

## DEPARTMENT OF THE TREASURY

## Customs Service

19 CFR Parts 4, 10, 11, 12, 18, 24, 103, 112, 122, 127, 133, 141, 143, 148, 151, 152, 159, 171, 177 and 191

[T.D. 97-82]

### Technical Amendments to the Customs Regulations

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Final rule; correction.

**SUMMARY:** This document makes a correction to the document published in the **Federal Register** which set forth various minor technical changes and corrections to the Customs Regulations. The correction involves the wording of the regulatory text contained in the amendatory instruction pertaining to § 11.9.

**EFFECTIVE DATE:** This correction is effective October 3, 1997.

**FOR FURTHER INFORMATION CONTACT:** Harold Singer, Regulations Branch, Office of Regulations and Rulings (202-927-2340).

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 3, 1997, Customs published in the **Federal Register** (62 FR 51766) as T.D. 97-82 a final rule document setting forth various minor technical changes and corrections to the Customs Regulations. The regulatory amendments included a change to paragraph (b) of § 11.9 (19 CFR 11.9). Although the Background portion of T.D. 97-82 correctly included the word "purchaser" in identifying the affected regulatory text, the amendatory instruction set forth later in the document inadvertently included the word "producer" as part of the amended regulatory text. This document sets forth a new amendatory instruction pertaining to § 11.9 to correct this error.

##### Correction to the Final Regulations

On page 51770, in the first column, the amendatory instruction for § 11.9 is corrected to read as follows:

2. In § 11.9, the first sentence of paragraph (b) is amended by removing the words "manufacturer or purchaser of" and adding, in their place, the words "manufacturer or purchaser or".

Dated: October 20, 1997.

**Harold M. Singer,**

*Chief, Regulations Branch.*

[FR Doc. 97-28300 Filed 10-24-97; 8:45 am]

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## DEPARTMENT OF THE TREASURY

## Bureau of Alcohol, Tobacco and Firearms

## 27 CFR Part 9

[TD ATF-392]

RIN 1512-AA07

### Mendocino Ridge Viticultural Area (95R-017P)

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

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

**SUMMARY:** This Treasury decision establishes a viticultural area located within the boundaries of Mendocino County, California to be known as "Mendocino Ridge," under 27 CFR part 9. This viticultural area is the result of a petition submitted by Mr. Steve Alden on behalf of the Mendocino Ridge Quality Alliance. There are about 262,400 acres or approximately 410 square miles within the outer boundaries of the "Mendocino Ridge" viticultural area, but the actual viticultural area encompasses only the areas at or above 1200 feet in elevation. Because of the 1200 foot elevation, this viticultural area is unique from other coastal viticultural areas. Of the total 262,400 acres, less than one third, or 87,466 acres, lies above 1200 feet elevation. Of these 87,466 acres, approximately 1500 to 2000 acres or 2% of the narrow timber covered ridge-tops are suitable for grape production. There are approximately 75 acres of grapes currently growing within the boundaries of the viticultural area. The 75 acres of grapes are divided among six wineries.

**EFFECTIVE DATE:** December 26, 1997.

**FOR FURTHER INFORMATION CONTACT:** David W. Brokaw, 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 definitive viticultural areas. The regulations 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, the names of which may 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 geographic features, the boundaries of which have been delineated in subpart C of part 9.

Section 4.25a(e)(2), Title 27, CFR, 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 characteristics (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 (or copies) of the appropriate U.S.G.S. map(s) with the proposed boundaries prominently marked.

#### Petition

Mr. Steve Alden of Alden Ranch Vineyards petitioned ATF on behalf of the Mendocino Ridge Quality Alliance for the establishment of a new viticultural area located within the boundaries of Mendocino County, California, to be known as "Mendocino Ridge." There are currently six producing vineyards in the "Mendocino Ridge" viticultural area.

Given the unusual nature of the area, ATF requested public comment in Notice No. 848 on specific questions regarding the supporting evidence. ATF pointed out that the viticultural area would include only the land above a certain elevation within the boundaries described. Thus, ATF wished to solicit public comment on the following questions about the geographic