

Commission would revoke acceptance of the 1986 UFOC Guidelines in the near future. Indeed, Section 265 of the amended UFOC Guidelines states NASAA's view that the amended UFOC should take effect "no later than January 1, 1995." Although the Commission did not adopt the January 1, 1995, due date set out in the amended UFOC Guidelines, franchisors were clearly on notice that the franchise registration states preferred an early conversion from the 1986 UFOC to the amended UFOC Guidelines.

For these reasons, the Commission adopts January 1, 1996, as the revocation date for acceptance of disclosures prepared under the 1986 UFOC Guidelines. UFOC disclosures required to be prepared, amended, revised, or filed on and after January 1, 1996, must satisfy the requirements of the 1993 UFOC Guidelines as adopted by NASAA on April 25, 1993, and approved by the Commission on December 30, 1993 (58 FR 69,224) for use in compliance with the Franchise Rule.

List of Subjects in 16 CFR Part 436

Advertising, Business and industry, Franchising, Trade practices.

Authority: 15 U.S.C. 42-58.

By direction of the Commission.

Donald S. Clark,

Secretary.

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DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[TD ATF-368 ; Re: Notice No. 812]

RIN: 1512-AA07

Puget Sound Viticultural Area (94F-019P)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule establishes a viticultural area in the State of Washington to be known as "Puget Sound." The petition for this viticultural area was filed by Gerard and Jo Ann Bentryn, Owners-Winemakers of Bainbridge Island Vineyards.

ATF believes that the establishment of viticultural areas and the subsequent use of viticultural area names as appellations of origin in wine labeling and advertising allows wineries to

designate the specific areas where the grapes used to make the wine were grown and enables consumers to better identify the wines they purchase.

EFFECTIVE DATE: October 4, 1995.

FOR FURTHER INFORMATION CONTACT:

David W. Brokaw, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927-8230.

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definitive viticultural areas. The regulations allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements. On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added a new Part 9 to 27 CFR, providing 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 geographic features, the boundaries of which have been delineated in Subpart C of Part 9.

Section 4.25a(e)(2), Title 27, CFR, 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. The petition should include:

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical characteristics (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area, based on features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale, and;

(e) A copy (or copies) of the appropriate U.S.G.S. map(s) with the proposed boundaries prominently marked.

Petition

ATF received a petition from Gerard and Jo Ann Bentryn of Bainbridge Island Vineyards & Winery in Bainbridge Island, Washington, proposing to establish a new viticultural area within the State of Washington to be known as "Puget Sound." Puget Sound (or the "Sound") is an inlet of the Pacific Ocean in Northwestern Washington, extending about 100 miles south from Admiralty Inlet and Juan de Fuca Strait to Olympia. The viticultural area lies within the land basin surrounding the Sound. Eight letters of support from wineries and vineyards located within the area were included with the petition. These letters of support were from: Mount Baker Vineyards, Whidbey Island Winery, Lopez Island Vineyards, Inc., E.B. Foote Winery, Blue Apple Vineyard, Molly's Vineyard, Coolen Wine Cellar, and Johnson Creek Winery/Alice's Restaurant.

The Puget Sound viticultural area is located in the Northwestern portion of Washington State. The entire Puget Sound watershed contains 13,100 square miles of land, 150 square miles of fresh water, and 2,500 square miles of saltwater. The Puget Sound viticultural area contains approximately 55% of the watershed's land area and water or 7,150 square miles of land and 1,500 square miles of water for a total area of 8,650 square miles. It has a maximum length of 190 miles from north to south and 60 miles from east to west, although it is most often less than 45 miles wide.

Notice of Proposed Rulemaking

In response to Gerard and Jo Anne Bentryn's petition, ATF published a notice of proposed rulemaking, Notice No. 812, in the Federal Register on May 22, 1995 [60 FR 27060], proposing the establishment of the Puget Sound viticultural area. The notice requested comments from all interested persons by July 6, 1995.

Comments on Notice of Proposed Rulemaking

ATF did not receive any letters of comment in response to Notice No. 812. Eight letters of support from wineries and vineyards located within the area were included with the petition as discussed above. Accordingly, this final rule establishes a Puget Sound viticultural area with boundaries identical to those proposed in Notice No. 812.

Evidence That the Name of the Area is Locally or Nationally Known

The name "Puget Sound" was established in 1791 by Captain George