

(ii) *Distinguishing features.* The petition must demonstrate that the area covered by the proposed change has, or does not have, distinguishing features affecting viticulture that are essentially the same as those of the existing AVA. If the proposed change involves an expansion of the existing AVA, the petition must demonstrate that the area covered by the expansion has the same distinguishing features as those of the existing AVA and has different features from those of the area outside the proposed, new boundary. If the proposed change would result in a decrease in the size of an existing AVA, the petition must explain how the distinguishing features of the excluded area are different from those within the boundary of the smaller AVA. In all cases the distinguishing features must affect viticulture.

(iii) *Boundary evidence and description.* The petition must explain how the boundary of the existing AVA was incorrectly or incompletely defined or is no longer accurate due to new evidence or changed circumstances, with reference to the name evidence and distinguishing features of the existing AVA and of the area affected by the proposed boundary change. The petition must include the appropriate U.S.G.S. maps with the proposed boundary change drawn on them and must provide a detailed narrative description of the changed boundary.

(2) *Name change.* If a petition seeks to change the name of an existing AVA, the petition must establish the suitability of that name change by providing the name evidence specified in paragraph (a)(1) of this section.

§9.13 Initial processing of AVA petitions.

(a) *TTB notification to petitioner of petition receipt.* The appropriate TTB officer will acknowledge receipt of a submitted petition. This notification will be in a letter sent to the petitioner within 30 days of receipt of the petition.

(b) *Acceptance of a perfected petition or return of a deficient petition to the petitioner.* The appropriate TTB officer will perform an initial review of the petition to determine whether it is a perfected petition. If the petition is not

perfected, the appropriate TTB officer will return it to the petitioner without prejudice to resubmission in perfected form. If the petition is perfected, TTB will decide whether to proceed with rulemaking under §9.14 and will advise the petitioner in writing of that decision. If TTB decides to proceed with rulemaking, TTB will advise the petitioner of the date of receipt of the perfected petition. If TTB decides not to proceed with rulemaking, TTB will advise the petitioner of the reasons for that decision.

(c) *Notice of pending petition.* When a perfected petition is accepted for rulemaking, TTB will place a notice to that effect on the TTB Web site.

§9.14 AVA rulemaking process.

(a) *Notice of proposed rulemaking.* If TTB determines that rulemaking in response to a petition is appropriate, TTB will prepare and publish a notice of proposed rulemaking (NPRM) in the FEDERAL REGISTER to solicit public comments on the petitioned-for AVA action.

(b) *Final action.* Following the close of the NPRM comment period, TTB will review any submitted comments and any other available relevant information and will take one of the following actions:

(1) Prepare a final rule for publication in the FEDERAL REGISTER adopting the proposed AVA action, with or without changes;

(2) Prepare a notice for publication in the FEDERAL REGISTER withdrawing the proposal and setting forth the reasons for the withdrawal. Reasons for withdrawal of a proposal must include at least one of the following:

(i) The extent of viticulture within the proposed boundary is not sufficient to constitute a grape-growing region as specified in §9.11(a); or

(ii) The name, boundary, or distinguishing features evidence does not meet the standards for such evidence set forth in §9.12; or

(iii) The petitioned-for action would be inconsistent with one of the purposes of the Federal Alcohol Administration Act or any other Federal statute or regulation or would be otherwise contrary to the public interest;

(3) Prepare a new NPRM for publication in the FEDERAL REGISTER setting forth a modified AVA action for public comment; or

(4) Take any other action deemed appropriate by TTB as authorized by law.

Subpart C—Approved American Viticultural Areas

§ 9.21 General.

The viticultural areas listed in this subpart are approved for use as appellations of origin in accordance with part 4 of this chapter.

§ 9.22 Augusta.

(a) *Name.* The name of the viticultural area described in this section is “Augusta.”

(b) *Approved maps.* The approved maps for the Augusta viticultural area are two U.S.G.S. maps. They are titled:

(1) “Washington East, Missouri”, 7.5 minute quadrangle; and

(2) “Labadie, Missouri”, 7.5 minute quadrangle.

(c) *Boundaries.* The boundaries of the Augusta viticultural area are located in the State of Missouri and are as follows:

(1) The beginning point of the boundary is the intersection of the St. Charles County line, the Warren County line and the Franklin County line.

(2) The western boundary is the St. Charles County-Warren County line from the beginning point to the township line identified on the approved maps as “T45N/T44N.”

(3) The northern boundary is the township line “T45N/T44N” from the St. Charles County-Warren County line to the range line identified on the approved maps as “R1E/R2E.”

(4) The eastern boundary is the range line “R1E/R2E” from township line “T45N/T44N” extended to the St. Charles County-Franklin County line.

(5) The southern boundary is the St. Charles County-Franklin County line from the extension of range line “R1E/R2E” to the beginning point.

[T.D. ATF-72, 45 FR 41633, June 20, 1980]

§ 9.23 Napa Valley.

(a) *Name.* The name of the viticultural area described in this section is “Napa Valley.”

(b) *Approved maps.* The maps showing the boundaries of the Napa Valley viticultural area are the:

(1) “Mt. St. Helena” U.S.G.S. 7.5 minute quadrangle;

(2) “Detert Reservoir” U.S.G.S. 7.5 minute quadrangle;

(3) “St. Helena” U.S.G.S. 15 minute quadrangle;

(4) “Jericho Valley” U.S.G.S. 7.5 minute quadrangle;

(5) “Lake Berryessa” U.S.G.S. 15 minute quadrangle;

(6) “Mt. Vaca” U.S.G.S. 15 minute quadrangle;

(7) “Cordelia” U.S.G.S. 7.5 minute quadrangle;

(8) “Cuttings Wharf” U.S.G.S. 7.5 minute quadrangle; and

(9) Appropriate Napa County tax assessor’s maps showing the Napa County-Sonoma County line.

(c) *Boundaries.* The Napa Valley viticultural area is located within Napa County, California. From the beginning point at the conjunction of the Napa County-Sonoma County line and the Napa County-Lake County line, the boundary runs along—

(1) The Napa County-Lake County line;

(2) Putah Creek and the western and southern shores of Lake Berryessa;

(3) The Napa County-Solano County line; and

(4) The Napa County-Sonoma County line to the beginning point.

[T.D. ATF-79, 46 FR 9063, Jan. 28, 1981, as amended by T.D. ATF-201, 50 FR 12533, Mar. 29, 1985]

§ 9.24 Chalone.

(a) *Name* The name of the viticultural area described in this section is “Chalone.”

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Chalone viticultural area are four U.S.G.S. 7.5 minute quadrangle maps. They are titled:

(1) “Mount Johnson, California, 1968”;

(2) “Bickmore Canyon, California, 1968”;

(3) “Soledad, California, 1955”;