

foot contour line crosses their boundaries of incorporation.

Oregon State Route 99W, a heavy-duty road to the east and south, and State Route 240, a medium-duty road to the north, are generally outside the proposed boundary line, but occasionally cross into the proposed Dundee Hills viticultural area. See the narrative boundary description in the proposed regulation below.

#### Maps

The USGS maps required for determining the boundary of the proposed Dundee Hills viticultural area are: (1) Dundee Quadrangle, Oregon, 7.5 Minute Series, 1956, revised 1993; (2) Newberg Quadrangle, Oregon, 7.5 Minute Series, 1961, photorevised 1985; and (3) Dayton Quadrangle, Oregon, 7.5 Minute Series, 1957, revised 1992. The petitioner submitted the required maps, and we list them in the proposed regulation below.

#### Public Participation

##### Comments Sought

We request comments from anyone interested. Please support your comments with specific information about the proposed area's name, growing conditions, or boundaries. All comments must include your name and mailing address, reference this notice number, and be legible and written in language acceptable for public disclosure.

Although we do not acknowledge receipt, we will consider your comments if we receive them on or before the closing date. We will consider comments received after the closing date if we can. We regard all comments as originals.

##### Confidentiality

We do not recognize any submitted material as confidential. All comments are part of the public record and subject to disclosure. Do not enclose in your comments any material you consider confidential or inappropriate for disclosure.

##### Submitting Comments

You may submit comments in any of four ways:

- *By mail:* You may send written comments to TTB at the address listed in the **ADDRESSES** section.
- *By facsimile:* You may submit comments by facsimile transmission to 202-927-8525. Faxed comments must—
  - (1) Be on 8.5- by 11-inch paper;
  - (2) Contain a legible, written signature; and
  - (3) Be five or less pages long. This limitation assures electronic access to

our equipment. We will not accept faxed comments that exceed five pages.

- *By e-mail:* You may e-mail comments to [nprm@ttb.gov](mailto:nprm@ttb.gov). Comments transmitted by electronic-mail must—
  - (1) Contain your e-mail address;
  - (2) Reference this notice number on the subject line; and
  - (3) Be legible when printed on 8.5- by 11-inch paper.
- *By online form:* We provide a comment form with the online copy of this notice on our Web site at <http://www.ttb.gov/alcohol/rules/>. Select "Send comments via e-mail" under this notice number.

You may also write to the Administrator before the comment closing date to ask for a public hearing. The Administrator reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

##### Disclosure

You may view copies of the petition, the proposed regulation, the appropriate maps, and any comments received by appointment at the ATF Reference Library, 650 Massachusetts Avenue, NW., Washington, DC 20226. You may also obtain copies at 20 cents per 8.5- x 11-inch page. Contact the ATF Librarian at the above address or telephone 202-927-7890 to schedule an appointment or to request copies of comments.

For your convenience, we will post this notice and the comments received on the TTB Web site. All posted comments will show the names of commenters but not street addresses, telephone numbers, or e-mail addresses. We may also omit voluminous attachments or material that we consider unsuitable for posting. In all cases, the full comment will be available in the TTB Reference Library. To access the online copy of this notice, visit <http://www.ttb.gov/alcohol/rules/> and select the "View Comments" link under this notice number to view the posted comments.

#### Regulatory Analyses and Notices

##### Paperwork Reduction Act

We propose no requirement to collect information. Therefore, the provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507, and its implementing regulations, 5 CFR part 1320, do not apply.

##### Regulatory Flexibility Act

We certify that this proposed regulation, if adopted, will not have a significant economic impact on a substantial number of small entities. This proposed regulation imposes no

new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of a viticultural area name would be the result of a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no regulatory flexibility analysis is required.

##### Executive Order 12866

This proposed rule is not a significant regulatory action as defined by Executive Order 12866, 58 FR 51735. Therefore, it requires no regulatory assessment.

#### Drafting Information

The principal author of this document is N.A. Sutton (Oregon), Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau.

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

Wine.

#### Authority and Issuance

For the reasons discussed in the preamble, we propose to amend Title 27, Code of Federal Regulations, Part 9, American Viticultural Areas, as follows:

### PART 9—AMERICAN VITICULTURAL AREAS

1. The authority citation for part 9 continues to read as follows:

**Authority:** 27 U.S.C. 205.

2. Subpart C is amended by adding § 9. \_\_\_\_ to read as follows:

#### Subpart C—Approved American Viticultural Areas

##### § 9. \_\_\_\_ Dundee Hills.

(a) The name of the viticultural area described in this section is "Dundee Hills".

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Dundee Hills viticultural area are three 1:24,000 Scale U.S.G.S. topography maps. They are titled:

- (1) Dundee Quadrangle, Oregon, 1956, revised 1993;
- (2) Newberg Quadrangle, Oregon, 1961, photorevised 1985;
- (3) Dayton Quadrangle, Oregon, 1957, revised 1992.

(c) *Boundaries.* The Dundee Hills viticultural area is located entirely within the Willamette Valley viticultural area and Yamhill County, Oregon, near the town of Newberg.

(1) Beginning on the Dundee Quadrangle map at the intersection of the 200-foot contour line with Kuehne Road at the common boundary line of Section 47 and 48, T3S, R3W, proceed east, followed by south, along the