

**SUPPLEMENTARY INFORMATION:****Background**

On March 24, 2003, the Alcohol and Tobacco Tax and Trade Bureau (TTB) published Notice No. 4, Flavored Malt Beverages and Related Proposals, in the **Federal Register** (68 FR 14292). In this notice of proposed rulemaking, we propose to amend our beer and malt beverage production, labeling, advertising, and formula requirements. The comment period for TTB Notice No. 4 is scheduled to close on June 23, 2003.

Before the close of the comment period, E. & J. Gallo Winery ("Gallo") submitted a request to TTB to extend the comment period for an additional 120 days beyond the June 23, 2003, closing date. In their request, Gallo notes that Notice No. 4 seeks comments on how the proposed alcohol source standard for malt beverages would affect taste, stability, and other characteristics of flavored malt beverages. They further note that TTB requests data, facts, or studies that support public comments on these topics.

Gallo states they require additional time to substantiate their comments with supporting data. Specifically, Gallo states they need additional time to age reformulated products under normal conditions to determine the impact of the proposed changes to the malt beverage alcohol source standards on their products.

We believe that additional time will assist Gallo and other producers of flavored malt beverages in developing new or reformulated products and will provide them with sufficient time to study the effects on taste, stability, and other characteristics that might result from a reformulated product. Therefore, TTB extends the comment period for Notice No. 4 for the additional 120 days that Gallo requests. The comment period will now close on October 21, 2003.

**Drafting Information**

Charles N. Bacon of the Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, drafted this notice.

**List of Subjects***27 CFR Part 7*

Advertising, Beer, Customs duties and inspection, Imports, Labeling, Reporting and recordkeeping requirements, Trade practices.

*27 CFR Part 25*

Beer, Claims, Electronic fund transfers, Excise taxes, Exports, Labeling, Liquors, Packaging and

containers, Reporting and recordkeeping requirements, Research, Surety bonds.

**Authority and Issuance**

This notice is issued under the authority in 27 U.S.C. 205.

Signed: May 22, 2003.

**Arthur J. Libertucci,**  
*Administrator.*

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**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 67**

[Docket No. FEMA-D-7562]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Mary Jean Pajak, P.E., FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-2831.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA or Agency) proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in

accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

**National Environmental Policy Act**

This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act**

The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to establish and maintain community eligibility in the NFIP. As a result, a regulatory flexibility analysis has not been prepared.

**Regulatory Classification**

This proposed rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

**Executive Order 12612, Federalism**

This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

**Executive Order 12778, Civil Justice Reform**

This proposed rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.