| SUBMISSION COVER SHEET IMPORTANT: Check box if Confidential Treatment is rea | | | |
|--|-------------------------|--|------------------------------|
| Registered Entity Identifier Code (optional): 16-369 Organization: Chicago Mercantile Exchange Inc. ("CME") Filing as a: DCM | | | |
| | | Please note - only ONE choice allowed. | |
| | | Filing Date (mm/dd/yy): <u>September 14, 2016</u> Filing Des | rintion: Weekly Notification |
| of Amendments Related to Product Terms and Condit | | | |
| <u>2016)</u> | | | |
| SPECIFY FILING TYPE | | | |
| Please note only ONE choice allowed per Submission. | | | |
| Organization Rules and Rule Amendments | | | |
| Certification | § 40.6(a) | | |
| Approval | § 40.5(a) | | |
| Notification | § 40.6(d) | | |
| Advance Notice of SIDCO Rule Change | § 40.10(a) | | |
| SIDCO Emergency Rule Change | § 40.10(h) | | |
| Rule Numbers: | | | |
| | product per Submission. | | |
| Certification | § 40.2(a) | | |
| Certification Security Futures | § 41.23(a) | | |
| Certification Swap Class | § 40.2(d) | | |
| Approval | § 40.3(a) | | |
| Approval Security Futures | § 41.23(b) | | |
| Novel Derivative Product Notification | § 40.12(a) | | |
| Swap Submission Official Product Name: | § 39.5 | | |
| Product Terms and Conditions (product related Rules and | Rule Amendments) | | |
| Certification | § 40.6(a) | | |
| Certification Made Available to Trade Determination | § 40.6(a) | | |
| Certification Security Futures | § 41.24(a) | | |
| Delisting (No Open Interest) | § 40.6(a) | | |
| Approval | § 40.5(a) | | |
| Approval Made Available to Trade Determination | § 40.5(a) | | |
| Approval Security Futures | § 41.24(c) | | |
| Approval Amendments to enumerated agricultural products | § 40.4(a), § 40.5(a) | | |
| "Non-Material Agricultural Rule Change" | § 40.4(b)(5) | | |
| Notification | § 40.6(d) | | |



September 14, 2016

VIA ELECTRONIC PORTAL

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

RE: CFTC Regulation 40.6(d) Notification. Chicago Mercantile Exchange Inc. ("CME" or "Exchange") Weekly Notification of Amendments Related to Product Terms and Conditions. CME Submission No. 16-369

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission ("CFTC" or "Commission") Regulation 40.6(d), the Exchange submits this weekly notification of the following amendments related to product terms and conditions made effective during the week of September 5, 2016.

On Tuesday, September 6, 2016, the Exchange amended Rule 1103.C. ("Regular Warehouses and Plants Conditions for Approval") of Chapter 11 of the CME Rulebook ("CME Spot Market Trading") to allow for warehouses to submit either reviewed or audited financial statements as part of the warehouse approval process. The marketplace was notified of this approval via Special Executive Report ("SER") #7735, which is attached hereto as Exhibit A.

If you require any additional information, please e-mail <u>CMEGSubmissionInquiry@cmegroup.com</u> or contact the undersigned at (212) 299-2200.

Sincerely,

/s/ Christopher Bowen Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – SER #7735

EXHIBIT A



Special Executive Report

S-7735

September 2, 2016

Amendments to CME Chapter 11 (CME Spot Market Trading Rules) Regarding Warehouse Financial Statement Requirements

Effective Tuesday, September 6, 2016, Chicago Mercantile Exchange Inc. ("CME" or "Exchange") will amend Rule 1103.C. ("Regular Warehouses and Plants Conditions for Approval") of CME Rulebook Chapter 11 ("CME Spot Market Trading") to allow for warehouses to submit either reviewed or audited financial statements as part of the warehouse approval process. CME Rule 1103. is provided below in blackine format.

CME Rulebook Chapter 11 CME Spot Market Trading Rules (additions are <u>underscored</u>)

1103. DELIVERY FACILITIES AND DELIVERY PROCEDURES

[Prior Rule Language Unchanged]

1103.C. Regular Warehouses and Plants Conditions for Approval

Warehouses or plants (hereafter "facilities") may be declared regular for delivery with the approval of CME Spot Market. Persons operating facilities who desire to have such facilities made regular for delivery shall make application for a declaration of regularity annually on a form prescribed by CME Spot Market prior to October 31.

Initial regularity shall be effective either thirty days after CME Spot Market posts a notice that a bona fide application has been received or the day after the application is approved by CME Spot Market, whichever is later.

CME Spot Market may establish such requirements and conditions for approval of regularity as it deems necessary. The application for regularity prescribed by CME Spot Market shall set forth conditions of regularity as well as other agreements with which the operator of the regular facility shall comply. In addition to any conditions and agreements contained in such application or in the relevant product section, the following shall constitute conditions for regularity and requirements with which the operator of a regular facility shall comply:

- 1. Facilities shall be a licensed, public, cold and/or dry storage warehouse and meet all local, state and federal requirements.
- 2. The operator of such facility shall be in good financial standing and credit. Financial statements must be reviewed or audited in accordance with U.S. Generally Accepted Accounting Principles or other international financial standards as deemed acceptable by CME Spot Market. On an annual basis, the facility shall provide CME Spot Market with copies of reviewed or audited financial statements of the facility, and its parent company (as applicable), as the reviewed or audited financial statements become available. Additionally, the facility must provide CME Spot Market with notice of any substantial reduction in capital as compared to the most recent filing of a financial report.
- 3. The operator of the facility shall promptly advise the Registrar of any issues at the facility which may cause damage to product held in store by it, whenever such damage shall occur to an extent that will render the product undeliverable.
- 4. The operator of the facility shall make such reports, keep such records and permit such facility visitation as CME Spot Market, or any other applicable government agency may require.

- 5. No facility shall be declared regular unless it has in force and effect warehouseman's legal liability insurance issued by such insurance companies and upon such terms and conditions as are satisfactory to CME Spot Market.
- 6. Facilities shall provide such guarantees, bonds or other financial instruments to CME Spot Market as may be required to guaranty the performance of its obligations pursuant to these Rules and any conditions set forth in the conditions for approval.
- 7. The facility is not required to own the storage facility and may lease the storage facility from the owner upon such terms and conditions as are satisfactory to CME Spot Market. The facility may also enter into a service arrangement pursuant to which an agent or contractor performs the daily operations of the storage facility upon such terms and conditions as are satisfactory to CME Spot Market. The facility shall be responsible for the conduct of its agents or contractors.
- 8. All officers, directors, employees and agents of a facility shall be prohibited from revealing any information regarding customers who have dealings with the facility except as permitted by CME Spot Market.

In the event the facility or any of its respective parent, subsidiaries or affiliates, engage in any trading activity, whether directly or indirectly, for which the facility has received approval for regularity, the facility shall institute such controls as CME Spot Market, at its discretion, deems necessary to protect the confidentiality of the users of the facility.

- 9. The operator of the facility shall not engage in unethical or inequitable practices, and shall comply with all applicable federal or state statutes, rules or regulations.
- 10. Members operating regular facilities shall be subject to CME Spot Market Rules and shall abide by and comply with the terms of any disciplinary decision imposed against it pursuant to CME Spot Market Rules.
- 11. Members operating regular facilities shall consent to the disciplinary jurisdiction of CME Spot Market for five years after such regularity lapses, for conduct which occurred while the facility was regular.

CME Spot Market, in its sole discretion, may determine not to approve facilities for regularity, regardless of whether such facilities meet the preceding requirements and conditions.

[Remainder of Rule Language Unchanged]

The CFTC will be notified of the rule language amendment during the week of September 12, 2016, via the weekly notification procedures set forth in Part 40 of the CFTC Regulations.

Questions regarding this Special Executive Report may be directed to Candice Lucas, Director, Ag Commodity BLM at 312-930-3365, <u>Candice.Lucas@cmegroup.com</u>, or Charles Piszczor, Director, Commodity Research & Product Development, at 312-930-4536, <u>Charles.Piszczor@cmegroup.com</u>.

For media inquiries concerning this Special Executive Report, please contact CME Group Corporate Communications at 312-930-3434 or news@cmegroup.com.