the filing of initial registration statements and pre-effective amendments on Form N–14 by closed-end investment companies: N–14 8C and N–14 8C/A. In addition, the following investment company submission types will no longer be subject to fees and the fee-related tags have been removed: N–1, N–1/A, N–1A, N–1A/A, N–3, N–3/A, N–4, N–4/A, N–14, N–14/A, N–14AE, N–14AE/A, S–6, S–6/A, and 487. Finally, submission types 24F–2NT and 24F–3NT (and their amendments) must be filed within 90 days of the registrant's fiscal year end. This is a change from the 60-day requirement in effect prior to October 11, 1997.

The following investment company submission types will no longer be accepted by the EDGAR system: 24F–1, 24F–2EL, 24F–2EL/A, 24F–2TM, 24F–2TM/A, N–1A EL, N–1A EL/A, N–3 EL, N–3 EL/A, N–4 EL, N–4 EL/A, S–6EL24, S–6EL24/A, 485A24E, 485A24F, 485B24E, 485B24F, 485BXTE, 485BXTF, N14EL24, N14EL24/A, N14AE24, and N14AE24/A.

Rule 301 of Regulation S–T also is being amended to provide for the incorporation by reference of the Filer Manual into the Code of Federal Regulations, which incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. The revised Filer Manual and the amendment to Rule 301 will be effective on January 26, 1998.

Paper copies of the updated Filer Manual may be obtained at the following address: Public Reference Room, U.S. Securities and Exchange Commission, Mail Stop 1–2, 450 Fifth Street, N.W., Washington, D.C. 20549. Electronic format copies will be available on the EDGAR electronic bulletin board and posted to the SEC's Web Site. The SEC's Web Site address for the Manual is http://www.sec.gov/asec/ofis/filerman.htm. Copies also may be obtained from Disclosure Incorporated, the paper and microfiche contractor for the Commission, at (800) 638–8241.

Since the Filer Manual relates solely to agency procedure or practice, publication for notice and comment is not required under the Administrative Procedure Act.[5] It follows that the requirements of the Regulatory Flexibility Act[6] do not apply.

The effective date for the updated Filer Manual and the rule amendments is January 26, 1998. In accordance with the Administrative Procedure Act 5 U.S.C. 553(d)(3), the Commission finds that there is good cause to establish an effective date less than 30 days after publication of these rules. The EDGAR system is scheduled to be upgraded to Release 5.40 on January 24, 1998. The Commission believes that it is necessary to coordinate the effectiveness of the updated Filer Manual with the scheduled system upgrade in order to avoid confusion to EDGAR filers.

Statutory Basis

The amendment to Regulation S–T is being adopted under Sections 6, 7, 8, 10, and 19(a) of the Securities Act of 1933,[7] Sections 3, 12, 13, 14, 15, 23, and 35A of the Securities Exchange Act of 1934,[8] Section 20 of the Public Utility Holding Company Act of 1935,[9] Section 319 of the Trust Indenture Act of 1939,[10] and Sections 8, 30, 31, and 38 of the Investment Company Act.[11]

List of Subjects in 17 CFR Part 232

Incorporation by reference, Investment companies, Registration requirements, Reporting and recordkeeping requirements, Securities.

Text of the Amendment

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

PART 232—REGULATION S–T—GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

1. The authority citation for Part 232 continues to read as follows:

Authority: 15 U.S.C. 77f, 77g, 77h, 77j, 77s(a), 77sss(a), 78c(b), 78*l*, 78m, 78n, 78o(d), 78w(a), 78*ll*(d), 79t(a), 80a–8, 80a–29, 80a–30 and 80a–37.

2. Section 232.301 is revised to read as follows:

§ 232.301 EDGAR Filer Manual.

Electronic filings shall be prepared in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets out the technical formatting requirements for electronic submissions. The January 1998 edition of the *EDGAR Filer Manual: Guide for Electronic Filing with the U.S. Securities and Exchange Commission (Release 5.40)* is incorporated into the Code of Federal Regulations by reference, which action was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Compliance with the requirements found therein is essential to the timely receipt and acceptance of documents filed with or otherwise submitted to the Commission in electronic format. Paper copies of the EDGAR Filer Manual may be obtained at the following address: Public Reference Room, U.S. Securities and Exchange Commission, Mail Stop 1–2, 450 5th Street, N.W., Washington, D.C. 20549. They also may be obtained from Disclosure Incorporated by calling (800) 638–8241. Electronic format copies are available through the EDGAR electronic bulletin board and posted to the SEC's Web Site. The SEC's Web Site address for the Manual is http://www.sec.gov/asec/ofis/filerman.htm. Information on becoming an EDGAR E-mail/electronic bulletin board subscriber is available by contacting CompuServe Inc. at (800) 576–4247.

By the Commission.

Dated: January 20, 1998.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–1646 Filed 1–22–98; 8:45 am]

BILLING CODE 8010–01–P

[5] 5 U.S.C. 601–612.

[6] 5 U.S.C. 553(b).

[7] 15 U.S.C. 77f, 77g, 77h, 77j and 77s(a).

[8] 15 U.S.C. 78c, 78l, 78m, 78n, 78o, 78w and 78*ll*.

[9] 15 U.S.C. 79t.

[10] 15 U.S.C. 77sss.

[11] 15 U.S.C. 80a–8, 80a–29, 80a–30 and 80a–37.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 175 and 178

[Docket No. 95F–0210]

Indirect Food Additives: Adhesives and Components of Coatings; Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of 2,2′-(2,5-thiophenediyl)-bis(5-*tert*-butylbenzoxazole) as an optical brightener in pressure-sensitive adhesives and in all polymers used in contact with food. This action is in response to a petition filed by Ciba-Geigy Corp.

DATES: The regulation is effective January 23, 1998. Submit written objections and requests for a hearing by February 23, 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: John R. Bryce, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3023.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of August 18, 1995 (60 FR 43157), FDA announced that a food additive petition (FAP 5B4471) had been filed by Ciba-Geigy Corp., Seven Skyline Dr., Hawthorne, NY 10532–2188. The petition proposed to amend the food additive regulations in § 178.3297 *Colorants for polymers* (21 CFR 178.3297) to provide for the safe use of 2,2′-(2,5-thiophenediyl)-bis(5-*tert*-butylbenzoxazole) in all polymers intended for use in food packaging and in adhesives complying with § 175.125 *Pressure-sensitive adhesives* (21 CFR 175.125).

In order to clarify the use of this additive as an optical brightener, the petition also proposed to list the use of the additive in adhesives complying with § 175.105 (21 CFR 175.105) in § 178.3297. Because the additive is currently listed in § 175.105 without limitation, use of the additive as an optical brightener in adhesives complying with § 175.105 is a currently permitted use that requires no further safety evaluation. Accordingly, this final rule lists the use of the additive in adhesives complying with § 175.105 in § 178.3297 *Colorants for polymers.*

FDA has evaluated data in the petition and other relevant material. Based on this information, the agency concludes that the proposed use of the additive as an optical brightener in pressure-sensitive adhesives in § 175.125, and in all polymers intended for use in food packaging in § 178.3297, is safe; that the additive will have the intended technical effect; and that therefore, the regulations in §§ 175.125 and 178.3297 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before February 23, 1998, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects

21 CFR Part 175

Adhesives, Food additives, Food packaging.

21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR parts 175 and 178 are amended to read as follows:

PART 175—INDIRECT FOOD ADDITIVES: ADHESIVES AND COMPONENTS OF COATINGS

1. The authority citation for 21 CFR part 175 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 348, 379e.

2. Section 175.125 is amended by adding paragraph (a)(7) and by revising paragraph (b)(1) to read as follows:

§ 175.125 Pressure-sensitive adhesives.

* * * * *

(a) * * *

(7) 2,2′-(2,5-Thiophenediyl)-bis(5-*tert*-butylbenzoxazole) (CAS Reg. No. 7128–64–5) as an optical brightener at a level not to exceed 0.05 percent by weight of the finished pressure-sensitive adhesive.

* * * * *

(b) * * *

(1) Substances listed in paragraphs (a)(1), (a)(2), (a)(3), (a)(5), (a)(6), and (a)(7) of this section, and those substances prescribed by paragraph (a)(4) of this section that are not identified in paragraph (b)(2) of this section.

* * * * *

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

3. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 348, 379e.

4. Section 178.3297 is amended in the table in paragraph (e) by revising the entry for ''2,2′-(2,5-Thiophenediyl)-bis(5-*tert*-butylbenzoxazole)'' under the headings ''Substances'' and ''Limitations'' to read as follows:

§ 178.3297 Colorants for polymers.

* * * * *

(e) * * *

Substances	Limitations
* * *	* * * *
2,2′-(2,5-Thiophenediyl)-bis(5-*tert*-butylbenzoxazole) (CAS Reg. No. 7128–64–5).	For use as an optical brightener: 1. In all polymers at levels not to exceed 0.015 percent by weight of the polymer. The finished articles are to contact food only under conditions of use A through H described in Table 2 of § 176.170(c) of this chapter. 2. In all polymers at levels not to exceed 0.05 percent by weight of the polymer. The finished articles shall contact foods only of the types identified in Table 1 of § 176.170(c) of this chapter, under Categories I, II, IV–B, VI–A, VI–B, VI–C, VII–B, and VIII under conditions of use A through H described in Table 2 of § 176.170(c) of this chapter. 3. In adhesives complying with § 175.105 of this chapter and in pressure-sensitive adhesives complying with § 175.125 of this chapter.
* * *	* * * *

Dated: January 5, 1998.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 98–1539 Filed 1–22–98; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 820

[Docket No. 90N–0172]

RIN 0910–AA09

Quality System Design Control; Open Public Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Announcement of public meeting.

SUMMARY: The Food and Drug Administration (FDA) is announcing the following meeting: Quality System Design Control open public meeting. The topic to be discussed is the midcourse review of the new design control requirements. This action is being taken in accordance with the current good manufacturing (CGMP) final rule that appeared in the **Federal Register** of October 7, 1996.

DATES: The meeting will be held on, February 2, 1998, from 8:30 a.m. to 4:30 p.m. Written requests for oral presentations by January 28, 1998.

ADDRESSES: The meeting will be held at the National Institutes of Health (NIH), Natcher Auditorium, 45 Center Dr., Bldg. 45, Bethesda, MD. Contact for any changes: (1) Via Internet at http://www.fda.gov/cdrh/gmp, or (2) telephone toll-free at 1–800–638–2041.

FOR FURTHER INFORMATION CONTACT:

For information regarding registration: Mary Ann Fitzgerald, or

For information regarding the meeting or requests for oral presentations: Kimberly A. Trautman, Center for Devices and Radiological Health (HFZ–341), Food and Drug Administration, 2094 Gaither Rd., Rockville, MD 20850, 301–594–4648, FAX 301–594–4672.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of October 7, 1996 (61 FR 52602), FDA stated that it would hold an open public meeting in early 1998 to discuss, and to further explore any concerns industry might be having in implementing the new design control requirements. Specifically, the results of the first several months of design control inspections will be reviewed and any adjustments to the designated inspectional strategy of guidances will be addressed. Also, FDA will evaluate the information gathered at this point and determine if design control requirements, as written in the final rule, are appropriate to obtain the goals expressed in the preamble. Particular attention will be paid to clarity of information obtained, the appropriateness of the information collected with respect to the design control requirements, the manner in which the investigators are writing their observations, and any requirements that seem to be giving manufacturers a problem or where there might be misunderstandings as to what the regulation requires. It is important to note that only the requirements and issues surrounding design controls codified will be addressed.

Fax written requests for oral presentations, (including name, title, firm name, address, telephone, and fax number), and an outline of your presentation to the contact person listed above by January 28, 1998. No telephone requests will be accepted. You will be notified by facsimile whether or not the speaker's list is full. If you cannot be reached by facsimile, please note that in your request.

If you need special accommodations due to a disability, please contact Georgette Smith, NIH Conference Center, 301–496–9966, at least 7 days in advance.

Dated: January 20, 1998.

Joseph A. Levitt,

Deputy Director for Regulations Policy, Center for Devices and Radiological Health.

[FR Doc. 98–1822 Filed 1-21-98; 3:22 pm]

BILLING CODE 4160–01–F

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 104

[DoD Instruction 1205.12]

RIN 0790–AG52

Civilian Employment and Reemployment Rights of Applicants for, and Service Members and Former Service Members of the Uniformed Services

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This part identifies DoD guidelines for implementing policy, assigns responsibilities, and prescribes procedures for informing Service members of their reemployment protections. It updates, codifies, and strengthens the civilian employment rights and benefits of Service members and individuals who apply for uniformed service, and specifies the