


ICE FUTURES U.S.
55 East 52nd Street
New York, NY 10055

BY ELECTRONIC TRANSMISSION

Submission No. 16-34
March 25, 2016

Mr. Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

**Re: Amendments to Rule 11.00 –Contract Terms-Form-- Submission Pursuant to Commission
Regulation 40.6(a)**

Dear Mr. Kirkpatrick:

Pursuant to Regulation 40.6(a) ICE Futures U.S., Inc. (“IFUS” or “Exchange”) submits by written certification amendments to Rule 11.00 (contained in Exhibit A) which will become effective on April 11, 2016, commencing with the July’16 contract month. The amendments delete French Antilles as a deliverable origin under the Sugar No. 11[®] contract, for the reasons explained below.

The European Commission recently adopted an equivalence determination with respect to CFTC regulation of derivatives clearing organizations (“DCOs”) under CFTC jurisdiction subject to the satisfaction of certain conditions by the DCO, including conditions related to the collection of increased margin in some cases. These new margin requirements do not apply to “qualifying” agricultural contracts that meet the conditions set forth in the equivalence decision (the “Ag Exemption”).

One such condition provides that where a contract specifies one or more places of production of the underlying product, none of such places of production may be inside the European Union. The Sugar No. 11 Rules include the French Antilles as a deliverable origin, and the French Antilles is considered part of the EU, at least for some purposes. If Sugar No. 11 does not fall under the Ag Exemption, margins for positions in the proprietary account of Clearing Members, and in certain other cases, will be increased compared to what they would be under the Ag Exemption.

Given the uncertainty created by the continued inclusion of the French Antilles as a deliverable origin, at the suggestion of staff from the Division of Clearing and Risk the Exchange has determined to remove

French Antilles as one of the 30 deliverable origins under the contract, commencing with the July 2016 contract month. In determining to do so, it was noted there have been no Exchange deliveries in the French Antilles for over a decade and very likely longer--official records only go back to 2001, but they do not show any deliveries in that origin since that time, and current staff does not recall any in prior years. In addition, the Exchange could not confirm any volume of commercial raw sugar exports from this origin (which includes Martinique, Guadeloupe, St. Martin, St. Barthelemy and three island dependencies of Guadeloupe) in recent seasons.

The Exchange's World Sugar Committee was consulted on the amendment and unanimously voted to recommend its adoption by the Board. In making that recommendation, the Committee also considered the appropriate effective date, taking into account IFUS Bylaw 17.1. That provision states that alterations to the terms of a contract can be made effective to contract months in which there is open interest if the alteration does not materially affect the amount of money to be paid under the commodity contract or the quality of the merchandise to be received. The Committee and the Board concluded that the amendment would not materially affect the amount of money to be paid under the Sugar No. 11 contract or the quality of the merchandise to be received. Rather than implement the amendment immediately with the May contract month, however, the Exchange has deferred the effective date of the amendments to commence with the July 2016 contract month to afford market participants advance notice of the change.

The Exchange certifies that the amendments comply with the Commodity Exchange Act, as amended, and the regulations thereunder, including Core Principles 3,4 and 7. There were no substantive opposing views to the amendments. The Exchange further certifies that concurrent with this filing a copy of this submission was posted on the Exchange's website at (<https://www.theice.com/futures-us/regulation#rule-filings>).

If you have any questions or need further information, please contact me at Audrey.hirschfeld@theice.com.

Sincerely,

A handwritten signature in blue ink that reads "Audrey R. Hirschfeld". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Audrey R. Hirschfeld
SVP and General Counsel

cc: Division of Market Oversight

EXHIBIT A

[in the text additions are underscored and deletions overstruck]

Rule 11.00. Contract Terms—Form

(a) No contract for the future delivery of Sugar No. 11 shall be recognized, acknowledged or enforced by the Exchange, or any committee or officer thereof, unless both parties thereto shall be Members, provided, however, that Members shall offer their contracts for clearance to the Clearing Organization which shall become by substitution a party thereto in place of a Member, and thereupon such Clearing Organization shall become subject to the obligations thereof and entitled to all the rights and privileges of a Member in holding, fulfilling or disposing thereof.

(b) The grades deliverable under Sugar No. 11 Futures Contract shall be sound raw centrifugal cane sugar based on 96 degrees average polarization. Raw sugar is any crystallized sugar product from a cane sugar production facility delivered in bulk.

(c) The sugar deliverable under Sugar No. 11 Futures Contract are as follows:

(i) Growths of Argentina, Australia, Barbados, Belize, Brazil, Honduras, Colombia, Costa Rica, Dominican Republic, El Salvador, Ecuador, Fiji Islands, [~~French Antilles,~~] Guatemala, India, Jamaica, Malawi, Mauritius, Mexico, Mozambique, Nicaragua, Peru, Republic of the Philippines, South Africa, Swaziland, Taiwan, Thailand, Trinidad, United States and Zimbabwe.

(ii) The growth of Cuba may be added as deliverable, upon recommendation by the World Sugar Committee, by action of the Board by a two-thirds vote of the Board.

(iii) A growth or growths may be added or deleted as deliverable, upon recommendation by the World Sugar Committee, by action of the Board by a two-thirds vote of the Board; provided that any such addition or deletion shall only affect deliveries in months beyond the last month in which there is an open position at the time of such action of the Board.

[Remainder of Rule Unchanged]