

white grapes, as well as extensive plantings of Pinot Noir. The Laurelwood Series of the loess soils also covers much of the central Chehalem Mountains.

However, the petitioners assert that soil does not distinguish the Chehalem Mountains from the surrounding hill formations. The sedimentary western flank of the Mountains has soils that are much like those further to the west in the hills surrounding the Yamhill River Basin. The basaltic-origin soils along much of the southern slope and the Parrett Mountains spur are similar to the soils further south on the Red Hills and the east side of the Eola Hills. The eolian soils on most of the north side of the Mountains are much like those on the hills further north and east in the Tualatin basin (e.g., Cooper and Bull Mountains). All the alluvial soils at the base of the Chehalem Mountains are much like those of the surrounding valley flood plains. The petitioners contend that the soils contained in the proposed viticultural area are not what make it unique. Rather, geographic features other than soil are what strongly differentiate the Chehalem Mountains from the surrounding valley floors and from the surrounding hill formations.

Boundary Description

See the narrative boundary description of the petitioned viticultural area in the proposed regulation published at the end of this notice.

Maps

The petitioner provided the required maps, and we list them in the proposed regulations.

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 this notice number and your name and mailing address. They must be legible and written in language acceptable for public disclosure.

Because of the potential impact of a Chehalem Mountains viticultural area on current brand names that include "Chehalem," we are particularly interested in comments regarding the proposed area's name. Are there other names for this area that would not conflict with current brand names? We are also interested in suggestions for preventing conflicts between viticultural area names and brand

names of geographic significance, as discussed above under "Impact on Current Wine Labels."

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 public 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. 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/index.htm>. Select the "Send comments via e-mail" link 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.

Public Disclosure

You may view copies of this notice, the petition, the appropriate maps, and any comments received by appointment in our library at 1310 G Street, NW., Washington, DC 20005. You may also obtain copies at 20 cents per 8.5- x 11-inch page. Contact us at the above address or telephone 202-927-8210 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. We may omit voluminous attachments or material that we consider unsuitable for posting. In all cases, the full comment will be available in our library. To access the online copy of this notice, visit at <http://www.ttb.gov/alcohol/rules/index.htm>. 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 regulation, if adopted, will not have a significant economic impact on a substantial number of small entities, including small businesses. The proposal imposes no new reporting, recordkeeping, or other administrative requirements.

The establishment of viticultural areas represents neither our endorsement nor approval of the quality of wine made from grapes grown in the designated areas. Rather, this system allows us to identify areas distinct from one another. In turn, identifying viticultural areas lets wineries describe more accurately the origin of their wines to consumers and helps consumers identify the wines they purchase. Thus, any benefit derived from using a viticultural area name results from 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. Therefore, no regulatory assessment is required.

Drafting Information

B. J. Kipp of the Regulations and Procedures Division (Portland, Oregon) drafted this notice.

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, chapter 1, part 9, Code of Federal Regulations, as follows: