

in advertisements or in writing at time of sale?

### Regulatory Analysis and Notices

The Department has determined that this action is not a significant regulatory action under Executive Order 12866 or under the Department's Regulatory Policies and Procedures. The Department has placed a regulatory evaluation that examines the estimated costs and impacts of the proposal in the docket.

The Department certifies that this rule, if adopted, would not have a significant economic impact on a substantial number of small entities. Although many ticket agents and some air carriers are small entities, the Department believes that the costs of notification will be minimal. The Department seeks comment on whether there are unidentified small entity impacts that should be considered. If comments provide information that there are significant small entity impacts, the Department will prepare a regulatory flexibility analysis at the final rule stage.

The Department does not believe that there would be sufficient federalism implications to warrant the preparation of a federalism assessment.

### Paperwork Reduction Act

The proposed rule does not contain information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 2507 *et seq.*).

### List of Subjects in 14 CFR Part 259

Air carriers, Foreign air carriers.

For the reasons set forth in the preamble, the Department proposes to amend Title 14, Chapter II, Subchapter A by adding a new part 259 to read as follows:

### PART 259—DISINSECTION OF AIRCRAFT

- Sec.  
259.1 Purpose.  
259.2 Applicability.  
259.3 Definitions.  
259.4 Notice requirement.

**Authority:** 49 U.S.C. 40113(a) and 41712.

#### § 259.1 Purpose.

The purpose of this part is to ensure that ticket agents in the United States, air carriers and foreign air carriers tell consumers when the air transportation they are proposing to buy requires that the aircraft cabin will be sprayed with insecticide while passengers and crew are on board.

#### § 259.2 Applicability.

This rule applies to:

(a) Direct air carriers and foreign direct air carriers operating aircraft in which the initial flight segment of flights outbound from the United States is disinfected by spraying the aircraft cabin with insecticide while passengers and crew are on board.

(b) Ticket agents doing business in the United States that sell passenger air transportation services on flights described above.

#### § 259.3 Definitions.

(a) Carrier means any direct air carrier or foreign air carrier as defined in 49 U.S.C. 40102(2) or 49 U.S.C. 40102(21), respectively, that is engaged in passenger air transportation, including by wet lease.

(b) Ticket agent has the meaning ascribed to it in 49 U.S.C. 40102(40).

#### § 259.4 Notice requirement.

In any direct oral communication with a prospective customer concerning a flight that will be required to be sprayed with insecticide while passengers are on board, a ticket agent in the United States or a carrier shall verbally deliver the following warning:

Federal regulations require that we warn you that during Flight Number [identify flight number], the airplane cabin will be sprayed with insecticide while passengers are on board. This is a requirement of the Government of [identify name of country].

Further, upon request, the ticket agent in the United States or the carrier shall immediately provide the name of the insecticide used on that flight.

Issued in Washington, DC on December 12, 1994.

**Patrick V. Murphy,**

*Acting Assistant Secretary for Aviation and International Affairs.*

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### DEPARTMENT OF THE TREASURY

#### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 24

[Notice No. 805; Notice No. 800]

RIN 1512-AB26

#### Materials and Processes Authorized for the Production of Wine and for the Treatment of Juice, Wine and Distilling Material; Reopening of Comment Period and Correction (93F-059P)

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

**ACTION:** Proposed rule; reopening of comment period and correction.

**SUMMARY:** In Notice No. 800 (59 FR 49870), published in the **Federal Register** on September 30, 1994, the Bureau of Alcohol, Tobacco and Firearms (ATF) solicited comments from winemakers, consumers and other interested parties as to whether the use of certain materials and processes is acceptable in "good commercial practice" in the production, cellar treatment and finishing of wine. ATF is reopening the comment period in order to allow all interested persons more time to prepare and submit comments. This notice also makes editorial correction to the text of the proposed regulations as described in the supplementary information below:

**DATES:** Written comments must be received by March 20, 1995.

**ADDRESSES:** Send written comments to: Chief, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221; Notice No. 800.

**FOR FURTHER INFORMATION CONTACT:** Robert White, Wine, Beer and Spirits Regulations Branch, 650 Massachusetts Avenue, NW., Washington, DC 20226; telephone (202) 927-8230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 30, 1994, ATF published a notice of proposed rulemaking, Notice No. 800 (59 FR 49870), in the **Federal Register**. In the notice, ATF proposed the use of three wine treating processes and one wine treating material in the production, cellar treatment, and/or finishing of wine. The processes included the spinning cone column, reverse osmosis and ion exchange used in combination within a closed system, and ultrafiltration at transmembrane pressures below 200 pounds per square inch (psi).

The new wine treating material proposed was urease enzyme, derived from *Lactobacillus fermentum*. This new material was proposed to be used to reduce levels of naturally occurring urea in wine to help prevent the formation of ethyl carbamate during storage.

##### Reopening of Comment Period

ATF has received a request from the Delegation of the European Commission (EC) to extend the comment period for 60 days. The EC stated that this additional time was necessary due to