

**SUBMISSION COVER SHEET**

**IMPORTANT:** Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 18-123

Organization: The Board of Trade of the City of Chicago, Inc. ("CBOT")

Filing as a:  DCM  SEF  DCO  SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 03/12/18

Filing Description: Termination of Condition of Force Majeure with Respect to Wheat Shipping Stations on the Ohio River

**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:** See filing.

**New Product**

Please note only ONE 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 § 39.5

**Official Product Name:**

**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)

**Official Name(s) of Product(s) Affected:**

**Rule Numbers:**

March 12, 2018

**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(a)(6) Emergency Rule Certification. Termination of Condition of Force Majeure at Wheat Shipping Stations. CBOT Submission No. 18-123**

Dear Mr. Kirkpatrick:

The Board of Trade of the City of Chicago, Inc. ("CBOT" or the "Exchange"), pursuant to Commodity Futures Trading Commission ("CFTC" or "Commission") Regulation 40.6(a)(6), hereby notifies the Commission that effectively immediately, it has terminated the condition of the Force Majeure declaration it made pursuant to CBOT Rule 701 ("Declarations of Force Majeure") with respect to load-out impossibility at a majority of Wheat regular shipping stations due to high water levels and/or flooding on the Ohio River (see CBOT Submission No. 18-103 dated February 27, 2018). Effective immediately, CBOT is terminating the condition of Force Majeure as less than a majority of shipping stations remain unable to load-out. Pursuant to CBOT Rule 703.C.G.(8) ("Barge Load-Out Procedures for Corn, Soybeans, SRW Wheat..."), those shipping stations that remain unable to load out are required to arrange for conveyance to be loaded at another regular shipping station.

The marketplace has been informed of the termination of Force Majeure via CME Group Special Executive Report ("SER") S-8114. A copy of SER S-8114 appears in Exhibit A.

The Exchange has reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA") and has identified that the termination of the condition of Force Majeure may have some bearing on the following Core Principles:

- **Emergency Authority:** The termination of the condition of Force Majeure requires prompt notice to be provided to the Commission under both Commission Regulations and CBOT Rule 701. The termination of the Force Majeure declaration was made pursuant to CBOT Rule 701 given that less than a majority of the shipping stations remain unable to load-out pursuant to Rule 703.C.G.(8).
- **Availability of General Information:** The Exchange published SER S-8114 on March 12, 2018, to provide notice to the marketplace of the termination of the declaration of Force Majeure. In addition to being emailed to all market participants subscribed to receive SERs via email, the SER has also been uploaded to the CME Group website.

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6(a), the Exchange certifies that the termination of the condition of Force Majeure complies with the Act and regulations thereunder. There were no substantive opposing views to the is proposal.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you require any additional information regarding this submission, please contact the undersigned at 212.299.2200 or via email at [CMEGSubmissionInquiry@cmegroup.com](mailto:CMEGSubmissionInquiry@cmegroup.com).

Sincerely,

/s/ Christopher Bowen  
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – SER S-8114

## Exhibit A



S-8114

March 12, 2018

### Removal of Condition of Force Majeure Declaration at Wheat Shipping Stations

On February 27, 2018, The Board of Trade of the City of Chicago, Inc. ("CBOT" or "Exchange") declared a condition of Force Majeure for Wheat shipping stations because a majority of the Exchange approved regular facilities on the Ohio River were unable to load due to high water levels and/or flooding. (See SER-8106).

The Ohio River currently allows for a majority of Exchange approved regular Wheat shipping stations to load barges. **Effective immediately, the declaration of Force Majeure invoked on February 27, 2018, is no longer in effect.**

Therefore, shipping stations that remain unable to load must arrange for water conveyance to be loaded at another regular shipping station as set forth in CBOT Rule 703.C.G.(8) ("Barge Load-Out Procedures for Corn, Soybeans, and SRW Wheat...") provided below for your reference.

The shipper shall load water conveyance at the shipping station designated in the shipping certificate. **If it becomes impossible to load at the designated shipping station for three (3) consecutive business days due to any circumstance beyond the control of the shipping station (including, but not limited to an act of God, strike, lockout, blockage, embargo, governmental action or terrorist activity) and precludes any party from making or taking delivery of product, the shipper will arrange for water conveyance to be loaded at another regular shipping station in conformance with the shipping certificate and will compensate the owner for any transportation loss resulting from the change in the location of the shipping station.** If the aforementioned condition of impossibility prevails at a majority of regular shipping stations, and a declaration of Force Majeure is made pursuant to Rule 701, then shipment may be delayed for the number of days that such impossibility prevails at a majority of regular shipping stations. If conditions covered in this Rule make it impossible to load at the designated shipping station, the shipper shall notify the Registrar's Office in writing of such condition within 24 hours of when the condition of impossibility began.

Questions regarding this matter may be directed to the following individuals in the Market Regulation Department:

Terry Gehring, at 312.435.3644 or Terry.Gehring@cmegroup.com

Spencer McGowan, at 312-435-3662 or Spencer.McGowan@cmegroup.com

For media inquiries concerning this Advisory Notice, please contact CME Group Corporate Communications at 312.930.3434 or corporate.communications@cmegroup.com.