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BY ELECTRONIC TRANSMISSION

Submission No. 16-127
September 30, 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 Rules 7.05 and 7.13 –Graders and License Renewals--
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 Rules 7.05 and 7.13 (set forth in Exhibit A) which will become effective on October 18, 2016.

The Exchange has adopted amendments to Licensing Rules 7.05 and 7.13 upon the recommendation of its Warehouse and License Committee, that increase the number of times Exchange licensed graders must grade coffee and cocoa during an annual license term in order to be eligible to renew their license for the following term. Currently, Exchange licensed coffee and cocoa graders are only required to grade product once during a license term. In order to increase the regularity and decrease the time interval between gradings, the amendments to the rules will require licensees to grade coffee or cocoa at least twice during a term with a minimum of 60 days between any two gradings. The amendments also allow the chairman of the respective board of graders to waive those requirements if the failure to comply is due to a grader being affiliated with an entity making deliveries during the relevant period, which would prevent such grader from participating due to a conflict of interest, or for other good cause shown.

The Exchange certifies that the amendments comply with the Commodity Exchange Act, as amended and the regulations thereunder. 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 212-748-4083 or 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 name "Audrey" being the most prominent.

Audrey R. Hirschfeld
SVP and General Counsel

Enc.
cc: Division of Market Oversight
New York Regional Office

EXHIBIT A

Rule 7.05. Graders

To be eligible for an Exchange license as a grader, an applicant must:

* * *

(c) in order to maintain the Exchange license as a grader, a coffee grader is required to:

(i) pass, every five (5) years, a maintenance grading test as authorized by the Warehouse and License Committee and administered by a panel of three (3) individuals designated by the Board of Coffee Graders;

(ii) attend, every two (2) years, a seminar on latest developments in the coffee industry as authorized by the Warehouse and License Committee and conducted by one (1) or more individuals designated by the Board of Coffee Graders; and

(iii) grade coffee at least [~~once a year~~] at least two times during the annual license term with a minimum of 60 days between any two gradings .

(d) in order to maintain the Exchange license as a grader, a cocoa grader is required to:

(i) grade cocoa a minimum of [~~one (1) time every year~~] at least two times during the annual license term with a minimum of 60 days between any two gradings; and

(ii) attend, every two (2) years, a seminar on latest developments in the cocoa industry as authorized by the Warehouse & License Committee and conducted by one (1) or more individuals designated by the Board of Cocoa Graders.

[REMAINDER OF RULE UNCHANGED]

Rule 7.13. Term of License; Renewals

* * *

(b) At least sixty (60) days before the expiration of the license term, all Licensees must submit to Commodity Operations written notification of intent to renew, accompanied by the appropriate license fee; provided, however, that:

(i) coffee graders must also include in their renewal submission a statement that:

(1) during the course of the past five (5) years, they have passed either the original grading test or the maintenance grading test as authorized by the Warehouse and License Committee; and

(2) during the course of the past two (2) years, they have attended a seminar on latest developments in the coffee industry as authorized by the Warehouse and License Committee; and

(3) during the license term being renewed, they have graded coffee a minimum of two (2) times with a minimum of 60 days between any two gradings; provided, however, that the Chairman of the Board of Coffee Graders may waive such requirement if the failure to comply is due to the grader being affiliated with an entity making deliveries during the relevant period or for other good cause;

(ii) cocoa graders must also include in their renewal submission a statement that:

(1) during the course of the past year, they have graded cocoa a minimum of [~~one (1) time; provided, however, that the Chairman of the Board of Cocoa Graders may waive such requirement if the failure to grade in the past year is due to the grader being affiliated with an entity making deliveries during the relevant period]~~ two (2) times with a minimum of 60 days between any two gradings; provided, however, that the Chairman of the Board of Cocoa Graders may waive such requirement if the failure to comply is due to the grader being affiliated with an entity making deliveries during the relevant period or for other good cause ; and

(2) during the course of the past two (2) years, they have attended a seminar on latest developments in the cocoa industry as authorized by the Warehouse & License Committee.

[REMAINDER OF RULE UNCHANGED]