

A. On inboard aileron actuator control assemblies, Parker Bertea Part Numbers 230900-5007, -5009, -5011, and -5013, and 217300-500E:

1. Prior to the accumulation of 5,000 flight hours since new or overhauled or within the next 1,000 flight-hours whichever occurs later, after the effective date of this AD; and at 1,000 flight-hour intervals thereafter, until the accomplishment of paragraph A.2., below, perform the inspection outlined in the Accomplishment Instructions, Phase I, of McDonnell Douglas DC-10 Service Bulletin A27-196, dated December 7, 1983, and Parker Bertea Service Bulletin 200900/217300-27-102, dated November 15, 1983, or later revisions approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

2. Within the next 7,500 flight-hours after the effective date of this AD, perform the torque check outlined in the Accomplishment Instructions, Phase II, of McDonnell Douglas DC-10 Service Bulletin A27-196, dated December 7, 1983, and Parker Bertea Service Bulletin 200900/217300-27-102, dated November 15, 1983, or later revisions approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

B. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

Note.—Aircraft which have been inspected in accordance with the procedures specified in paragraph A.1., above, or according to equivalent inspection procedures approved by the FAA Principal Maintenance Inspector (PMI) since March 1, 1983, are considered to have complied with the initial inspection requirements of this AD.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Director, Publications and Training, C1-750 (54-60). These documents also may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Los Angeles Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California.

This Amendment becomes effective July 16, 1984.

(Secs. 313(a), 314(a), 601 through 610, and 1102 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89)

Note.—For the reasons discussed earlier in the preamble, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and it is further certified under the criteria of

the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities since no small entities operate DC-10 airplanes. A final evaluation has been prepared for this regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption "**FOR FURTHER INFORMATION CONTACT.**"

Issued in Seattle, Washington on May 31, 1984.

Wayne J. Barlow,
Acting Director, Northwest Mountain Region.

[FR Doc. 84-16026 Filed 6-14-84; 8:45 am]

BILLING CODE 4910-13-M

CIVIL AERONAUTICS BOARD

14 CFR Part 298

Approval of Reporting Requirements; Exemptions for Air Taxi Operations

AGENCY: Civil Aeronautics Board.

ACTION: Notice of approval of reporting requirements by the Office of Management and Budget.

SUMMARY: The Office of Management and Budget has approved an extension of the reporting requirements for CAB Form 298-C "Report of Scheduled Passenger Operations of Commuter Air Carriers" through October 31, 1984, under OMB No. 3024-0009.

EFFECTIVE DATE: May 16, 1984.

FOR FURTHER INFORMATION CONTACT: M. Clay Moritz, Jr., Data Requirements Section, Information Management Division, Office of Comptroller, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428, (202) 673-6042.

SUPPLEMENTARY INFORMATION:

List of Subjects in 14 CFR Part 298

Air taxis and commuter air carriers.

Dated: June 12, 1984.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 84-16095 Filed 6-14-84; 8:45 am]

BILLING CODE 6320-01-M

14 CFR Part 375

Navigation of Foreign Civil Aircraft Within the United States; Approval of Extension of Reporting Requirements by the Office of Management and Budget

AGENCY: Civil Aeronautics Board.

ACTION: Notice.

SUMMARY: The Civil Aeronautics Board has extended the reporting and recordkeeping requirements in Part 375 of the Board's Special Regulations

governing the submission of information by foreign air carriers pursuant to the reporting requirements contained in Sections 375.42, 375.45, 375.70 of the Board's Special Regulations. The Office of Management and Budget approved the extension of these requirements through December 31, 1984, under OMB No. 3024-0031.

EFFECTIVE DATE: May 16, 1984.

FOR FURTHER INFORMATION CONTACT: Bernard Stankus, Data Requirements Section, Information Management Division, Office of Comptroller, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20448, (202) 673-6042.

SUPPLEMENTARY INFORMATION:

List of Subjects in 14 CFR Part 375

Foreign air carriers, Rules.

Dated: June 12, 1984.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 84-16096 Filed 6-14-84; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[T.D. ATF-178 Re: Notice No. 489]

Establishment of the Mendocino Viticultural Area

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

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule establishes a viticultural area located within Mendocino County, California, to be known as "Mendocino." The Bureau of Alcohol, Tobacco and Firearms (ATF) believes the establishment of "Mendocino" as a viticultural area and subsequent use as an appellation of origin on wine labels and in wine advertisements will allow wineries to better designate their specific grape-growing area and will enable consumers to better identify the wines they may purchase.

EFFECTIVE DATE: July 16, 1984.

FOR FURTHER INFORMATION CONTACT: Edward A. Reisman, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 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 allowing 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 in wine labeling and advertising.

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 9.11, Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features.

Under 27 CFR 4.25(e)(2) any interested person may petition ATF to establish a grape-growing region as an American viticultural area.

Petition for Mendocino

ATF was petitioned by Mr. James A. Beckman, Vice-President of Guild Wineries and Distilleries, proposing an area within Mendocino County, California, as a viticultural area to be known as "Mendocino." The petition submitted by Mr. Beckman contained the names of 113 industry members in the area. This viticultural area is located entirely within Mendocino County, California, in the southernmost one-third part of the county. The area consists of about 430 square miles (275,200 acres). Approximately 10,596 acres of grapes are estimated to be growing within the boundaries of the viticultural area according to the 1981 California Grape Acreage Survey published by the California Crop and Livestock Reporting Service. There are 20 bonded wineries currently operating within the viticultural area. In response to this petition ATF published a notice of proposed rulemaking, No. 489, in the *Federal Register* on October 12, 1983 (48 FR 46387) proposing the establishment of the "Mendocino" viticultural area.

General Information

Grapes have been growing in the "Mendocino" viticultural area since the earliest settlement in the mid-1800's. According to the Mendocino County Assessor's records, 25,000 grape vines (or about 40 acres) had been planted by 1871.

By 1910, grapes and wines from the area were listed as principal products of the county. At that time, there were 5,800 acres of grapes and nine wineries that produced 90,000 gallons of wine in the viticultural area. The most popular

grape variety of the time was Zinfandel, and today it is still one of the major grape varieties grown in the area. In the early 1970's large acreages of new vineyards were planted within the viticultural area. As a result of this activity the wineries expanded.

Viticultural Area Name

For many years the name "Mendocino" has been applied to geographical features and manmade structures within the viticultural area, e.g. Lake Mendocino, Mendocino Loam (a type of residual soil), and Mendocino State Hospital. This information was documented on United States Geological Survey maps and United States Department of Agriculture Soil Survey maps. Also, the name "Mendocino" has been used as an appellation of origin on the labeling of wines produced and bottled by wineries located within the viticultural area.

Geographical Features

The "Mendocino" viticultural area encompasses cultivated agricultural areas in the southernmost one-third of Mendocino County in California. The "Mendocino" area is shaped like the letter V with two forks. It includes the watershed areas and drainage basins of both the Navarro and Russian Rivers. The eastern fork, the area which encompasses the Russian River watershed, starts at the headwaters of the Russian River and extends approximately 30 miles south from there. At its widest point on the north end, the viticultural area is about 12 miles wide, encompassing Redwood and Potter Valley with a hilly outcropping separating them. Its narrowest point just south of the middle is six miles wide. The east fork is approximately 30 miles inland from the Pacific Ocean and runs almost parallel to the coastline.

The west fork of the viticultural area, consisting of agricultural areas found in both the Navarro and Russian River watersheds, starts approximately one mile south of a fork in the Navarro River and extends southeast approximately 34 miles. At its widest point on the north end it is approximately eight miles wide and in the middle at its narrowest point it is four miles wide. The west fork also runs parallel to the Pacific coastline, approximately 15 miles inland. At its south end the west fork bends sharply to the east, joining the east fork at its southwestern boundary.

The majority of vineyards within the viticultural area are at elevations ranging from 250 to 1,100 feet, with some vineyards as high as 1,600 feet on the hillsides in the area.

The mountain ridges surrounding the area define the Upper Russian River and Navarro River drainage basins. These ridges, some as high as 3,500 feet, are the natural boundaries of area climates referred to in the petition for the "Mendocino" viticultural area.

The petitioner claimed and ATF agrees that the "Mendocino" viticultural area is distinguished from surrounding areas by climate. The petitioner based this claim on the following evidence that has been verified by ATF:

(a) The "Mendocino" viticultural area generally separates the coastal and interior climate areas and has a very unusual climate pattern. It lies in a climate area called "Transitional." The "Mendocino" viticultural area is unusual in climate because either the coastal or the interior climates can dominate it for either short or long periods of time. Generally this is reflected by a warmer winter and a cooler summer than the interior climate area east of the viticultural area. Also, it provides a grape growing season that has many warm dry days and generally cool nights.

(b) Climatically, the "Mendocino" viticultural area falls somewhere in the middle between Sonoma County and Lake County. The average "Mendocino" growing season is 268 days and rainfall averages 39.42 inches per year. The "Mendocino" viticultural area distribution of heat for June, July, and August averages 602 degree-days and falls between Lake County (678) and Sonoma County (541).

(c) Sonoma County, a major grape-growing region to the south of "Mendocino," displays a profound marine influence. The growing season in Sonoma averages 308 days with the marine influence providing a slightly warmer spring which promotes a bud break up to 10 days earlier than in the "Mendocino" viticultural area.

(d) Lake County, east of "Mendocino," represents a more harsh continental influence with some moderation occurring due to the location of Clear Lake. The growing season in Lake County averages 223 days.

ATF finds the "Mendocino" viticultural area to be a delimited grape-growing region distinguishable by geographical features.

Boundaries

The boundaries of the Mendocino viticultural area may be found on seven U.S.G.S., 15 minute series maps. They are titled "Willitis Quadrangle, California—Mendocino Co." (1961); "Potter Valley Quadrangle, California" (1960); "Ukiah Quadrangle, California"

(1958); "Hopland Quadrangle, California" (1960); "Boonville Quadrangle, California—Mendocino Co." (1959); "Navarro Quadrangle, California—Mendocino Co." (1960); and "Ornbaun Valley Quadrangle, California" (1960). The specific description of the boundaries of the viticultural area is found in the regulations which immediately follow the preamble to this final rule.

After carefully considering the boundaries and supporting evidence submitted, ATF is adopting the "Mendocino" viticultural area boundaries stated in the notice of proposed rulemaking and found in 27 CFR 9.93(c) in this final rule.

Discussion of Comments

The notice of proposed rulemaking, Notice No. 489, contained a 45-day comment period. In that notice ATF invited comments from interested parties regarding two specific issues.

The first issue discussed was the use of the name "Mendocino" without the word "County." ATF asked for comments on whether this is appropriate for a viticultural area name since it also is the name of a county. For this reason ATF asked for written comments on whether the name "Mendocino" without the word county would be misleading or confusing to the consumer and if so, what would be the most appropriate name for this viticultural area.

During the comment period ATF received one comment regarding this issue. The commenter was opposed to the adoption of the name "Mendocino" as a viticultural area since it also is part of a county name.

To insure that the consumer is aware of the distinction between a county and viticultural area appellation of origin on the labeling of wine, ATF has set specific separate requirements for each of these categories. They are as follows:

A county appellation of origin must be identified with the word "County" in the same size of type and in lettering as conspicuous as the name of the county. ATF defines a county as an appellation of origin where at least 75 percent of the wine is derived from grapes grown in the labeled area indicated on the label (e.g. Mendocino County).

ATF believes that since the word "County" must appear in the same size of type and in letters as conspicuous as the name of the county (e.g. "Mendocino County"), this political boundary appellation of origin is clearly shown on the bottle label.

On the other hand an American viticultural area is a delimited grape-growing area distinguished by

geographical features and specific boundaries that have been approved by ATF. The bottle label for such a product must be conspicuously identified with the approved name of the viticultural area (e.g. Mendocino).

In 1978 ATF published Treasury Decision ATF-53 revising regulations in 27 Code of Federal Regulations, Part 4. These requirements provided for the establishment of American viticultural areas. These regulations also allowed the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements. A viticultural area is a delimited grape-growing region distinguished by geographical features, the boundaries of which have been recognized and defined in the regulations.

The requirements for a viticultural area appellation of origin are more specifically defined than the requirements for a county appellation. In the case of wines labeled with an established American viticultural area such as "Mendocino," at least 85 percent of the wine must be derived from grapes grown within the boundaries of that approved American viticultural area.

ATF believes that since only one comment was received on this issue that the majority of consumers are aware of the difference between a "County" political boundary appellation of origin and an American viticultural area appellation of origin. The "El Dorado" California viticultural area was approved in 1983 with similar circumstances and no apparent consumer confusion has been experienced as a result of that approval.

The second issue that ATF requested comments from the public on dealt with the partial or total overlapping of viticultural areas. ATF wanted the consumers to know that delimited grape-growing regions distinguished by geographical features may be eroded by the indiscriminate establishment of overlapping American viticultural areas.

In order for an American viticultural area to be approved by ATF the petitioner must fulfill the requirements of the Federal regulations relating to the establishment of viticultural areas found in 27 CFR 4.25a(e)(2). In addition, the petition must contain valid evidence substantiating that the area of overlap should be included in the viticultural area boundaries.

The Mendocino viticultural area is totally overlapped by the larger North Coast viticultural area. Within the Mendocino viticultural area are found the McDowell Valley, Cole Ranch, Potter Valley and Anderson Valley viticultural areas. Each of these

American viticultural areas were found to be distinct grape-growing areas distinguished by geographical features.

During the comment period no comments were received by ATF on the issue of a partial or total overlapping of viticultural area boundaries.

Having analyzed and evaluated all of the evidence on the overlap issue, ATF has determined that this appellation of origin should be adopted as proposed. The "Mendocino" viticultural area is a delimited grape-growing region distinguished by geographical features.

Miscellaneous

ATF does not wish to give the impression by approving "Mendocino" as a viticultural area that it is approving or endorsing the quality of the wine from this area. ATF is approving this area as being distinct and not better than other areas. By approving this area, wine producers are allowed to claim a distinction on labels and advertisements as to the origin of the grapes. Any commercial advantage gained can only come from consumer acceptance of "Mendocino" wines.

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 proposed.

Executive Order 12291

It has been determined that this final rule is not a "major rule" within the meaning of Executive Order 12291, 46 FR 13193 (Feb. 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 region; 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 provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analyses (5 U.S.C. 603, 604) are not applicable to this final rule because it will not have a significant economic impact on a substantial number of small entities. This final rule is not expected to have significant secondary or incidental

effects on a substantial number of small entities, or impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Accordingly, it is hereby certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that this final rule will not have a significant economic impact on a substantial number of small entities.

Disclosure

A copy of the petition and the comment received are available for inspection during normal business hours at the following location: ATF Reading Room, Room 4407, Office of Public Affairs and Disclosure, 12th and Pennsylvania Avenue NW., Washington, DC 20226.

Drafting Information

The principal author of this document is Edward A. Reisman, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

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

Authority

Accordingly, under the authority in 27 U.S.C. 205 (49 Stat. 981, as amended), the Director proposes the amendment of 27 CFR Part 9 as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.93 to read as follows:

Subpart C—Approved American Viticultural Areas

Sec.
* * * * *

9.93 Mendocino.
Par. 2. Subpart C is amended by adding § 9.93 to read as follows:

Subpart C—Approved American Viticultural Areas

* * * * *

§ 9.93 Mendocino.

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

(b) *Approved maps.* The appropriate maps for determining the boundaries for the Mendocino viticultural area are seven U.S.G.S. maps. They are titled:

(1) "Willits Quadrangle, California—Mendocino Co.," 15 minute series (1961);

(2) "Potter Valley Quadrangle, California," 15 minute series (1960);

(3) "Ukiah Quadrangle, California," 15 minute series (1958);

(4) "Hopland Quadrangle, California," 15 minute series (1960);

(5) "Boonville Quadrangle, California—Mendocino Co.," 15 minute series (1959);

(6) "Navarro Quadrangle, California—Mendocino Co.," 15 minute series (1961);

(7) "Ornbaun Valley Quadrangle, California," 15 minute series (1960).

(c) *Boundaries.* The "Mendocino" viticultural area is located entirely within Mendocino County, California. The beginning point is the southeast corner of Section 30, Township 12 North (T. 12 N.), Range 10 West (R. 10 W.) located along the Mendocino County/Sonoma County line in the southeast quadrant of U.S.G.S. map "Hopland Quadrangle."

(1) From the beginning point, the boundary runs north along the eastern boundary of Sections 30, 19, 18, 7 and 6 to the point labeled Jakes Cr (Jakes Creek) located at the northwest corner of Section 5, T. 12 N., R. 10 W.;

(2) Thence in a straight line in a northwest direction to the point labeled Bedford Rock in Section 3, T. 13 N., R. 11 W.;

(3) Thence in a straight line in a northwest direction to a point labeled Red Mtn in Section 17, T. 14 N., R. 11 W.;

(4) Thence in a straight line in a northwest direction to the southeast corner of Section 25, T. 16 N., R. 11 W.;

(5) Thence in a straight line in a northeast direction to the northeast corner of Section 1, T. 16 N., R. 11 W. located along the Mendocino County/Lake County line;

(6) Thence in a straight line in a northwest direction to the northeast corner of Section 5, T. 17 N., R. 11 W.;

(7) Thence in a westerly direction along the T. 18 N./T. 17 N. township line until it intersects with the R. 13 W./R. 12 W. range line;

(8) Thence in a straight line in a southwest direction to the point labeled Eagle Rock located in Section 16, T. 15 N., R. 13 W.;

(9) Thence in a straight line in a southeast direction to the point labeled Bus McGall Peak located in Section 4, T. 13 N., R. 12 W.;

(10) Thence in a straight line in a westerly direction to an unnamed hilltop, elevation 2,015 feet, in the northeast corner of Section 9, T. 13 N., R. 13 W.;

(11) Thence due south in a straight line in a northwest direction to the junction of Bailey Gulch and the South Branch, North Fork to the Navarro River,

located in Section 8, T. 15 15 N., R. 15 W.;

(12) Thence in a straight line in a southwest direction to Benchmark (BM) 1057 located in Section 28, T. 15 N., R. 16 W.;

(13) Thence due south in a straight line approximately 1.4 miles to Greenwood Creek located in Section 33, T. 15 N., R. 16 W.;

(14) Thence following Greenwood Creek in a generally southeasterly and then a northeasterly direction to where it intersects with the south section line of Section 16, T. 14 N., R. 15 W., approximately .2 miles west of Cold Springs Road;

(15) Thence in an easterly direction along the south section lines of Sections 16, 15, and 14, T. 14 N., R. 15 W., to the intersection of the south section line of Section 14 with an unnamed creek;

(16) Thence in a straight line in a southeasterly direction to Benchmark (BM) 680 located in Section 30, T. 13 N., R. 13 W.;

(17) Thence continuing in a straight line in a southeasterly direction to the intersection of the southwest corner of Section 32, T. 12 N., R. 11 W., and the Mendocino County/Sonoma County line;

(18) Thence following the Mendocino County/Sonoma County line in an easterly, northerly, and then an easterly direction to the beginning point.

Signed: May 3, 1984.

W. T. Drake,

Acting Director.

Approved: May 31, 1984.

Edward T. Stevenson,

Deputy Assistant Secretary (Operations).

[FR Doc. 84-16099 Filed 6-14-84; 8:45 am]

BILLING CODE 4810-31-M

27 CFR Part 9

[T.D. ATF-177; Re: Notice No. 494]

Alcohol; the Monterey Viticultural Area

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

ACTION: Treasury decision, final rule.

SUMMARY: This final rule establishes a viticultural area in Monterey County, California, known as "Monterey." This final rule results from a petition submitted by the Monterey Winegrowers Council.

The establishment of viticultural areas, and the subsequent use of viticultural area names as appellations in wine labeling and advertising will allow wineries to designate the areas from