functions or duties, participates in the investment activities of such investment adviser, provided that such employee has been performing such functions and duties for or on behalf of the investment adviser, or substantially similar functions or duties for or on behalf of another company for at least 12 months.

(2) The term *company* has the same meaning as in section 202(a)(5) of the Act (15 U.S.C. 80b–2(a)(5)), but does not include a company that is required to be registered under the Investment Company Act of 1940 but is not registered.

(3) The term *private investment company* means a company that would be defined as an investment company under section 3(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–3(a)) but for the exception provided from that definition by section 3(c)(1) of such Act (15 U.S.C. 80a–3(c)(1)).

(4) The term *executive officer* means the president, any vice president in charge of a principal business unit, division or function (such as sales, administration or finance), any other officer who performs a policy-making function, or any other person who performs similar policy-making functions, for the investment adviser.

Dated: July 15, 1998.

By the Commission.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–19373 Filed 7–20–98; 8:45 am]

BILLING CODE 8010–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Bacitracin Methylene Disalicylate and Nitarsone

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Alpharma Inc. The NADA provides for using approved bacitracin methylene disalicylate and nitarsone Type A medicated articles to make combination drug Type C medicated turkey feeds used as an aid in the prevention of blackhead, and for increased rate of weight gain and improved feed efficiency.

EFFECTIVE DATE: July 21, 1998.

FOR FURTHER INFORMATION CONTACT: Charles J. Andres, Center for Veterinary Medicine (HFV–128), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1600.

SUPPLEMENTARY INFORMATION: Alpharma Inc., One Executive Dr., P.O. Box 1399, Fort Lee, NJ 07024, is sponsor of NADA 141–088 that provides for combining approved BMD® (10, 25, 30, 40, 50, 60, or 75 grams per pound (g/lb) bacitracin methylene disalicylate) and Histostat® (227 g/lb nitarsone) Type A medicated articles to make Type C medicated feeds for growing turkeys containing 4 to 50 g per ton bacitracin methylene disalicylate and 0.01875 percent nitarsone. The Type C medicated turkey feed is used as an aid in the prevention of blackhead, and for increased rate of weight gain and improved feed efficiency in growing turkeys. The NADA is approved as of June 17, 1998, and §§ 558.76(d)(3) and 558.369(d) (21 CFR 558.76(d)(3) and 558.369(d)) are amended to add new entries to reflect the approval. The basis for approval is discussed in the freedom of information summary.

Also, due to enactment of the Generic Animal Drug and Patent Term Restoration Act in 1988, National Academy of Science/National Research Council (NAS/NRC) NADA's are no longer approved. Therefore, the text of § 558.369(c) *NAS/NRC status* is removed and the paragraph reserved.

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

This approval is for use of single ingredient Type A medicated articles to make combination drug Type C medicated feeds. One ingredient, nitarsone, is a Category II drug as defined in 21 CFR 558.3(b)(1)(ii). Prior to enactment of the Animal Drug Availability Act of 1996 (Pub. L. 104–250) (ADAA), an approved medicated feed application (MFA) was required for feed mills to make Type C medicated feeds from Category II drugs. The ADAA revised the Federal Food, Drug, and Cosmetic Act to replace the requirement for MFA's with that for feed mill licenses. Use of Type A medicated articles to make Type C medicated feeds as in this NADA is limited to licensed feed mills.

FDA has determined under 21 CFR 25.33(a)(2) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 558 is amended as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR part 558 continues to read as follows:

Authority: 21 U.S.C. 360b, 371.

2. Section 558.76 is amended by adding paragraph (d)(3)(xvi) to read as follows:

§ 558.76 Bacitracin methylene disalicylate.

* * * * *

(d) * * *

(3) * * *

(xvi) Nitarsone alone or in combination as in § 558.369.

3. Section 558.369 is amended by removing paragraph (c) and reserving it, by revising the introductory text of paragraph (d), by redesignating paragraphs (d)(1), (d)(2), and (d)(3) as paragraphs (d)(1)(i), (d)(1)(ii), and (d)(1)(iii), respectively, by adding a heading to paragraph (d)(1), and by adding new paragraph (d)(2), to read as follows:

§ 558.369 Nitarsone.

* * * * *

(c) [Reserved]

(d) *Conditions of use.* It is used as follows:

(1) *Chickens and turkeys.*

* * * * *

(2) *Turkeys*—(i) *Amount.* Nitarsone 0.01875 percent, plus bacitracin methylene disalicylate 4 to 50 grams per ton.

(ii) *Indications for use.* As an aid in the prevention of blackhead, and for increased rate of weight gain and improved feed efficiency.

(iii) *Limitations.* For growing turkeys. Feed continuously as sole ration. Early medication is essential to prevent spread of disease. Adequate drinking water must be provided near feeders at all times. Overdosage or lack of water may result in leg weakness or paralysis. The drug is not effective in preventing

blackhead in birds infected more than 4 or 5 days. Discontinue use 5 days before slaughtering animals for human consumption to allow elimination of the drug from edible tissues. The drug is dangerous for ducks, geese, and dogs. Use as sole source of arsenic.

Dated: July 9, 1998.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 98–19315 Filed 7–20–98; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1910, 1915, and 1926

[Docket No. H–049b]

RIN 1218–AA05

Respirator Cartridge and Canister Change-Out Schedules; Notice of Public Meeting

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Final rule; notice of a public meeting.

SUMMARY: This document announces a public meeting of an inter-agency work group sponsored by the Occupational Safety and Health Administration (OSHA) to discuss available information on respirator cartridge and canister change-out schedules. Employers are required to develop or adopt such schedules by the revised Respiratory Protection standard published in the **Federal Register** on January 8, 1998, and the Maritime and Construction industry respiratory protection standards, which now cross-reference the General Industry respiratory protection standard. In addition to OSHA, representatives of the National Institute for Occupational Safety and Health (NIOSH) and the Environmental Protection Agency (EPA) are participating in the work group and will attend the public meeting. Public participation is encouraged.

DATES: The work group public meeting will be held on August 6, 1998. The public meeting will begin at 9:00 A.M. and end about 5:00 P.M., with a one-hour lunch period at about noon.

ADDRESSES: The work group public meeting will be held in the Department of Labor Auditorium at the Frances Perkins Building, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Bonnie Friedman, Director, OSHA Office of Public Affairs, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210; Telephone (202) 219–8148.

SUPPLEMENTARY INFORMATION: On January 8, 1998, OSHA published a revised Respiratory Protection standard, 29 CFR 1910.134, (63 FR 1152). All provisions of the new standard take effect on or before October 5, l998. Paragraph (d)(3)(iii) of the standard specifies that, under certain circumstances, employers must implement a change-out schedule, based on objective data, for respirator canisters and cartridges used to reduce exposures to gases and vapors. Change schedules establish the time periods for replacing cartridges and canisters before a toxic substance might break through and overexpose an employee. OSHA is sponsoring an inter-agency work group to discuss available relevant data for compliance with 29 CFR 1910.134(d)(3)(iii).

The first meeting of the work group will be held on August 6, 1998. It will be open to the public. Representatives of NIOSH and EPA who are experienced in developing change-out schedules and analyzing data sources on contaminant breakthrough will attend the work group meeting.

Agenda

The agenda for the work group public meeting is as follows:

(1) Welcome and introduction of the inter-agency work group.

(2) Public submissions of relevant information and comment to OSHA.

(3) Question and answer session.

(4) Closing remarks.

Public Participation

The meeting will be open to the public. Because of the limited amount of seating available, space will be assigned on a first-come, first-served basis. All individuals who plan to attend should contact Theresa Berry by July 30, 1998, at the OSHA Office of Public Affairs, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210; Telephone (202) 219–8148. Individuals with disabilities who plan to attend should contact Theresa Berry no later than July 30, 1998 to obtain appropriate accommodations.

Those attendees who plan to make a presentation are requested to submit a copy of their presentation to Theresa Berry by July 30, 1998. OSHA will make copies of submissions available at the public meeting and also in a docket available to the public (Docket # H–049b).

This document was prepared under the direction of Charles N. Jeffress, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, D.C., 20210.

Signed at Washington, D.C. this 15th day of July, 1998.

Charles N. Jeffress,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 98–19347 Filed 7–20–98; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD11–98–010]

Drawbridge Operation Regulations; Honker Cut, San Joaquin County, CA, Eightmile Road Bridge

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: Notice is hereby given that the Coast Guard has issued a temporary deviation to the regulations governing the opening of the Eightmile Road swing bridge over Honker Cut between Empire Tract and King Island at Stockton, CA. The deviation specifies that the bridge need not be opened for vessels from 12:01 a.m., September 1, 1998 until 11:59 p.m., October 23, 1998. The purpose of this deviation is to allow San Joaquin County and its contractors paint the bridge. During this work, this bridge will have scaffolding and tarpaulins installed, which prevent the bridge from opening.

DATES: The effective period of the deviation is 12:01 a.m. September 1, 1998 to 11:59 p.m., October 23, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry Olmes, Bridge Administrator, Eleventh Coast Guard District, Building 50–6 Coast Guard Island, Alameda, CA 94501–5100, telephone (510) 437–3515.

SUPPLEMENTARY INFORMATION: The Coast Guard anticipates that the economic consequences of this deviation will be minimal. The bridge opens on average only 6 times per year. If mariners require an opening, they have alternate routes available via Little Connection Slough or King Island Cut, two miles east and west of Honker Cut, respectively.

This deviation from the normal operating regulations in 33 CFR 117.161 is authorized in accordance with the provisions of 33 CFR 117.35.