

Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

**FOR FURTHER INFORMATION CONTACT:** Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; telephone: (817) 624-4911, extension 302.

#### **SUPPLEMENTARY INFORMATION:**

##### **History**

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in the Federal Register on January 2, 1981 (46 FR 540), contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Designation of a transition area at Yoakum, Tex., will necessitate an amendment to this subpart. This amendment will be required at Yoakum, Tex., since there is a proposed establishment of IFR procedures to the Yoakum Municipal Airport.

##### **Comments Invited**

Interested persons are invited to participate in this proposed rule making by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-ASW-11." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed

in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rule making will be filed in the docket.

##### **Availability of NPRM**

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

##### **The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding:

##### **Yoakum, Texas**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Yoakum Municipal Airport (latitude 29°18'50"N., longitude 97°08'18"W.) and within 3 miles each side of the 132° bearing of the NDB (latitude 29°18'45"N., longitude 97°08'19"W.) extending from the 5-mile radius area to 8.5 miles southeast of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.61(c))

**Note.**—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, Texas, on April 21, 1981.

F. E. Whitfield,

*Acting Director, Southwest Region.*

[FR Doc. 13137 Filed 5-1-81; 8:45 am]

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## **DEPARTMENT OF THE TREASURY**

### **Bureau of Alcohol, Tobacco and Firearms**

#### **27 CFR Parts 4, 5, and 7**

[Notice No. 372; Ref: T.D. ATF-66]

#### **Ingredient Labeling of Wine, Distilled Spirits, and Malt Beverages**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In keeping with the President's commitment to evaluate all regulations to assure that they are truly necessary, cost effective, beneficial, and in alignment with United States international commitments, the Department has reviewed comments received in response to Notice No. 314, published in the Federal Register on February 2, 1979 [44 FR 6740]. As a result of that review, the Department is proposing to rescind T.D. ATF-66, published in the Federal Register on June 13, 1980 [45 FR 40538]. T.D. ATF-66 requires the ingredient disclosure of all alcoholic beverages.

In accordance with Executive Order 12291, this notice of proposed rulemaking is not classified as a major rule.

**DATE:** Comments must be received on or before July 6, 1981.

**ADDRESS:** Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044.

**FOR FURTHER INFORMATION CONTACT:** Norman Blake or Roger Bowling, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC (202-566-7626).

#### **SUPPLEMENTARY INFORMATION:** **Background**

On June 13, 1980, T.D. ATF-66 was published in the Federal Register [45 FR 40538]. This Treasury decision requires ingredient disclosure on labels of wine, distilled spirits, and malt beverages pursuant to 27 CFR Parts 4, 5, and 7. The regulations require the labeling of all essential components used in the product and any additives which color, flavor, preserve, or have a technical or functional effect on the finished product. The regulations generally do not require the labeling of incidental additives. As an exception to such ingredient disclosure, the regulations provide that an industry member could place on the label of the alcoholic beverage an

address in the United States where the consumer could obtain such ingredient information. This Treasury decision became effective on October 14, 1980; however, it does not require mandatory compliance until January 1, 1983.

On February 17, 1981, the President issued Executive Order 12291, which was published in the Federal Register on February 19, 1981 (46 FR 13193), which directs each Federal agency to establish a management system for Federal regulation that will improve the quality and lessen the burden of Federal regulation. This order requires agencies, within their legal authority, to establish regulatory goals, set regulatory priorities, review existing regulations, and implement new regulations with the aim throughout the government of maximizing the benefits to society while at the same time imposing the least burden to achieve those benefits.

With regard to reviewing existing regulations, Executive Order 12291 requires the Department to:

(a) Base administrative decisions on adequate information concerning the need for and consequences of proposed government action;

(b) Undertake regulatory action only when the potential benefits to society for the regulation outweigh the potential cost to society;

(c) Choose regulatory objectives to maximize the net benefits to society;

(d) Choose, among alternative approaches to any given regulatory objective, the alternative involving the least net cost to society; and

(e) Set forth regulatory priorities with the aim of maximizing the aggregate net benefits to society, taking into account the condition of the particular industries affected by regulations, the condition of the national economy, and other regulatory actions contemplated for the future.

#### Proposed Changes

As a result of the review of existing regulations called for by Executive Order 12291, the Department has concluded that T.D. ATF-66 is not in accord with the President's mandate. Therefore, the Department proposes to rescind the ingredient labeling amendments to Parts 4, 5, and 7, of 27 CFR before they become mandatory. The ingredient labeling regulations require:

(a) Label disclosure of all essential components (wheat, corn, grapes, hops, water, etc.), flavoring and coloring materials, preservatives and certain other additives which have a technical or functional effect on the finished alcoholic beverage;

(b) Label disclosure of the use of FD&C Yellow Dye No. 5;

(c) Mandatory metric type size conversion on labels of distilled spirits and malt beverages;

(d) As an alternative to label disclosure of ingredients, furnish an address in the United States where the ingredient information may be obtained upon written request; and

(e) If the ingredients listed are not in order of predominance, a statement on the label must so state.

#### Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis [5 U.S.C. 603, 604] do not apply to this proposed rule because the rule, if promulgated, would maintain the status quo and thus would not have a significant economic impact on a substantial number of small entities.

#### Public Participation

The Department specifically requests comments as to whether the retention of the ingredient labeling regulations would be consistent with Executive Order 12291. Comments should address the impact of these regulations on domestic and foreign producers, United States international obligations, consumer concerns, and the costs and benefits derived from these regulations.

All comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future action.

#### Disclosure of Comments

Copies of this notice of proposed rulemaking and of written comments will be available for public inspection under the authority of 27 CFR 71.41(b) during normal business hours at the following location: ATF Reading Room, Room 4407, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, DC.

ATF will not recognize any material and comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comments. The name of any person submitting comments is not exempt from disclosure.

Any interested person who desires an opportunity to comment orally at a public hearing on the proposal contained herein should submit a request, in writing, to the Director, within the 60-day comment period. The

Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing should be held.

#### Drafting Information

The authors of this document are Norman Blake and Roger Bowling, Specialists, from the Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of the Bureau have participated in the preparation of this document, both in matters of substance and style.

#### Authority and Issuance

This notice of proposed rulemaking is issued under the authority contained in section 5 of the Federal Alcohol Administration Act, 49 Stat. 981, as amended; 27 U.S.C. 205.

Signed: April 28, 1981.

G. R. Dickerson,  
Director.

Approved: April 29, 1981.

John P. Simpson,  
Acting Assistant Secretary (Enforcement and Operations).

[FR Doc. 81-13444 Filed 5-1-81; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 840, 841, 842, 843, 844, and 845

### Permanent Regulatory Program for Surface Coal Mining and Reclamation Operations

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of availability of Draft rules.

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**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) hereby gives notice of opportunities for public participation in developing certain revised rules for the permanent regulatory program for surface coal mining and reclamation operations under the Surface Mining Control and Reclamation Act of 1977. OSM has drafted these revisions in response to both the Secretary's direction to remove burdensome or counterproductive regulations and comments from the States and the general public. Under the terms and according to the schedule set forth below, copies of the draft rules for 30 CFR Parts 840-845 (Inspection and Enforcement) will be available to the public. OSM personnel also will be