



BY ELECTRONIC TRANSMISSION

06-16
July 13, 2006

RECEIVED
C.F.T.C.
2006 JUL 13 AM 11:45
O.F.C. OF THE SECRETARIAT

Ms. Eileen A. Donovan
Acting Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: **Amendments to Coffee "C" Resolution No. 1 and Cocoa Resolution No. 5
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Ms. Donovan:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6, the Board of Trade of the City of New York, Inc. ("Exchange") submits, by written certification, amendments to Coffee "C" Resolution No. 1 and Cocoa Resolution No. 5, attached as Exhibit A.

Coffee Resolution No. 1 and Cocoa Resolution No. 5

Amendments to Coffee "C" Resolution No. 1 and Cocoa Resolution No. 5 provide that once an Exchange Lot number and an EWR number are assigned to a lot of coffee or cocoa, both numbers must appear on the warehouse tags and stock reports.

Coffee Resolution No. 1

An ex-warehouse delivery order is a document used in eCOPS[®] to authorize a warehouse operator to release certified coffee for removal from the warehouse. When the document is issued, eCOPS changes the identified coffee bags' status from "open" to "pending delivery" and electronically reduces the number of certified bags in store at the warehouse. When the bags are physically removed from the warehouse, the warehouse operator is expected to modify the EWR and change the status from "pending delivery" to "delivered out" and to zero out the quantity of bags to indicate that the EWR has been surrendered. Amendments to Coffee Resolution No. 1 conform the requirements contained in Section VIII, 6 to the existing practice just described.

The Exchange certifies that the amendments comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

The amendments were adopted by the Exchange's Board of Governors on July 12, 2006. No substantive opposing views were expressed by members or others with respect to the amendments. The amendments will become effective on July 17, 2006.

If you have any questions or need further information, please contact me at jfusco@nybot.com or 212-748-4021.

Sincerely,

Jason V. Fusco
Compliance Counsel

Enc.

cc: Riva Adriance
Thomas Leahy
CFTC, Division of Market Oversight
Allen Cooper
CFTC, New York Regional Office

(In the text of the amendments below additions are underlined and deletions are bracketed and lined out.)

No. 1. Warehouse Procedures and Recordkeeping Requirements for the Storage of Exchange Coffee

RESOLVED, THAT the following are the minimum acceptable standards and procedures to be followed by Exchange licensed coffee warehouses in connection with the storage of Exchange-certified Coffee.

* * *

VIII. Requirements

* * *

6. The warehouse shall complete the EWR which shall identify the number of bags comprising the Chop, all markings contained on the bags (in their entirety), the specific location where the coffee is stored and the name of the carrier (*i.e.*, vessel, railroad, or truck transport) on which the coffee arrived. The warehouse shall also immediately modify the EWR, as necessary, by changing the number of bags listed on the EWR when one (1) or more of the bags are physically delivered out of the warehouse. Information pertaining to the EWR shall be:

- (a) Distributed to the storer of the coffee; and
- (b) Retained in the warehouse's records.

* * *

9. Once an Exchange Lot number has been assigned to coffee, [~~it~~] both the Exchange ID number and the EWR number shall become part of the permanent record of that coffee and shall be noted on the warehouse storage report[;] and warehouse tags, etc.

[REMAINDER OF RESOLUTION UNCHANGED]

No. 5. Warehouse Procedures and Record Keeping Requirements for the Storage of Exchange Cocoa

RESOLVED, THAT following are the minimum acceptable standards and procedures to be followed by Exchange licensed Cocoa warehouse in connection with the storage of Exchange Cocoa.

* * *

VIII. Requirements

* * *

8. Once an Exchange Lot number has been assigned to cocoa, [~~it~~] both the Exchange Lot number and the EWR number shall become part of the permanent record of that cocoa and shall be noted on the warehouse record cards[;] and warehouse tags, etc.

[REMAINDER OF RESOLUTION UNCHANGED]

EXHIBIT A