

the **Federal Register**, included an incorrect cross-reference to paragraph (d)(5)(iii) of the rule instead of (d)(5)(ii). In addition, the rule as published in the Code of Federal Regulations inadvertently omitted three paragraphs (*i.e.*, (d)(6)(i)–(iii)) that should have followed immediately after paragraph (d)(6) of rule 17d–1.

This technical amendment to rule 17d–1(d)(6) corrects the internal cross-reference to paragraph (d)(5)(ii) instead of (d)(5)(iii) and restores the inadvertently omitted paragraphs of the rule text.

**List of Subjects in 17 CFR Parts 230 and 270**

Investment companies; Reporting and recordkeeping requirements; Securities.

**Text of Amendment**

For reasons set forth in the preamble, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

**PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933**

■ 1. The authority for part 230 continues to read, in part, as follows:

**Authority:** 15 U.S.C. 77b, 77b note, 77c, 77d, 77d note, 77f, 77g, 77h, 77j, 77r, 77s, 77z–3, 77sss, 78c, 78d, 78j, 78l, 78m, 78n, 78o, 78o–7 note, 78t, 78w, 78ll(d), 78mm, 80a–8, 80a–24, 80a–28, 80a–29, 80a–30, and 80a–37, and Pub. L. 112–106, sec. 201(a), 126 Stat. 313 (2012), unless otherwise noted.

■ 2. Section 230.602 is amended by revising paragraph (c)(3) to read as follows:

**§ 230.602 Securities exempted.**

(c) \* \* \*

(3) Is subject to an order of the Commission entered pursuant to section 15(b) or 15A(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b) or 78o–3(1)); has been found by the Commission to be a cause of any such order which is still in effect; or is subject to an order of the Commission entered pursuant to section 203(e) or (f) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(e) or (f));

**PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940**

■ 3. The authority citation for part 270 continues to read, in part, as follows:

**Authority:** 15 U.S.C. 80a–1 *et seq.*, 80a–34(d), 80a–37, and 80a–39, unless otherwise noted.

■ 4. Section 270.12b–1 is amended by revising paragraph (g) to read as follows:

**§ 270.12b–1 Distribution of shares by registered open-end management investment company.**

(g) If a plan covers more than one series or class of shares, the provisions of the plan must be severable for each series or class, and whenever this rule provides for any action to be taken with respect to a plan, that action must be taken separately for each series or class affected by the matter. Nothing in this paragraph (g) shall affect the rights of any purchase class under § 270.18f–3(f)(2)(iii).

■ 5. Section 270.17d–1 is amended by revising paragraph (d)(6) to read as follows:

**§ 270.17d–1 Applications regarding joint enterprises or arrangements and certain profit-sharing plans.**

(d) \* \* \*  
(6) The receipt of securities and/or cash by an investment company or a controlled company thereof and an affiliated person of such investment company or an affiliated person of such person pursuant to a plan of reorganization: *Provided*, That no person identified in § 270.17a–6(a)(1) or any company in which such a person has a direct or indirect financial interest (as defined in paragraph (d)(5)(ii) of this section):

(i) Has a direct or indirect financial interest in the corporation under reorganization, except owning securities of each class or classes owned by such investment company or controlled company;

(ii) Receives pursuant to such plan any securities or other property, except securities of the same class and subject to the same terms as the securities received by such investment company or controlled company, and/or cash in the same proportion as is received by the investment company or controlled company based on securities of the company under reorganization owned by such persons; and

(iii) Is, or has a direct or indirect financial interest in any person (other than such investment company or controlled company) who is:

- (A) Purchasing assets from the company under reorganization; or
- (B) Exchanging shares with such person in a transaction not in

compliance with the standards described in this paragraph (d)(6).

Dated: December 24, 2013.

**Elizabeth M. Murphy**,  
*Secretary.*

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**BILLING CODE P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 558**

[Docket No. FDA–2013–N–0002]

**New Animal Drugs for Use in Animal Feeds; Bambermycins; Correction**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration is correcting a document that appeared in the **Federal Register** of December 16, 2013 (78 FR 76059). The document amended the animal drug regulations to remove dairy replacement heifers from the pasture cattle class for which free-choice, loose-mineral medicated feeds containing bambermycins are approved. The document was published with an incorrect docket number. This document corrects that error.

**DATES:** Effective on December 16, 2013.

**FOR FURTHER INFORMATION CONTACT:** Joyce Strong, Office of Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 3208, Silver Spring, MD 20993–0002, 301–796–9148.

**SUPPLEMENTARY INFORMATION:** In the FR Doc. 2013–29810, appearing on page 76059 in the **Federal Register** of Monday, December 16, 2013 (78 FR 76059), the following correction is made:

- 1. On page 76059, in the third column, the docket number is corrected to read “FDA–2013–N–0002.”

Dated: December 24, 2013.

**Bernadette Dunham**,  
*Director, Center for Veterinary Medicine.*

[FR Doc. 2013–31184 Filed 12–27–13; 8:45 am]

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