

which would more specifically describe the imported footwear.

Drafting Information

The principal author of this document was Glen E. Vereb, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Dated: January 11, 1984.

William von Raab,
Commissioner of Customs.

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BILLING CODE 4820-02-M

Internal Revenue Service

26 CFR Parts 1 and 31

[T.D. 7919]

Employment and Income Taxes; Information From Recipients of Gambling Winnings

AGENCY: Internal Revenue Service,
Treasury.

ACTION: Correction to final rule.

SUMMARY: This document contains a correction to the Federal Register publication beginning at 48 FR 46296 of the final regulations which were the subject of Treasury Decision 7919 relating to withholding on certain payments of gambling winnings and statements furnished by their recipients.

EFFECTIVE DATE: The amendments to the regulations that are the subject of this correction are effective after December 31, 1983.

FOR FURTHER INFORMATION CONTACT: Cynthia Grigsby of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, Washington, D.C. 20224, telephone 202-566-3935 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

On October 12, 1983, the Federal Register published final regulations (48 FR 46296) relating to withholding on certain payments of gambling winnings and statements furnished by their recipients. The amendments were issued under the authority of sections 6011 and 7805 of the Internal Revenue Code of 1954.

On February 13, 1984, the Federal Register published an amendment to the final regulations effective date (49 FR 5344) in Treasury Decision 7943. This amendment postponed the effective date of those regulations to payments of gambling winnings made after

December 31, 1983, rather than November 14, 1983.

Need for a Correction

As published, Treasury Decision 7919 incorrectly amends § 31.3402(q)-1, paragraph (d) by revising Example (3) instead of adding it, and by incorrectly designating a new example as Example (4) instead of Example (11). These errors appear on page 46298, in the left-hand column in the paragraph that is captioned "Par. 2." and in the middle column, first line of the second paragraph under *Examples*.

Correction of Publication

Accordingly, the publication of Treasury Decision 7919 which was the subject of FR Doc. 83-27691, is corrected on page 46298 as follows:

PART 31—[CORRECTED]

1. By revising Par. 2 in the left-hand column to read as follows: "Par. 2. In § 31.3402(q)-1, paragraphs (c)(1)(ii) and (f)(1)(vi) are revised and Examples (3) and (11) are added to paragraph (d) as follows:"

2. In § 31.3402(q)-1, paragraph (d), by correctly designating "Example (4)" as "Example (11)" in the heading of the second full paragraph in the middle column.

George H. Jelly,
Director, Legislation and Regulations
Division.

[FR Doc. 84-6424 Filed 3-9-84; 8:45 am]
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Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[T.D. ATF-167; Reference Notice No. 468]

Establishment of Pacheco Pass Viticultural Area; California

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

ACTION: Final rule (Treasury decision).

SUMMARY: This final rule establishes a viticultural area in California to be known as "Pacheco Pass." The Bureau of Alcohol, Tobacco and Firearms believes that establishment of the Pacheco Pass viticultural area and the subsequent use of its name 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: April 11, 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.

Petition

ATF received a petition from Mr. H. G. Zanger of Pacheco Pass Vineyard, proposing an area near Hollister, California, as a viticultural area to be known as "Pacheco Pass." In response to this petition, ATF published Notice No. 468 in the Federal Register on Thursday, June 2, 1983 (48 FR 24737). This notice solicited public comments in accordance with the Administrative Procedure Act (5 U.S.C. 553). No public comments were received. Therefore, this Treasury decision establishes the Pacheco Pass viticultural area with boundaries as proposed in Notice No. 468.

Pacheco Pass viticultural area extends for a length of about 5 miles and a width of about 1 mile (3200 acres). It is located at the entrance to Pacheco Pass, near the junction of California Routes 152 ("Pacheco Pass Highway") and 156. There are about 17 acres of grapes currently planted in the proposed area, and one bonded wine cellar is operating. The petitioner plans to construct a winery and to plant additional acres of grapes on land that he currently owns in the area.

The name of the area derives from Don Francisco Pacheco, who in 1833 received a large land grant from the Mexican Government. The name of the land grant was "Rancho Pacheco," and the nearby pass over the Diablo Range took the name "Pacheco Pass."

Pacheco Pass is a cut through the Diablo Range and has an approximate total length of 15 miles. The Pacheco

Pass viticultural area occupies only the southern one-third of that total length, because the northern part is unsuitable for viticulture due to shallow, rocky soil. The northern part is also cooler, wetter, and subject to higher winds than the viticultural area.

The viticultural area is distinguishable on the basis of terrain from the surrounding areas to the east and west. The viticultural area is in a valley and generally has flat or gently sloping terrain, whereas to the east and west lie the rugged hills of the Diablo Range. Those hills are too steep for viticulture and are also distinguishable on the basis of soil types.

To the south, the viticultural area is distinguishable from the surrounding area on the basis of both soil and climate. South of the boundaries of the viticultural area, the land is afflicted with high-perched water tables which restrict drainage and boron salts which affect the quality of water. In contrast, the Pacheco Pass viticultural area is free from these defects, having a very good water table and good quality water from Pacheco Creek. Further, the viticultural area has more rainfall than the Hollister Basin to the south, and it enjoys more moderate temperatures due to winds moving through Pacheco Pass en route to the San Joaquin Valley.

Miscellaneous

ATF does not wish to give the impression by approving the Pacheco Pass 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 gained can only come from consumer acceptance of the Pacheco Pass 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 Feb. 17, 1981, 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.

Drafting Information

The principal author of this document is Steve Simon, 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, Wine.

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 § 9.88 as follows:

* * * * *

Subpart C—Approved American Viticultural Areas

Sec.

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9.88 Pacheco Pass.

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Par. 2. Subpart C of 27 CFR Part 9 is amended by adding § 9.88, which reads as follows:

§ 9.88 Pacheco Pass.

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

(b) Approved maps. The appropriate maps for determining the boundaries of Pacheco Pass viticultural area are two U.S.G.S. maps. They are titled:

- (1) San Felipe Quadrangle, 7.5 minute series, 1955 (photorevised 1971).
(2) Three Sisters Quadrangle, 7.5 minute series, 1954 (photorevised 1971).

(c) Boundary—(1) General. The Pacheco Pass viticultural area is located in California. The starting point of the following boundary description is the crossing of Pacheco Creek under California Highway 156, about 4 miles north of Hollister Municipal Airport, in San Benito County, California.

(2) Boundary Description. (i) From the starting point northwestward along Pacheco Creek to the intersection with the straight-line extension of Barnheisel Road. (Note.—This is an old land grant boundary and appears on the U.S.G.S. map as the western boundary of an orchard.)

(ii) From there in a straight line northeastward to the intersection of Barnheisel Road and California Highway 156.

(iii) From there northward along Highway 156 to California Highway 152 ("Pacheco Pass Highway").

(iv) Then northward along Pacheco Pass Highway to the 37° latitude line.

(v) Then eastward along that latitude line to the land line R. 5E./R. 6E.

(vi) Then southward along that land line, crossing Foothill Road, and continuing southward to a point exactly 2,300 feet south of Foothill Road.

(vii) From there is a straight line to the starting point.

Signed: February 13, 1984.

Stephen E. Higgins,

Director.

Approved: March 1, 1984.

E. T. Stevenson,

Deputy Assistant Secretary (Operations).

[FR Doc. 84-0201 Filed 3-9-84; 8:45 am]

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