

Tampa Juice Service, Inc.

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December 11, 2003

Ms. Jean Webb
Secretary
Commodity Futures Trading Commission
Three Lafayette Center
1155 21st Street, N.W.
Washington, D.C. 20581

RECORDS SECTION

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COMMENT

BY FAX 202-418-5521

Re: *FCOJ-A and FCOJ-B Futures and Options Contract and FCOJ-B Futures Contract, 68 Fed. Reg. 66402 (Nov. 26, 2003)*

Dear Ms. Webb:

I am the TicoFruit S.A. representative in the United States and Executive Vice-President of Tampa Juice Service, Inc. (collectively, "TicoFruit"). TicoFruit is a Costa Rica-based orange grower and processor of frozen concentrated orange juice ("FCOJ").

I wish to comment on the proposed change to the FCOJ futures contract by the New York Cotton Exchange. Please note that TicoFruit's attorneys have prepared comments that are being submitted under separate cover today. This letter supplements those comments.

TicoFruit opposes the proposed contract change. The change would restrict the main trading vehicle to Brazil and Florida FCOJ only. Our Costa Rican FCOJ is equal or superior in quality to Brazil and Florida products. There is no reason for it to trade on a differential basis. The proposed change will place TicoFruit at a competitive disadvantage. TicoFruit will no longer be able to hedge its crop using the main trading vehicle for FCOJ. This will increase our cost of doing business, and make it more difficult for us to serve the U.S. market.

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The proposed change to the FCOJ contract is the product of a conflict of interest. I have examined the roster of committee members for the FCOJ Contract Specification Committee at the Exchange. On the Committee, the interests of growers and processors from Florida and Brazil are dominant. In fact, there appears to be *no* representation of growers outside these two regions. The Committee has sponsored a contract change that would favor Florida and Brazil producers at the expense of other producers. We believe you should give especially close scrutiny to the proposed change in light of the obvious conflict of interest.

Thank you for your attention. We hope to have the continued ability to serve the United States market on an equal and fair basis to other producers.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Tope", with a long horizontal flourish extending to the right.

Philip Tope
Executive Vice-President