

# Federal Register

**Food and Drug Administration****21 CFR Part 5****Delegations of Authority and Organization; Revised Organization; Correction**

**AGENCY:** Food and Drug Administration.  
**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration is correcting a document that revised the regulation setting forth its organization structure. One of the office addresses was incorrect.

**EFFECTIVE DATE:** March 2, 1982.

**FOR FURTHER INFORMATION CONTACT:** Agnes Black, Federal Register Writer (HFC-11), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 82-4892 appearing at page 8761 in the issue for Tuesday, March 2, 1982, the following change is made: In § 5.100 *Headquarters* (21 CFR 5.100), on page 8763, first column, under "Region VII," change the entry reading "St. Louis Station Office: Rm. 755, 1114 Market St., St. Louis, MO 63101" to read "St. Louis Station Office: 808 North Collins St., St. Louis, MO 63102."

Dated: March 25, 1982.

William F. Randolph,  
*Acting Associate Commissioner for Regulatory Affairs.*

[FR Doc. 82-8527 Filed 3-29-82; 8:45 am]  
**BILLING CODE 4160-01-M**

**21 CFR Parts 446 and 450**

[Docket No. 76N-0198]

**Antibiotic and Antibiotic-Containing Drugs; Histamine Test Method; Correction**

**AGENCY:** Food and Drug Administration.  
**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a document that amended the antibiotic drug regulations by adopting the United States Pharmacopeia (USP) XX procedure used for testing antibiotic drug samples for histamine and by changing the word "histamine" to the phrase "depressor substances" to be consistent with the amendment.

**EFFECTIVE DATE:** January 11, 1982.

**FOR FURTHER INFORMATION CONTACT:** Agnes Black, Federal Register Writer (HFC-11), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 81-35166 appearing in the issue for Friday, December 11, 1981 (46 FR 60567), the following changes are made:

**PART 446—TETRACYCLINE ANTIBIOTIC DRUGS**

1. The amendment to Part 446, appearing under item 4. on page 60568, is corrected by changing the reference to "§ 446.281(a)(3)(i)(a);" to read "§ 446.281c(a)(3)(i)(a);" and by adding directly after it the phrase "§ 446.281d(a)(1) and (3)(i)(b) and (b)(5);".

**PART 450—ANTITUMOR ANTIBIOTIC DRUGS**

2. The amendment to Part 540, appearing under item 6. on page 60568, is corrected by changing the reference to "§ 450.10a(a)(1)(v) and (3)(i);" to read "§ 450.10a(a)(1)(v) and (3)(i) and (b)(5);".

Dated: March 25, 1981.

William F. Randolph,  
*Acting Associate Commissioner for Regulatory Affairs.*

[FR Doc. 82-8528 Filed 3-29-82; 8:45 am]  
**BILLING CODE 4160-01-M**

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****25 CFR Ch. I****Redesignation Table for Chapter I Title 25—Indians**

March 23, 1982.

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Indian Affairs (BIA) is publishing a final rule document which redesignates numerous Parts presently compiled in Chapter I of Title 25 of the Code of Federal Regulations. The new realignment of Chapter I will assemble broad subjects, now appearing in numerous Subchapters of Chapter I, into uniform Subchapters under precise headings, enabling the public to locate subject matter more easily.

**EFFECTIVE DATE:** March 30, 1982.

**FOR FURTHER INFORMATION CONTACT:** Ronal D. Eden, Bureau of Indian Affairs, Division of Management Research and Evaluation, Washington, D.C. 20245, telephone number (202) 343-7684.

**SUPPLEMENTARY INFORMATION:** This rulemaking document is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

The present alignment of numerous Parts of Chapter I, Title 25 is unsatisfactory and confusing because all similar Parts are not listed under relevant Subchapters.

Part 221, Operation and Maintenance Charges, is listed under a Subchapter designated as Operation and Maintenance instead of under a subchapter more suitable for irrigation. All the parts listed under Subchapter S, Construction, are erroneously designated. These Parts deal with reimbursements of construction charges paid previously by the Federal Government and are hereby redesignated under a more appropriate Subchapter (Financial Activities) in this document.

All Parts for Fish and Wildlife are consolidated under an appropriate Subchapter. Numerous other Parts were placed incorrectly under various Subchapters throughout Chapter I and are hereby redesignated under more appropriate Subchapters. Parts 1 and 2 remain the same under Subchapter A, Procedures and Practices. Part 259, Preference in Employment, is moved from Subchapter W to Subchapter A and is renumbered as Part 5. Parts 11, 12 and 13 remain the same under Subchapter B, Law and Order. Parts 15, 16, and 17 remain the same under Subchapter C, Probate.

Parts 20, 21, 22, and 23 remain the same except that Subchapter D, previously title Social Welfare, is retitled as Human Services. Part 34, Administration of a program of vocational training for adult Indians, is moved from Subchapter E, Education, to Subchapter D. Subchapter E, Education, remains the same except for changing Part 34, as noted above, and renumbering all remaining Parts.

Subchapters F, Enrollment, and G, Tribal Government, are consolidated under Subchapter F, Tribal Government, and all Parts are renumbered accordingly. Subchapter I, Credit Activities; J, Fiscal and Financial Affairs; S, Construction, and Parts 251, 252 and 254 listed under Subchapter W, Miscellaneous Activities, are hereby consolidated under Subchapter G, Financial Activities; and all Parts are renumbered accordingly. All Parts listed under Subchapter K, Patents, Allotments and Sales; one Part (131) listed under Subchapter L, Leasing and Permitting; all Parts listed under Subchapter M, Forestry; all Parts listed under Subchapter N, Grazing; two Parts (161, 162) listed under Subchapter O, Rights of Way; all Parts listed under Subchapter R, Irrigation; one Part (221) listed under Subchapter T, Operations

and Maintenance; and all Parts listed under Subchapter U, Electric Power System; and one Part (257) listed under Subchapter W, Miscellaneous, are hereby consolidated under a new Subchapter H, titled Land and Water, and are renumbered accordingly.

All Parts listed under Subchapter P, Mining; and Q, Oil and Gas, are consolidated under a newly designated Subchapter I titled Energy and Minerals. Parts 88, 89 and 90 listed under Subchapter H, Economic Enterprises; and Parts 255, 256 and 258 listed under Subchapter W, Miscellaneous, are hereby consolidated under a newly designated Subchapter J, Fish and Wildlife. Part 261, Housing Improvement Program, is moved from Subchapter X, Housing, to Subchapter K, Housing, and is renumbered accordingly.

Part 132, Preservation of Antiquities, listed under Subchapter L, Leasing and Permitting; and Part 163, Establishment of roadless and wild areas on Indian reservations, listed under Subchapter O, Rights-of-Way-Roads, are consolidated under a new Subchapter L, Heritage Preservation, and are renumbered accordingly. Subchapter Y, Indian Self Determination and Education Assistance Act Programs, is relettered as Subchapter M with no changes made to the title of the Subchapter or numbering of the Parts. Part 80, Indian Business Development Program, listed under Subchapter H, Economic Enterprises, is moved to Subchapter N, Economic Enterprises, and is renumbered accordingly. Subchapter W, Miscellaneous Activities, is relettered as Subchapter O.

Normally, it is the policy of the Department of the Interior to afford the public an opportunity to participate in the rulemaking process.

Since the Bureau of Indian Affairs is only redesignating the Parts of Chapter I of 25 CFR, it is determined that the normal notice and public procedure would be impracticable and unnecessary and they are hereby dispensed with under the exception provided in subsection (b)(B) of 5 U.S.C. 553 (1970). Since this document contains only administrative changes, the 30 day deferred effective date is dispensed with under the exception provided in subsection (d)(3) of 5 U.S.C. 553 (1970). For the same reasons this document is exempt from the provisions of E.O. 12291. Accordingly, this document will become effective upon March 30, 1982.

The primary author of this document is Michael G. Abretski, Management Analyst, Bureau of Indian Affairs, Washington, D.C., telephone number (703) 235-2517.

Chapter I of Title 25 of the Code of Federal Regulations is assigned new subchapters A-D and all Parts of Chapter I are hereby redesignated as follows:

Former part No.	New part No.
<b>Subchapter A.—Procedures and Practices</b>	
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<b>Subchapter B.—Law and Order</b>	
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<b>Subchapter C.—Probate</b>	
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<b>Subchapter D.—Human Services</b>	
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<b>Subchapter G.—Financial Activities</b>	
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<b>Subchapter J.—Fish and Wildlife</b>	
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<b>Subchapter K.—Housing</b>	
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<b>Subchapter L.—Heritage Preservation</b>	
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163.....	265
<b>Subchapter M.—Indian Self-Determination and Education Assistance Act Program</b>	
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Former part No.	New part No.
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Subchapter N.—Economic Enterprises	
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## SUBCHAPTER O—MISCELLANEOUS [Reserved]

**Kenneth Smith,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 82-8495 Filed 3-29-82; 8:45 am]

BILLING CODE 4310-02-M

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 9

[T.D. ATF-99; Ref: Notice No. 380]

#### Leelanau Peninsula Viticultural Area

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms, Treasury.

**ACTION:** Final rule, Treasury decision.

**SUMMARY:** This final rule establishes a viticultural area in Leelanau County, Michigan, to be named "Leelanau Peninsula." This final rule is the result of a petition submitted by Mr. Lawrence Mawby, proprietor of the L. Mawby Vineyards/Winery in Suttons Bay, Michigan. The Bureau of Alcohol, Tobacco and Firearms (ATF) believes the establishment of Leelanau Peninsula as a viticultural area and its subsequent use as an appellation of origin in wine labeling and advertising will allow local wineries to better designate their specific grape-growing area and will enable consumers to better identify the wines they purchase.

**EFFECTIVE DATE:** April 29, 1982.

**FOR FURTHER INFORMATION CONTACT:** Norman P. Blake, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226, (202-566-7626).

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37671, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite viticultural areas. These regulations also allow the name of an approved viticultural area to

be used as an appellation of origin in wine labeling and advertising.

On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added a new Part 9 to 27 CFR for the listing of approved viticultural areas.

Section 9.11, Title 27 CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographic features. Section 4.25a(e)(2) outlines the procedures for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area.

ATF was petitioned to establish a viticultural area to be named "Leelanau Peninsula." In response to this petition, ATF published a Notice of Proposed Rulemaking, No. 380, in the *Federal Register* on August 5, 1981 (46 FR 39852), proposing the establishment of the "Leelanau Peninsula" viticultural area.

#### Comments

Seven comments were submitted in response to the notice. The comments were submitted by: the Leelanau County Board of Commissioners, as Resolution Number 21-81; a customer of one of the local wineries within the proposed area; a local winery; a horticulturist from Michigan State University; Mr. Leon Adams, author of *The Wines of America*; The Association of American Vintners and one of the first commercial grape growers in the proposed area. All of these commenters supported the petition for the viticultural area, as proposed.

#### Historical and Current Evidence of the Name

The name of the area, Leelanau Peninsula, was well documented in the petition as an area which has been associated with fruit-growing for over 100 years. More recently, the area has been identified as a distinctive grape-growing region which contains four wineries.

These wineries have approximately 120 acres of bearing French hybrid and Vinifera grapes. An additional 25-30 acres of these varieties have been planted.

The petitioner furnished information which documented the name Leelanau (initially spelled Leelinau) as first appearing in written records of the State of Michigan in 1840 as a result of a treaty with the Indians. In the 1836 Treaty of Washington, the upper western half of the State's lower peninsula was ceded by the Indians to the State of Michigan. The Leelanau area was officially designated as a county in 1862.

After evaluating the information contained in the petition and the written comments, ATF believes the historical and current evidence supports the name of the viticultural area as being a distinct grape-growing region.

#### Geophysical Evidence

In accordance with 27 CFR 4.25a(e)(2), a viticultural area should possess geographical features which distinguish it from surrounding areas.

The Leelanau Peninsula was formed by glacial action and is distinguishable on three sides by natural features; Lake Michigan on the west and north, and the West Arm of Grand Traverse Bay on the east.

One comment stated that: "The moderating effect of Lake Michigan delays fruit development in the spring generally beyond the most serious frost period and then prevents sudden drops in temperature in the fall. This area of Michigan also receives considerable winter snowfall which generally prevents the soil from freezing, thus preventing fruit tree and vine crop root injury." The petitioned area contains microclimates which support varieties of French hybrid and Vinifera winegrapes.

The soils in the proposed area vary widely, as is always the case when land is formed by glacial action and deposits. The soil levels consist of granite and limestone bedrock, clay subsoils, with sand and gravel loam surface soils. This area is characterized by large deep inland lakes which add an additional moderating effect to the climate, high-rolling and heavily-timbered hills in the north, and undulating plateaus in the south which rise 250 to 400 feet above Lake Michigan.

The Leelanau Peninsula and the Old Mission Peninsula to the east, comprise one of Michigan's two wine grape regions. The other region is located approximately 200 miles south along the Lake Michigan shore. These two regions are distinguishable by an average 20 day difference in the number of frostfree growing days which relates to an approximate difference of 400-500 cumulative growing-degree days (2300 degree days in the Leelanau area and 2800 degree days in the southern area).

Based on the information contained in the petition and comments received pertaining to the geographical, climatic and soil features, ATF has determined that the proposed area is distinguishable from the surrounding area.

#### Boundaries

The boundaries, as proposed, were established by the use of natural features on three sides; Lake Michigan