

40. On page 67209, column 2, § 1.263A-10, paragraph (b)(6), paragraph (ii) of *Example 3*, line 8, the word "paragraph" is corrected to read "paragraphs".

41. On page 67209, column 2, § 1.263A-10, paragraph (b)(6), paragraph (ii) of *Example 3*, line 6 from the bottom of the paragraph, the language "paragraph (b)(5) of this section. Under" is corrected to read "paragraph (b)(5) of this section). Under".

42. On page 67210, column 1, § 1.263A-10, paragraph (b)(6), in *Example 6*, line 7, the language "the costs of the allocable share of swimming" is corrected to read "the costs of the allocable share of the swimming".

#### § 1.263A-11 [Corrected]

43. On page 67211, column 1, § 1.263A-11, paragraph (c)(2), line 3, the regulation section "§ 1.263A-8(d)(2)(ii)" is corrected to read "1.263A-8(d)(2)(ii)".

44. On page 67211, column 1, § 1.263A-11, paragraph (d)(1), line 23, the language "or units of production, If an asset used" is corrected to read "or units of production. If an asset used".

45. On page 67211, column 2, § 1.263A-11, paragraph (e)(1)(ii) introductory text, line 2, the language "a unit of real property" is corrected to read "a unit of real property—".

46. On page 67211, column 3, § 1.263A-11, paragraph (e)(1)(iii), line 4, the word "the" is corrected to read "that".

47. On page 67211, column 3, § 1.263A-11, paragraph (e)(2), line 5, the language "property costs are excluded from the" is corrected to read "property costs) are excluded from the".

#### § 1.263A-12 [Corrected]

48. On page 67212, column 3, § 1.263A-12, paragraph (d)(4), line 3, the word "example" is corrected to read "examples".

49. On page 67212, column 3, § 1.263A-12, paragraph (e)(2) introductory text, line 1, the word "The" is corrected to read "The".

#### § 1.263A-13 [Corrected]

50. On page 67213, column 3, § 1.263A-13, paragraph (a), line 2 from the bottom of the paragraph, the language "and costs of features based on the" is corrected to read "and costs of common features based on the".

51. On page 67214, column 3, § 1.263A-13, paragraph (c)(7), paragraph (ii) of *Example*, line 2, the language "the meaning of paragraph (c)(2)(i) of

this" is corrected to read "the meaning of paragraph (c)(2)(i) of this".

**Cynthia E. Grigsby,**  
*Chief, Regulations Unit, Associate Chief Counsel (Corporate).*

[FR Doc. 95-7857 Filed 3-30-95; 8:45 am]

BILLING CODE 4830-01-P

## 26 CFR Part 1

[TD 7837]

### Income Tax; Taxable Years Beginning After December 31, 1953; Treatment of Losses on Small Business Stock; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains a correction to final regulations [TD 7837] which were published in the **Federal Register** for Wednesday, September 29, 1982 (47 FR 42728). The final regulations restate and clarify a formula relating to the computation of the amount received for designated stock by a small business corporation.

**EFFECTIVE DATE:** March 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Christina Vasquez, (202) 622-7190 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulations that are the subject of these correcting amendments are under section 1244 of the Internal Revenue Code of 1954.

##### Need for Correction

As published, the final regulations contains an error that is misleading and in need of correction.

##### List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Accordingly, 26 CFR Part 1 is corrected by making the following correcting amendments:

#### PART 1—INCOME TAXES

**Paragraph 1.** The authority citation for Part 1 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*.

**Par. 2.** Section 1.1244(c)-2(b)(2)(i) is amended by revising the last sentence as follows:

**§ 1.1244(c)-2 Small business corporation defined.**

\* \* \* \* \*  
(b) \* \* \*

(2) \* \* \*

(i) \* \* \* The amount received for designated stock shall not exceed \$1,000,000 less amounts received—

(A) In exchange for stock in years prior to the transitional year;

(B) As contributions to capital in years prior to the transitional year; and

(C) As paid-in surplus in years prior to the transitional year.

\* \* \* \* \*

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

[FR Doc. 95-7969 Filed 3-30-95; 8:45 am]

BILLING CODE 4830-01-P

## 26 CFR Part 18

[TD 7976]

### Certain Elections Under the Deficit Reduction Act of 1984; Correction

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correction to the temporary regulations (TD 7976), which were published in the **Federal Register** on Monday, September 10, 1984 (49 FR 35486), relating to the time and manner of making certain elections under the Deficit Reduction Act of 1984.

**EFFECTIVE DATE:** March 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Grigsby, (202) 622-7180 (not a toll-free call).

#### SUPPLEMENTARY INFORMATION:

##### Background

The temporary regulations that are the subject of this correction are under various sections of the Internal Revenue Code of 1954 and the Deficit Reduction Act of 1984 (98 Stat. 494).

##### Need for Correction

As published, TD 7976 contains an error which may prove to be misleading and is in need of clarification.

##### List of Subjects in 26 CFR Part 18

Income taxes, Reporting and recordkeeping requirements.

Accordingly, 26 CFR part 18 is corrected by making the following correcting amendment:

#### PART 18—TEMPORARY INCOME TAX REGULATIONS UNDER THE SUBCHAPTER S REVISION ACT OF 1982

**Paragraph 1.** The authority citation for part 18 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*.

**Par. 2.** Section 18.0 is revised to read as follows:

**§ 18.0 Effective date of temporary regulations under the Subchapter S Revision Act of 1982.**

The temporary regulations provided under §§ 18.1361-1, 18.1377-1, 18.1379-1, and 18.1379-2 are effective with respect to taxable years beginning after 1982, and the temporary regulations provided under § 18.1378-1 are effective with respect to elections made after October 19, 1982.

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

[FR Doc. 95-7970 Filed 3-30-95; 8:45 am]

BILLING CODE 4830-01-P

**Bureau of Alcohol, Tobacco and Firearms**

**27 CFR Part 9**

[TD ATF-362; Re: Notice No. 802]

RIN 1512-AA07

**Cucamonga Valley Viticultural Area (94F-011P)**

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

**ACTION:** Final rule, Treasury decision.

**SUMMARY:** This final rule establishes a viticultural area in San Bernardino and Riverside Counties, California, to be known as "Cucamonga Valley." The petition was filed by Gino L. Filippi of J. Filippi Vintage Co. on behalf of himself and other growers and wineries in the area.

ATF believes that the establishment of viticultural areas and the subsequent use of viticultural area names as appellations of origin in wine labeling and advertising allows wineries to designate the specific areas where the grapes used to make the wine were grown and enables consumers to better identify the wines they purchase.

**EFFECTIVE DATE:** May 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Marjorie D. Ruhf, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226 (202-927-8230).

**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 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 a new part 9 to 27 CFR, providing for the listing of approved American viticultural areas. Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features, the boundaries of which have been delineated in subpart C of part 9. 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 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(s) with the boundaries prominently marked.

**Petition**

ATF received a petition from Gino L. Filippi of J. Filippi Vintage Co. proposing to establish a viticultural area in San Bernardino and Riverside Counties, California, to be known as "Cucamonga Valley." The viticultural area is located in southern California, about 45 miles east of the city of Los Angeles. It contains approximately 109,400 acres. The petitioner states that wine grapes, probably the mission variety, were first planted in the Cucamonga Valley in 1839 or 1840, "undoubtedly one of the first large plantings of grapes in California." According to the petitioner the wine industry in the Cucamonga Valley grew during the late nineteenth and early twentieth centuries, reaching "its peak in the 1940's and 1950's with over 60 wineries producing from approximately 35,000 acres." Today, there are five

bonded wineries within the proposed area, and approximately 2,000 acres are planted to wine grapes. The petitioner notes "the area's great history and heritage of wine growing and winemaking is truly more impressive than the number of acres currently farmed."

The petition was also signed by Philo Biane of Rancho de Philo Winery, René Biane of Guasti Plaza, Don Galleano of Galleano Winery, Paul Hofer III of Hofer Ranch, LeAnn Smothers of the City of Rancho Cucamonga, and Jeff Wilson, of Inland Empire West Resource Conservation District.

**Notice of Proposed Rulemaking**

In response to Mr. Filippi's petition, ATF published a notice of proposed rulemaking, Notice No. 802, in the **Federal Register** on December 2, 1994 (59 FR 61853), proposing the establishment of the Cucamonga Valley viticultural area. The notice requested comments from all interested persons by January 31, 1995.

**Comments on Notice of Proposed Rulemaking**

ATF received 15 letters of comment and copies of several newspaper articles and a newspaper editorial concerning the proposal to establish the Cucamonga Valley viticultural area. All commenters expressed their support for establishing the Cucamonga Valley viticultural area as proposed in Notice No. 802. Commenters included growers and other local business owners, consumers, and government officials.

The Honorable James L. Brulte, State Assembly Republican Leader, wrote to support recognition of Cucamonga Valley as a viticultural area. The Honorable Fred Aguiar, State Assemblyman for the Sixty-first assembly district, endorsed the establishment of Cucamonga Valley viticultural area and wrote further:

Our region has a long and distinguished history in the winegrowing industry and it is highly appropriate that this area be recognized for such a distinction.

The San Bernardino County Board of Supervisors adopted a resolution which read, in part, as follows:

\* \* \* RESOLVED that the Board of Supervisors of the County of San Bernardino, State of California, hereby recognizes the efforts of the local wineries and supports the designation of "CUCAMONGA VALLEY" in advertising and on the labels of wines produced in this vicinity.

The Honorable William J. Alexander, Mayor of Rancho Cucamonga, wrote:

I would like to express our support in establishing the Cucamonga Valley as a