

(c) *Conditions of marketing*—(1) *Specifications.* Each vial contains the equivalent of 6 grams of ticarcillin (as ticarcillin disodium) to be reconstituted with 25 milliliters of sterile water for injection or sterile physiological saline, and diluted to desired volume of use.

(2) *Sponsor.* See No. 000029 in § 510.600(c) of this chapter.

(3) *Conditions of use.* (i) *Indications for use.* For intraveterine use in horses for treatment of endometritis caused by beta-hemolytic streptococci.

(ii) *Amount.* 6 grams per day, intraveterine, for 3 consecutive days during estrus.

(iii) *Limitations.* For intraveterine use in horses only. Infuse aseptically. Not for use in horses raised for food production. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

*Effective date.* August 30, 1984.

(Sec. 512 (j) and (n), 82 Stat. 347, 350-351 (21 U.S.C. 360b (j) and (n)))

Dated: August 23, 1984.

Lester M. Crawford,  
Director, Center for Veterinary Medicine.

[FR Doc. 84-22996 Filed 8-29-84; 8:45 am]

BILLING CODE 4160-01-M

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 9

[T.D. ATF-181; Re: Notice No. 497]

#### Mississippi Delta Viticultural Area

**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 the States of Mississippi, Tennessee, and Louisiana to be known as "Mississippi Delta." The Bureau of Alcohol, Tobacco and Firearms believes that the establishment of the Mississippi Delta viticultural area and the subsequent use of its name as an appellation of origin in wine labeling and advertising will enable industry to label wines more precisely, and will help consumers to better identify the wines from this area.

**EFFECTIVE DATE:** October 1, 1984.

**FOR FURTHER INFORMATION CONTACT:** Steve Simon, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue NW, Washington, DC 20226 (202-566-7626).

#### SUPPLEMENTARY INFORMATION:

##### Background

ATF regulations in 27 CFR Part 4 provide for 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 on wine labels and in wine advertisements.

Part 9 of 27 CFR provides 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 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.

##### Notice of Proposed Rulemaking

ATF received a petition from Mr. Samuel H. Rushing of The Winery Rushing, for the establishment of a viticultural area in northwestern Mississippi (with minute segments in Tennessee and Louisiana), to be known as "Mississippi Delta." In response, ATF published a notice of proposed rulemaking, Notice No. 497, in the Federal Register on December 23, 1983 (48 FR 56799). That notice solicited public comment with respect to the proposed viticultural area. Five public comments were received, all of them endorsing the area as proposed. Therefore, this Treasury decision establishes the Mississippi Delta viticultural area with boundaries as proposed in Notice No. 497.

##### General Description of the Viticultural Area

The Mississippi Delta viticultural area is leaf-shaped and extends for a length of about 180 miles with a maximum width of about 65 miles. It comprises approximately 6,000 square miles.

The area is a flat, alluvial plain with extremely rich soil. Topsoil in the area is often 35 feet deep. The area is one of the more highly productive agricultural regions in the United States. Growing conditions are favorable to a wide variety of crops. Major crops are cotton, soybeans, grain sorghum, and rice. To a much lesser extent, the area is also a grape-producing region.

In the early part of this century, before Prohibition, grape growing was profitable in the area. Recently, the State of Mississippi has invested millions of dollars in Mississippi State University's Enology Laboratory, located at Stoneville in the heart of the Delta region. This expenditure is based

upon belief that the region will someday become "the grape producing area of the Southeast," according to a letter of support from the head of that Laboratory. Estimates of current vineyard acreage range from 50 to 250 acres. There are vineyards dispersed through the area, and one winery is operating.

##### Name of the Area

The term "delta" is commonly understood to mean a triangular area by the mouth of a river, formed by alluvial deposits. The Mississippi Delta is an exception to this, in that it is an area of alluvial deposits located several hundred miles above the mouth of the Mississippi River. However, according to the evidence the area is a true delta, for its deposits were first laid down in an era of pre-history when the mouth of the Mississippi was much farther north. In more recent times, prior to the construction of the Mississippi River levee system, the area received periodic additional deposits whenever the Mississippi and/or Yazoo River flooded.

Geologists sometimes call the area the "Yazoo Basin," since the area is primarily drained by the Yazoo River, but locally and in literature it is most commonly called the "Mississippi Delta," or just "The Delta."

Author David Cohn's famous statement that the Mississippi Delta "begins in the lobby of the Peabody Hotel in Memphis and ends on Catfish Row in Vicksburg" has been quoted numerous times in histories of Mississippi. In particular, this statement appears in *Mississippi: A History*, by John K. Bettersworth, and *Mississippi*, by the Federal Writers' Project of the Works Progress Administration. (Memphis and Vicksburg are the approximate northern and southern boundaries of the Mississippi Delta viticultural area.)

Because of the danger of flooding, the Mississippi Delta was sparsely settled until about 100 years ago, when the levee system began to make agriculture feasible there. Nevertheless, within this century, the area has developed a considerable distinctive history and reputation.

##### Geographical Features; Boundaries

The western boundary of the area is the levee system of the Mississippi River. West of that, the land is not suitable for agriculture because it is subject to unpredictable, periodic floods. The land that is not protected by the levee system is used primarily for sporting purposes, such as hunting and fishing.

The eastern boundary of the area follows the very striking geographical feature known as the loess bluffs. These bluffs, which rise 100 feet high along the entire eastern side of the Mississippi Delta abruptly demarcate the change from alluvial soil to the windblown soil of the loess hills region. The division between the almost totally flat delta and the very hilly region east of the loess bluffs is dramatic and obvious to an observer.

Because of its shape, the area comes to a point at its north and south ends. At Memphis and at Vicksburg, the loess bluffs come right down to the Mississippi River, thus isolating the Mississippi Delta totally between the bluffs to the east and the river to the west.

Although sharply distinguishable from the areas immediately to the east and west, the Delta is almost totally homogeneous within its boundaries. The land is flat, and the rivers and streams meander very slowly through shifting channels. When one of them changes course, it leaves behind a partially filled "ox-bow lake." Otherwise, there are no significant geographical features within the area to alter its uniformity.

The boundaries of the proposed viticultural area may be found on three U.S.G.S. maps in the scale of 1:250,000 series: Helena (AR, MS, TN), Greenwood (MS, AR, LA), and Jackson (MS, LA). The boundaries are described in 27 CFR 9.96, as added by this document.

**Miscellaneous**

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

**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 final rule because it will not have a significant economic impact on a substantial number of small entities. The 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.

**Executive Order 12291**

In compliance with Executive Order 12291 of February 17, 1981 (46 FR 13193), the Bureau has determined that this final regulation is not a major rule since it will not result in:

- (a) An annual effect on the economy of \$100 million or more;
- (b) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- (c) Significant adverse effects on competition, employment, investment, productivity, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

**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.

**List of Subjects in 27 CFR Part 9**

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

**Drafting Information**

The principal author of this document is Steve Simon, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms.

**Authority and Issuance**

Accordingly, under the authority in 27 U.S.C. 205, 27 CFR Part 9 is amended as follows:

**PART 9—AMERICAN VITICULTURAL AREAS**

Paragraph 1. The table of sections in 27 CFR Part 9, Subpart C, is revised to add the title of § 9.96, to read as follows:

\* \* \* \* \*

**Subpart C—Approved American Viticultural Areas**

Sec.				
9.96	Mississippi Delta.			
	* * * * *			

Par. 2. Subpart C of 27 CFR Part 9 is amended by adding § 9.96, which reads as follows:

**§ 9.96 Mississippi Delta.**

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

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Mississippi Delta viticultural area are three U.S.G.S. maps. They are titled:

- (1) Helena, scale of 1:250,000, 1955 (revised 1977).
- (2) Greenwood, scale of 1:250,000, 1953 (revised 1979).
- (3) Jackson, scale of 1:250,000, 1955 (revised 1973).

(c) *Boundary*—(1) *General.* The Mississippi Delta viticultural area is located in Mississippi, Louisiana, and Tennessee. The starting point of the following boundary description is the intersection of the Illinois Central Gulf (I.C.G.) Railroad and the Mississippi River levee system, on the southeast side of Lake Horne, between Lake View, Mississippi, and Walls, Mississippi, on the Helena map.

(2) *Boundary Description*—(i) From the starting point generally southward along the Mississippi River levee system until it again intersects the I.C.G. Railroad, near Twin Lake, Mississippi (about 10 miles north of Vicksburg, on the Jackson map). In any place where there is more than one continuous levee, the one closest to the Mississippi River is the boundary.

(ii) From the intersection described in paragraph (c)(2)(i), the boundary continues southward along the I.C.G. tracks, until they merge with another branch of the I.C.G. Railroad, near Redwood, Mississippi.

(iii) Then generally northeastward along that other branch of the I.C.G. Railroad, to the Leflore County-Holmes County line (on the Greenwood map).

(iv) Then southeastward along that county line to the Leflore County-Carroll County line.

(v) Then generally northward along that county line to Mississippi Route 7.

(vi) Then generally northeastward along Route 7 to the 90° 00' longitude line.

(vii) Then northward along that longitude line to Mississippi Route 8.

(viii) Then eastward along Route 8 to Mississippi Route 35.

(ix) Then northward along Route 35 to Mississippi Route 322 (on the Helena map).

(x) Then generally eastward along Route 322 to the Panola Quitman Floodway.

(xi) Then northward along that floodway to the range line R.9W./R.8W.

(xii) Then northward along that range line to the 200 ft. contour line (north of Ballentine, Mississippi).

(xiii) Then generally northeastward along that contour line to Mississippi Route 3.

(xiv) Then northward along Route 3 to the Tunica County-Tate County line.

(xv) Then northward along that county line to the Tunica County-De Soto County line.

(xvi) Then northward along that county line to the I.C.G. Railroad.

(xvii) Then northward along the I.C.G. tracks to the starting point.

Signed: August 7, 1984.

W. T. Drake,

Action Director.

Approved: August 21, 1984.

Edward T. Stevenson,

Deputy Assistant Secretary (Operations).

[FR Doc. 84-23023 Filed 8-29-84; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[Eighth Coast Guard District Regulation 84-05]

#### Safety Zone: Vicinity of New Orleans Harbor, Mississippi River

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** The Coast Guard is establishing a Safety Zone in New Orleans Harbor, Mississippi River between the Lower End of the Desire St. Wharf (LMR mile 93.5 AHP) and the Gretna Traffic Light (RDB mile 96.6 AHP). The Safety Zone is needed to protect barges engaged in construction activities for the New Greater New Orleans Mississippi River Bridge from safety hazards associated with a constricted navigation channel and the consequent close proximity of passing vessels to the construction site. The Coast Guard Captain of the Port has delegated the authority to permit entry to the Safety Zone to the traffic control light towman or the New Orleans Vessel Traffic Service (VTS). All vessels are being required to contact the vessel traffic light towman or VTS New Orleans, announce their intentions for entering or mooring within the Safety Zone, and obtain permission to proceed.

**EFFECTIVE DATE:** The provisions of this regulation became effective on 22 February 1984 when an Emergency

Safety Zone was established by Captain of the Port of New Orleans. The regulations will terminate on 31 October 1984, or, if no longer needed, earlier at the discretion of the Captain of the Port, New Orleans. Comments on this regulation will be accepted and considered at any time prior to its termination.

**ADDRESS:** Comments should be mailed to Captain of the Port, U.S. Coast Guard, 4640 Urquhart St., New Orleans, LA 70117. The comments will be available for inspection and copying at that address in the Waterways Safety Department. Normal office hours are between 7 a.m. and 3:30 p.m., Monday through Friday, except holidays.

**FOR FURTHER INFORMATION CONTACT:** LCDR Richard E. Ford c/o Captain of the Port, U.S. Coast Guard, 4640 Urquhart Street, New Orleans, LA 70117, Phone: (504) 589-7117

**SUPPLEMENTARY INFORMATION:** A Notice of Proposed Rulemaking was not published for this regulation and it is being made effective in less than 30 days after Federal Register publication (5 U.S.C. 553b(3)(B)). Following normal rulemaking procedures delaying the effective date of the regulation would have been contrary to the public interest since immediate action was needed to respond to the potential safety hazards involving vessel traffic on the Mississippi River near the bridge construction site. The Crescent River Pilots Association, New Orleans-Baton Rouge Steamship Association, the Board of Commissioners of the Port of New Orleans, and the New Orleans Steamship Association were consulted prior to the effective date of this regulation. However, since this regulation will remain in effect for approximately six months, public comment is desirable to insure that this regulation is both reasonable and workable. Accordingly, written or verbal comments may be made to the Captain of the Port, New Orleans at the address noted above.

Comments should identify the particular portion of the regulation to which they apply, and should include supporting reasons. Commentors should supply their names and addresses and identify the docket number for the regulation. Receipt of written comments will be acknowledged if a stamped self-addressed post card or envelope is enclosed. Based on comments received, this regulation may be changed.

#### Drafting Information

The drafters of this regulation are LCDR Richard E. Ford, Port Safety Officer, and LCDR Larry Hereth, Project

Officer for the Captain of the Port, and LCDR William B. Thomas, Project Attorney, Eighth Coast Guard District Legal Office.

#### Discussion of Regulation

The circumstances requiring this regulation resulted from the construction of the New Greater New Orleans Mississippi River Bridge. The John F. Beasley Construction Company (contractor for the bridge) requested one-way vessel traffic in the vicinity of the construction site to protect their barges. Several barges are being used periodically to erect steel at various locations, progressing from both banks toward the center of the river. This construction can be disrupted, and safety hazards created, by large wakes from passing vessels. The barges at the construction site tend to impede navigation in a portion of the Mississippi River known for its high volume of vessels. Current regulations in 33 CFR 161.402 (which are activated by high river stages) do not provide adequate control over vessels passing the bridge construction site.

The Safety Zone (33 CFR 165.T810 49 FR 13695 of 6 April 1984) established to counteract problems with river traffic congestion in connection with the 1984 Louisiana World Exposition does not conflict with this Safety Zone. Nor is there conflict between this Safety Zone and the Security Zone (33 CFR 165.T811 49 FR 13696 of 6 April 1984) established in the portion of the Mississippi River immediately adjacent to the Exposition site. However, neither of these regulations provide adequate control over vessels passing the bridge construction site.

To safeguard the bridge construction site, the Captain of the Port initially established an Emergency Safety Zone on the river on 22 February 1984. Notice of the zone was accomplished by Broadcast Notice to Mariners and publication in the Local Notice to Mariners. This Safety Zone is also designed to make maximum use of the current vessel traffic control lights (described in 33 CFR 161.402) when they are in operation to control vessel traffic around Algiers Point during high river stages. In the event the vessel traffic control light system is not operating, VTS New Orleans will be used to control vessel traffic in this Safety Zone. In either case, only one-way traffic will be permitted in the vicinity of the bridge construction site during construction activities that constrict the channel. VTS New Orleans can be contacted on CH 11 VHF-FM (156.550 MHz) or CH 16 VHF-FM (156.8 MHz), or by calling 504-589-