PART 276—INTERPRETATIVE RELEASES RELATING TO THE INVESTMENT ADVISERS ACT OF 1940 AND GENERAL RULES AND REGULATIONS THEREUNDER

4. Part 276 is amended by adding Release No. IA–1710 and the release date of March 23, 1998, to the list of interpretative releases.

By the Commission.

Dated: March 23, 1998.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–8001 Filed 3–26–98; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 239 and 274

[Release Nos. 33–7512A; 34–39748A; IC–23064A; File No. S7–10–97]

RIN 3235–AE46

Registration Form Used by Open-End Management Investment Companies; Correction

AGENCY: Securities and Exchange Commission.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the final regulations which were published in the **Federal Register** on Monday, March 23, 1998 (63 FR 13916). The regulations adopted amendments to Form N–1A, the form used by mutual funds to register under the Investment Company Act of 1940 and to offer their shares under the Securities Act of 1933.

DATES: Effective on June 1, 1998.

FOR FURTHER INFORMATION CONTACT: Doretha M. VanSlyke, Attorney, 202–942–0721.

SUPPLEMENTARY INFORMATION: As published, the final regulations did not contain the Office of Management and Budget approval information that needs to appear on the front page of Form N–1A.

Accordingly, the publication on March 23, 1998 of the final regulations which were the subject of FR Doc. 98–7070 is corrected as follows.

On page 13944, first column, in Form N–1A, the Office of Management and Budget approval information is corrected as follows:

''OMB Approval

OMB Number: 3235–0307.

Expires: 05/31/00.

Estimated average burden hours per response: 212.95''.

Dated: March 23, 1998.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–8035 Filed 3–26–98; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. 93C–0248]

Listing of Color Additives Exempt from Certification; Canthaxanthin

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the color additive regulations to provide for the safe use of canthaxanthin as a color additive in the feed of salmonid fish to enhance the color of their flesh. This action is in response to a petition filed by BASF Corp.

DATES: Effective April 28, 1998, except as to any provisions that may be stayed by the filing of proper objections; written objections and request for a hearing by April 27, 1998.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: James C. Wallwork, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204–0001, 202–418–3078.

SUPPLEMENTARY INFORMATION:

I. Introduction

In a notice published in the **Federal Register** of August 12, 1993 (58 FR 42975), FDA announced that a color additive petition (CAP 3C0240) had been filed by BASF Corp., 100 Cherry Hill Rd., Parsippany, NJ 07054. The petitioner requested that FDA amend the color additive regulations to provide for the safe use of canthaxanthin as a color additive in the feed of salmonid fish. The petition was filed under section 721(d) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 379e(d)).

II. Safety Evaluation

Canthaxanthin (β,β-carotene-4,4'-dione) and astaxanthin are two coloring substances found in wild salmonids (Refs. 1 and 2). They are responsible for imparting the pink or red coloring to these fish. Astaxanthin, found in crustaceans that constitute a significant portion of the diet of wild salmonids, is the primary coloring substances found in wild salmonids (Ref. 2). Canthaxanthin contributes less coloring to wild salmonids and is present at levels of 0.3 to 1.0 milligram per kilogram (mg/kg) (Ref. 1). Coloration of aquacultured salmonids that is comparable to that in wild salmonids may be achieved by feeding aquacultured salmonids a diet that is higher in canthaxanthin than is present in the diet of wild fish.

Based on the data and information that is before the agency, FDA has determined that the use of canthaxanthin in fish feed at a level of 80 mg/kg (72 grams (g)/ton) is safe. This level will result in 4 to 8 mg/kg of the color additive in the flesh of salmonids (Ref. 3).

As part of its safety evaluation, FDA estimated the cumulative exposure to canthaxanthin. The cumulative exposure consists of exposure from the proposed use in salmonids and the exposure from all currently listed uses. FDA used data and information contained in the petition concerning residues of canthaxanthin in salmonids to estimate the exposure to canthaxanthin from the proposed use. The agency used these data and information, in addition to data and information on the currently regulated uses of canthaxanthin, to determine the cumulative exposure to canthaxanthin.

FDA estimates that, for the petitioned use, a level of 8 mg of canthaxanthin/kg salmonid flesh will result in an exposure of no greater than 0.08 mg/person/day (mg/p/d) for an individual consuming those fish at the 90th percentile (Ref. 4). To estimate, for this final rule, the exposure to canthaxanthin from all currently regulated uses, FDA used the poundages of canthaxanthin used in food taken from the 1982 and 1987 National Academy of Sciences' (NAS) surveys of additives used in food (Ref. 5).

FDA previously estimated the exposure to canthaxanthin from currently regulated uses, when, in 1985, FDA issued a regulation that allowed the use of canthaxanthin in broiler chicken feed for coloring skin (hereinafter referred to as ''the 1985 rule'') (50 FR 47532, November 19, 1985). As part of its review of the BASF Corp. petition, FDA evaluated the exposure to canthaxanthin, based on currently regulated uses, and found that the calculation done for the 1985 rule was erroneous in that it overestimated