



BY ELECTRONIC TRANSMISSION

Submission No. 24-147
October 18, 2024

Mr. Christopher J. Kirkpatrick
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 Appendix II to Chapter 8 and Resolution No. 1 of Chapter 9 (Sampling and Grading Fees for Coffee and Cocoa) - Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6(a)

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6(a), ICE Futures U.S., Inc. ("Exchange") hereby self-certifies the amendments to Appendix II of Chapter 8 and Resolution No. 1 of Chapter 9 of the Exchange's Rules, which are set forth in Exhibit A. The amendments delete rule provisions which set forth the sampling and grading fees for coffee and cocoa that is submitted for certification to be delivered against the Exchange's futures contracts. Sampling and grading fees for [coffee](#) and [cocoa](#) are now be posted on the product page for the respective futures contract on the Exchange's website. Accordingly, the Exchange is deleting the fees from the respective Rule chapters. The Exchange notes that any changes to sampling and grading fees will continue to be filed as required under Commission Regulation 40.6.

Certifications

The Exchange is not aware of any opposing views to the amendments, which will become effective on November 4, 2024, and certifies that the amendments comply with the requirements of the Act and the rules and regulations promulgated thereunder. The Exchange has reviewed the designated contract market core principles ("Core Principles") as set forth in the Act and has determined that the amendments comply with the following relevant Core Principles:

COMPLIANCE WITH RULES AND AVAILABILITY OF GENERAL INFORMATION

The fees for sampling and grading coffee for certification for Exchange delivery are set forth on the Exchange's website for public view, consistent with Regulation 38.400.

CONTRACTS NOT READILY SUBJECT TO MANIPULATION

The Coffee "C" and Cocoa futures contracts are not readily subject to manipulation as they are based on established and liquid underlying cash markets. In addition, trading of the contract continues to be monitored by the Market Regulation Department.

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ICE Futures US, Inc. a designated contract market under
the Commodity Exchange Act, as amended.

The Exchange further certifies that, concurrent with this filing, a notice of pending certification was posted on the Exchange's website. A copy of this submission may be accessed at (<https://www.theice.com/futures-us/regulation#rule-filings>). The Exchange is not aware of any opposing views with respect to the Program.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jason V. Fusco". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jason V. Fusco
General Counsel

Enc.

EXHIBIT A

COFFEE "C" FUTURES

APPENDIX II

Procedures for Grading Coffee and Issuance of Certificates of Grade

(I) ~~[Fees.]~~ Reserved.

~~[The fee for grading is hereby established as one dollar and twenty five cents (\$1.25) per bag of coffee with a minimum fee of forty dollars (\$40.00). All fees will be paid by the Person submitting a Sampling Order at the time the Sampling Order is created. In the event coffee covered by a Sampling Order is not graded for any reason, the Exchange will refund to the submitter thereof sixty two cents (\$.62) per bag.]~~

[REMAINDER OF RULE UNCHANGED]

COCOA FUTURES

COCOA RESOLUTIONS

No. 1. ~~[Cocoa Grading Fees]~~

~~WHEREAS, Rule 9.18 authorizes the Board to establish fees, payable by the Person, who submitted the Sampling Order, to the Exchange, for grading Cocoa in accordance with the Rules;~~

~~NOW, THEREFORE, BE IT RESOLVED, that with respect to each Lot graded by Exchange licensed graders, the Person, who submitted the Sampling Order, shall pay the Exchange the following fees, which shall be distributed by the Exchange to such graders as indicated below:~~

Number Of Chops	Grading Fee	Exchange Portion	Grader Portion	Fee per Grader
1 to 2	\$117	\$54	\$63	\$21
3	\$129	\$57	\$72	\$24
4	\$141	\$60	\$81	\$27
5 to 6	\$153	\$63	\$90	\$30

and;

~~BE IT FURTHER RESOLVED that, the “number of Chops” referred to in the above chart is for each Lot which for the purposes of this Resolution shall mean the entire quantity of Cocoa beans tendered in fulfillment of one (1) Exchange Cocoa Futures Contract; and~~

~~BE IT FURTHER RESOLVED, that where a Sampling Order is filed with the Exchange and cocoa is received for grading and where the Exchange is then requested to cancel the submission for grading, the Exchange shall retain its portion of the Grading Fee and the remainder of the Grading Fee(s) shall be returned to the Person submitting the Sampling Order. Where the Exchange receives a request to cancel the submission for grading and the grading has already occurred, no portion of the Grading Fee(s) shall be returned to the Person submitting the Sampling Order.]~~