rule is not 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 costs 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 United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

The notice of proposed rulemaking which resulted in this final rule contained a certification under the provisions of the Regulatory Flexibility Act (5 U.S.C. 605(b), that if promulgated as a final rule, it would not have a significant economic impact on a substantial number of small entities. Therefore, the requirement contained in the Regulatory Flexibility Act (5 U.S.C. 603, 604) for a final regulatory flexibility analysis does not apply to this final rule.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Pub. L. 96–511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR Part 1320, do not apply to this final rule because no requirement to collect information is imposed.

Drafting Information

The principal author of this document is Michael J. Breen, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

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

PART 9—AMERICAN VITICULTURAL AREAS

27 CFR Part 9 is amended as follows:

Paragraph 1. The authority citation for 27 CFR Part 9 continues to read as follows:

Authority: August 29, 1935, Chapter 814, sec. 5, 49 Stat. 981, as amended (27 U.S.C. 205), unless otherwise noted.

Par. 2. The Table of sections in 27 CFR Part 9 is amended by adding § 9.105 to Subpart C to read as follows:

* * * * *

Subpart C—Approved American Viticultural Areas

* * * * *

Sec.

§ 9.105 Cumberland Valley.

* * * * *

Par. 3. Subpart C is amended by adding § 9.105 which reads as follows:

§ 9.105 Cumberland Valley.

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

(b) *Approved maps.* The appropriate maps for determining the boundary of the Cumberland Valley viticultural area are the following 32 U.S.G.S. topographical maps of the 7.5 minute series:

(1) "Williamsport Quadrangle", edition of 1969.

(2) "Shepherdstown Quadrangle", edition of 1978.

(3) "Keedysville Quadrangle", edition of 1978.

(4) "Middletown Quadrangle", edition of 1953, photo-revised 1979.

(5) "Myersville Quadrangle", edition of 1953, photo-revised 1971.

(6) "Smithsburg Quadrangle", edition of 1953, photo-revised 1971.

(7) "Waynesboro Quadrangle", edition of 1944, photo-revised 1968 and 1973.

(8) "Iron Springs Quadrangle", edition of 1953, photo-revised 1968 and 1973.

(9) "Scotland Quadrangle", edition of 1944, photo-revised 1968 and 1973.

(10) "Caledonia Park Quadrangle", edition of 1944, photo-revised 1968 and 1973.

(11) "Walnut Botton Quadrangle", edition of 1952, photo-revised 1969 and 1977.

(12) "Dickinson Quadrangle", edition of 1952, photo-revised 1969 and 1977.

(13) "Mount Holly Springs Quadrangle", edition of 1952, photo-revised 1968 and 1973.

(14) "Carlisle Quadrangle", edition of 1952, photo-revised 1968 and 1973.

(15) "Mechanicsburg Quadrangle", edition of 1952, photo-revised 1968 and 1973.

(16) "LeMoyne Quadrangle", edition of 1963, photo-revised 1972.

(17) "Steelton Quadrangle", edition of 1963, photo-revised 1972.

(18) "Harrisburg West Quadrangle", edition of 1969, photo-revised 1974.

(19) "Wertzville Quadrangle", edition of 1952, photo-revised 1968 and 1973.

(20) "Sherman's Dale Quadrangle", edition of 1952, photo-revised 1968 and 1973.

(21) "Landisburg Quadrangle", edition of 1952, photo-revised 1969 and 1977.

(22) "Andersonburg Quadrangle", edition of 1952, photo-revised 1969 and 1977.

(23) "Newville Quadrangle", edition of 1952, photo-revised 1969 and 1975.

(24) "Newburg Quadrangle", edition of 1966, photo-revised 1973.

(25) "Doylesburg Quadrangle", edition of 1966, photo-revised 1973.

(26) "Roxbury Quadrangle", edition of 1966, photo-revised 1973.

(27) "Fannettsburg Quadrangle", edition of 1966, photo-revised 1973.

(28) "St. Thomas Quadrangle" edition of 1944, photo-revised 1968 and 1973.

(29) "McConnellsburg Quadrangle", edition of 1944, photo-revised 1968 and 1973.

(30) "Mercersburg Quadrangle", edition of 1943, photo-revised 1968 and 1973.

(31) "Clear Spring Quadrangle", edition of 1955, photo-revised 1971.

(32) "Hedgesville Quadrangle", edition of 1979.

(c) *Boundary.* The Cumberland Valley viticultural area is located in Washington County in west-central Maryland and Franklin and Cumberland counties in south-central Pennsylvania. The boundary is as follows:

(1) Starting immediately west of the Town of Williamsport in Washington County, Maryland, at Lock 45 of the Chesapeake & Ohio (C&O) Canal National Historical Park and the confluence of the Potomac River and Conococheague Creek (see Williamsport Quadrangle), the boundary proceeds in a southeasternly direction along the perimeter of the park on the northeastern bank of the Potomac River to the confluence of Antitam Creek and the Potomac River;

(2) Then southeast of Limekiln Road which runs along the perimeter of the park from Antietam Creek to the intersection of Limekiln Road and Harpers Ferry Road;

(3) Then northeasterly a straight line approximately two miles to the 952-foot summit of Hawk's Hill;

(4) Then northerly on a straight line approximately 2.5 miles to the intersection of Red Hill Road and Porterstown Road;

(5) Then southeasterly along Porterstown Road to its intersection with Mount Briar—Trego Road;

(6) Then southerly along Mount Briar—Trego Road to its intersection with Millbrook Road;

(7) Then east along Millbrook Road to its intersection with State Route 67, approximately 0.5 mile north of Rohersville, Maryland;

(8) Then directly east approximately 1.25 miles in a straight line to the 1,000-foot contour line of South Mountain;

(9) Then in a north northeasterly direction along the 1,000-foot contour line of South Mountain in Washington County, Maryland, and Franklin and Cumberland counties in Pennsylvania to the point on South Mountain where the 1,000-foot contour line crosses State Hollow Road (Rt. 233);

(10) Then north along Rt. 233 to the point where it crosses the 750-foot contour of South Mountain;

(11) Then east along the 750-foot contour line of South Mountain to the point southwest of the Mount Holly Springs Reservoir where Cold Spring Run, a tributary of Yellow Breeches Creek, crosses the 750-foot contour line, approximately 3 miles southwest of the town of Mount Holly Springs, Pennsylvania;

(12) Then east northeast in a straight line approximately seven miles to Center Point Knob, elev. 1050 feet, approximately two miles southeast of Boiling Springs, Pennsylvania (see Mechanicsburg Quadrangle);

(13) Then continuing east northeast in a straight line approximately six miles to the point where U.S. Rt. 15 crosses Yellow Breeches Creek, approximately one mile east of Williams Grove, Pennsylvania;

(14) Then east and northeast in a meandering line along the north bank of Yellow Breeches Creek to its confluence with the Susquehanna River;

(15) Then north along the west bank of the Susquehanna River, which forms the western portion of the corporate boundary line of the City of Harrisburg, Pennsylvania, to the point where the 300-foot contour line and the west bank of the Susquehanna River meet;

(16) Then directly west to the 700-foot contour line of Blue Mountain overlooking the Susquehanna River;

(17) Then along the 700-foot contour line of Blue Mountain as it meanders west and around McClures Gap;

(18) Then along the 700-foot contour line of Blue Mountain to the point where the 700-foot contour line crosses State Rt. 233;

(19) Then northeast along Rt. 233 through Doubling Gap to the 1,000-foot contour line of Blue Mountain;

(20) Then in a generally southwesterly direction along the 1,000-foot contour line of Blue Mountain into Franklin County to the point where the 1,000-foot contour line meets the roadbed of the Pennsylvania Turnpike, Interstate 76;

(21) Then along the roadbed of the Pennsylvania Turnpike to the east entrance of the Blue Mountain Tunnel;

(22) Then in a straight line approximately 6.5 miles to the intersection of State Rt. 533 and the 1,000-foot contour line of Blue Mountain, approximately one mile west northwest of Upper Strasburg, Pennsylvania;

(23) Then southwest along the 1,000-foot contour line of Blue Mountain to and along the 1,000-foot contour line of Broad Mountain;

(24) Then along the 1,000-foot contour line as it meanders along and around Broad Mountain and Front Mountain to the point where the 1,000-foot contour line crosses Wilson Run near Franklin Furnace, Pennsylvania;

(25) Then southwest in a straight line approximately 3.5 miles to Parnell Knob, elev. 2060 feet;

(26) Then west northwest in a straight line approximately four miles to the point where the 1,000-foot contour line crosses Township Run near Cape Horn on Cove Mountain, approximately two miles north northwest of Fort Loudon, Pennsylvania;

(27) Then southwest along the 1,000-foot contour line of Cove Mountain into and out of Cove Gap;

(28) Then along the 1,000-foot contour line of Cove Mountain and Two Top Mountain in Franklin County, Pennsylvania, and Sword Mountain and Fairview Mountain in Washington County, Maryland, to the point on Fairview Mountain where the 1,000-foot contour line intersects the National Road (U.S. Rt. 40);

(29) Then west along U.S. Rt. 40 approximately 0.5 mile to the intersection of U.S. Rt. 40 and Cove Road;

(30) Then south in a straight line from the intersection of U.S. Rt. 40 and Cove Road approximately 1.25 miles to the intersection of McCoys Ferry Road and State Rt. 56;

(31) Then south along McCoys Ferry Road to the perimeter of the C&O Canal National Historical Park along the Potomac River;

(32) Then southeast along the perimeter of the C&O National Historical Park to the point of beginning.

Signed: January 17, 1985.

W.T. Drake,

Acting Director.

Approved: June 28, 1985.

Edward T. Stevenson,

Deputy Assistant Secretary (Operations).

[FR Doc. 85-17452 Filed 7-22-85; 8:45 am]

BILLING CODE 4810-31-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-41

Unused Ticket Refund Procedures; Completion of Review by the Office of Management and Budget

AGENCY: Office of the Comptroller, GSA.

ACTION: Confirmation of effective date.

SUMMARY: This general notice advises the public that a decision has been made by the Office of Management and Budget (OMB) regarding the final rule on unused ticket refund procedures published in the **Federal Register** on January 8, 1985 (50 FR 938), and submitted to OMB for review, as published in the **Federal Register** on March 12, 1985 (50 FR 9908) and confirms the effective date. OMB has determined that this rule is not subject to the Paperwork Reduction Act because it does not impose any information collection burden on the public.

The General Services Administration (GSA) urges those members of the carrier industry that may have problems meeting requirements of § 101-41.210-5a to contact GSA to discuss mutually satisfactory alternative arrangements, as outlined in § 101-41.210-5c.

EFFECTIVE DATE: Therefore, the provisions published at 50 FR 938 became effective on January 8, 1985.

ADDRESS: Requests should be addressed to: Thomas P. Wolf, Director, Office of Transportation Audits (BW), General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, (202) 786-3000.

FOR FURTHER INFORMATION CONTACT: John W. Sandfort, 202-786-3014.

Dated: July 17, 1985.

Raymond A. Fontaine,

Comptroller.

[FR Doc. 85-17451 Filed 7-22-85; 8:45 am]

BILLING CODE 6820-AM-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 33

Refuge-Specific Fishing Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Fish and Wildlife Service (Service) is revising sections of 50 CFR Part 33 by deleting the provision that requires the issuance of special fishing regulations on an annual basis and by amending § 33.1 to more accurately describe the Service's authority to permit fishing on national wildlife refuges. Also, the term "special regulations" is replaced by a more appropriate term "refuge-specific regulations." Refuge-specific fishing regulations are codified for certain national wildlife refuges.

EFFECTIVE DATE: August 22, 1985.

FOR FURTHER INFORMATION CONTACT: James F. Gillett, Chief, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (telephone 202-343-4311).

SUPPLEMENTARY INFORMATION: 50 CFR Part 33 contains the provisions that govern fishing on national wildlife refuges. Fishing is regulated on refuges for two basic reasons: (1) To properly manage the fishery resource, and (2) to protect other refuge values. On many refuges, the Service policy of adopting State fishing regulations is an adequate way of meeting these objectives, but on other refuges it is necessary for the Service to issue fishing regulations in addition to State regulations to ensure that the Service meets its management responsibilities.

Section 33.3 contains the provision that requires the publication of fishing regulations for a given refuge on an annual basis. These regulations are generally limited to one season and historically have not been permanently codified in Title 50 of the Code of Federal Regulations (50 CFR). The Service implemented this provision in 1960 when the Department of the Interior revised and reorganized 50 CFR. Since then, the number of refuges on the list of areas open to sport fishing has doubled. Also, the authority to issue these regulations has been centralized in the Office of the Assistant Secretary for Fish and Wildlife and Parks to ensure the standardization of these refuge fishing regulations throughout the National Wildlife Refuge System. For these reasons, the provision in § 33.3