

Impact on Current Wine Labels

Part 4 of the TTB regulations prohibits any label reference on a wine that indicates or implies an origin other than the wine's true place of origin. For a wine to be labeled with an AVA name or with a brand name that includes an AVA name, at least 85 percent of the wine must be derived from grapes grown within the area represented by that name, and the wine must meet the other conditions listed in § 4.25(e)(3) of the TTB regulations (27 CFR 4.25(e)(3)). If the wine is not eligible for labeling with an AVA name and that name appears in the brand name, then the label is not in compliance, and the bottler must change the brand name and obtain approval of a new label. Similarly, if the AVA name appears in another reference on the label in a misleading manner, the bottler would have to obtain approval of a new label. Different rules apply if a wine has a brand name containing an AVA name that was used as a brand name on a label approved before July 7, 1986. See § 4.39(i)(2) of the TTB regulations (27 CFR 4.39(i)(2)) for details.

The expansion of the Fair Play AVA will not affect any other existing AVA, and bottlers using "Fair Play," "El Dorado," or "Sierra Foothills" as an appellation of origin or in a brand name for wines made from grapes within the "Fair Play," "El Dorado," or "Sierra Foothills" AVAs will not be affected by this expansion of the Fair Play AVA. The expansion of the Fair Play AVA will allow vintners to use "Fair Play," "El Dorado," or "Sierra Foothills" as appellations of origin for wines made primarily from grapes grown within the expansion area if the wines meet the eligibility requirements for the appellation.

Regulatory Flexibility Act

TTB certifies that this regulation will not have a significant economic impact on a substantial number of small entities. The regulation imposes no new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of an AVA 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

It has been determined that this rule is not a significant regulatory action as defined by Executive Order 12866 of September 30, 1993. Therefore, no regulatory assessment is required.

Drafting Information

Karen A. Thornton of the Regulations and Rulings Division drafted this final rule.

List of Subjects in 27 CFR Part 9

Wine.

The Regulatory Amendment

For the reasons discussed in the preamble, TTB amends title 27, chapter I, part 9, Code of Federal Regulations, 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.

Subpart C—Approved American Viticultural Areas

- 2. Section 9.168 is amended by revising paragraphs (b), (c)(4) through (c)(7), (c)(12), and (c)(13) to read as follows:

§ 9.168 Fair Play.

(a) * * *

(b) *Approved maps.* The four United States Geological Survey (USGS) 1:24,000 scale topographic maps used to determine the boundary of the Fair Play viticultural area are titled:

- (1) Aukum, Calif., 1952 (photorevised 1973);
- (2) Camino, CA, 1952 (photorevised 1973);
- (3) Sly Park, CA, 1952 (photorevised 1973); and
- (4) Omo Ranch, Calif., 1952 (photorevised 1973).

(c) * * *

(4) The boundary continues east along Grizzly Flat Road to its intersection with the 2,200-foot contour line ("Camino Quadrangle");

(5) The boundary continues northeasterly and then easterly along the 2,200-foot contour line until the contour line intersects with Jackass Canyon Creek near the eastern boundary of Section 10, T. 9 N., R. 12. E., on the "Camino Quadrangle" map;

(6) The boundary then proceeds southeast along Jackass Canyon Creek, crossing over the southwestern corner of the "Sly Park" Quadrangle map and onto the "Omo Ranch" Quadrangle map, to the headwaters of the creek, then proceeds in a straight line southeast to Grizzly Flat Road in Section 24, T. 9 N., R. 12 E.;

(7) The boundary continues east along Grizzly Flat Road until the road intersects with the range line between R.

12 E. and R. 13 E. ("Omo Ranch Quadrangle");

* * * * *

(12) The boundary continues west along the South Fork of the Cosumnes River to its intersection with the western boundary of Section 14, T. 8 N., R. 11 E. ("Aukum Quadrangle");

(13) The boundary then proceeds north along the western boundary lines of Sections 14, 11, and 2, T. 8 N., R. 11 E., and then the western boundary lines of Sections 35 and 26, T. 9 N., R. 11 E., to return to the beginning point ("Aukum Quadrangle").

Signed: October 14, 2014.

John J. Manfreda,
Administrator.

Approved: November 18, 2014.

Timothy E. Skud,

Deputy Assistant Secretary, (Tax, Trade, and Tariff Policy).

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 230

RIN 0596-AD21

Forest Land Enhancement Program (FLEP)

AGENCY: Forest Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule removes regulations for the Forest Land Enhancement Program (FLEP) from the Code of Federal Regulations in conformity with Sec. 8001 of the Agriculture Act of 2014 (2014 Farm Bill), in which Congress repealed FLEP. The Program's funding authority expired in fiscal year 2007.

DATES: The rule is effective March 9, 2015. Submit comments by February 5, 2015.

ADDRESSES: Written comments concerning this rule should be addressed to Karl R. Dalla Rosa, 201 14th Street SW., Washington, DC 20024, Room 3SC. Comments may also be sent via email to kdallarosa@fs.fed.us

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at 201 14th Street, SW., Washington, DC 20024, Room 3SC. Visitors are encouraged to call ahead to 202-205-6206 to facilitate entry to the building.

FOR FURTHER INFORMATION CONTACT: Karl R. Dalla Rosa, Forest Stewardship

Program Manager, Cooperative Forestry, at 202-205-6206, or via email at kdallarosa@fs.fed.us.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The Forest Land Enhancement Program (FLEP) was adopted in the 2002 Farm Bill (Pub. L. 107-171, Sec. 8002), as an amendment to the Cooperative Forestry Assistance Act of 1978 (Pub. L. 95-313; 16 U.S.C. 2101 *et seq.*). FLEP replaced the Stewardship Incentives Program (SIP) and the Forestry Incentives Program (FIP). FLEP was optional in each State and was a voluntary program for non-

industrial private forest (NIPF) landowners. It provided for technical, educational, and cost-share assistance to promote the sustainability of NIPF forests. The law provided FLEP with \$100 million from the Commodity Credit Corporation and spending authority through fiscal year 2007. However, half of these funds were diverted to wildfire control in 2003; \$40 million of these funds were not replenished; and the spending was cancelled. With Sec. 8001 of the Agriculture Act of 2014, or the 2014 Farm Bill, Congress repealed FLEP.

List of Subjects in 36 CFR Part 230

Forests and forest products, Grant programs-natural resources, Intergovernmental relations, Reporting and recordkeeping requirements.

Accordingly, 36 CFR part 230 is amended as follows:

PART 230—STATE AND PRIVATE FORESTRY ASSISTANCE

■ 1. The authority citation for part 230 is revised to read as follows:

Authority: 16 U.S.C. 2109.

Subpart C [Removed]

■ 2. Remove subpart C (consisting of §§ 230.30 through 230.46).

Dated: December 17, 2014.

Robert Bonnie,

Under Secretary, Natural Resources and Environment.

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