

August 9, 2004

**Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581**

**BY E-MAIL AND OVERNIGHT MAIL**

**SUBJECT: Request for Commission Approval: Proposed Amendments to Supplement No. 1, “Official List of Approved Refiners and Brands” of the Silver Futures Contract, Supplement No.2, “Official List of Approved Assayers and Assayer Refiners” of the Platinum and Palladium Futures Contracts and Supplement No. 5, “Approved Brands Acceptable on the London Platinum and Palladium Market” of the Platinum and Palladium Futures Contracts. Submission No: 04-102.**

Dear Ms. Webb:

Pursuant to Section 5c(c)(2) of the Commodity Exchange Act (the “Act”) and CFTC Rule 40.5 (“Voluntary Submission of Rules for Commission Review and Approval”), the New York Mercantile Exchange, Inc. (“NYMEX” or the “Exchange”) hereby requests on a voluntary basis CFTC approval for proposed amendments to Supplement No. 1, “Official List of Approved Refiners and Brands” of the Silver Futures Contract, Supplement No.2, “Official List of Approved Assayers and Assayer Refiners” of the Platinum and Palladium Futures Contracts and Supplement No. 5, “Approved Brands Acceptable on the London Platinum and Palladium Market” of the Platinum and Palladium Futures Contracts.

The proposed amendments and a complete explanation of their operation, purpose and effect are attached hereto.

If you have any questions concerning this submission, please contact Albert J. Getz at 212-299-2608.

Sincerely,

Brian Regan  
Vice President & Counsel

cc: Richard Shilts, Division of Market Oversight  
Allen Cooper, Eastern Region

## **I. EXPLANATION AND PURPOSE**

### **INTRODUCTION**

The Exchange proposes to amend Supplement No. 1, “Official List of Approved Refiners and Brands” of the Silver Futures Contract, Supplement No.2, “Official List of Approved Assayers and Assayer Refiners” of the Platinum and Palladium Futures Contracts and Supplement No. 5, “Approved Brands Acceptable on the London Platinum and Palladium Market” of the Platinum and Palladium Futures Contracts.

The proposed amendment to Supplement No. 1, “Official List of Approved Refiners and Brands” of the Silver Futures Contract changes the production status of the “PGP” silver brand to no longer produced.

The proposed amendment to Supplement No. 2, “Official List of Approved Assayers and Assayer Refiners” of the Platinum and Palladium Futures Contracts adds Heraeus Metal Processing, Inc. as an Assayer/Refiner to the Platinum and Palladium Futures Contract.

The proposed amendments to Supplement No. 5, “Approved Brands Acceptable on the London Platinum and Palladium Market” of the Platinum and Palladium Futures Contracts adds Heraeus Metal Processing Inc to the list of approved refiners and transfers PGP to the list of Former Refiners.

### **BACKGROUND**

Heraeus Metal Processing, Inc. (“HMPI”), a wholly owned subsidiary of Heraeus Inc., has informed the Exchange that it has acquired the assets of PGP Industries (“PGP”). These assets include PGP’s Platinum Group Metals refinery and processing plant in Santa Fe Springs, California and PGP’s silver refinery operations in Duncan, South Carolina. PGP is an Approved Assayer/Refiner for the Exchange’s Platinum and Palladium Contracts and an approved refiner for the COMEX Division Silver Futures Contract. The platinum and palladium brand produced by PGP is also acceptable for delivery on the London Platinum and Palladium Market.

HMPI has been operating the same refining and laboratory facilities previously operated by PGP. Except for normal employee turnover, the production and laboratory staff has remained unchanged, thus insuring a continuation of the quality of the Platinum Group Metals production, quality control and assays.

HMPI has confirmed that the “PGP” silver brand is no longer being produced and a survey of the Exchange Licensed Depositories for silver has indicated that there is one (1) silver bar bearing the “PGP” silver brand in the depositories. Therefore, the “PGP” silver brand may not be delisted but will be marked with an asterisk (\*) in the Official List of Approved Refiners and Brands of the COMEX Division Silver Futures Contract indicating that this brand is no longer produced.

A survey of the Exchange Licensed Depositories for Platinum and Palladium established that there is one (1) palladium bar and nine (9) platinum bars bearing the PGP hallmark. Therefore, PGP may not be removed from the “Official List of Approved Assayers and Assayer/Refiners” for the Exchange’s Platinum and Palladium Contracts.

#### **London Platinum and Palladium Market**

The London Platinum and Palladium Market (“LPPM”) has added HMPI to its Good Delivery List for Platinum and Palladium and transferred PGP to its list of Former Refiners of Platinum and Palladium. Please refer to the Exchange’s submission No. 00-140, dated November 3, 2000, and approved by the Commission on November 21, 2000 for details on platinum and palladium acceptable for delivery on the LPPM.

#### **Documents**

HMPI has provided the Exchange with an updated Assayer/Refiner Agreement for platinum and palladium. This document is in the format required by the Exchange.

Heraeus Inc has guaranteed the performance of HMPI. The guarantee, in the format acceptable to the Exchange’s Legal Department, guarantees that the platinum and palladium bearing the brand produced by HMPI shall at all times not be less than 99.95 percent pure.

## **II. PROPOSED AMENDMENTS**

The proposed amendments are attached.

**Proposed Amendment. Underlining indicates additions; [ ] bracketing indicates deletions.**

COMMODITY EXCHANGE, INC.  
OFFICIAL LIST OF APPROVED REFINERS AND BRANDS  
(Deliverable Against Commodity Exchange, Inc. Silver Contracts)

<u>PRODUCER</u>	<u>REFINED AT</u>	COMPUTER <u>CODE</u>	<u>BRAND MARKS</u>
The Anaconda Company	Perth Amboy, N.J.	UMCO	* UMS CO.
ASARCO Incorporated	Amarillo, Texas	ASAT	ASARCO SILVER-AMARILLO, TEXAS
	Baltimore, MD	ASBA	* ASARCO BALTIMORE, MARYLAND
	Perth Amboy, N.J.	ASCP	* AS & R CO.-PERTH AMBOY, N.J.
	Perth Amboy, N.J.	ASPA	* ASARCO-PERTH AMBOY, NEW JERSEY
	Selby, CA	SGSR	* SELBY GOLD & SILVER REFINERY, SAN FRANCISCO, CAL
Britannia Refined Metals Co.	Northfleet, England	BLCO	BLCo.
Broken Hill Associated Smelters Pty. Ltd.	Port Pirie, Australia	BHAS	BHAS
The Bunker Hill Company	Kellogg, Idaho	HILL	* BUNKER HILL
Cerro de Pasco Corporation	La Oroya, Peru	CDPP	* C de P PERU
Cominco Ltd.	Trail, British Columbia	TADA	TADANAC
Compania de Real Monte y Pachuca	Pachuca, Mexico	RDMM	R del M
Comptoir Lyon-Alemand Louyot	Noisy le Sec, France	CLAP	* COMPTOIR-LYON-ALEMAND, LOUYOT & CIE-PARIS
		CLAL	COMPTOIR-LYON-ALEMAND, LOUYOT-PARIS
OMG AG & Co. KG	Hanau, Germany	DEGU	* DEGUSSA (with 1/2 sun and 1/4 moon within diamond)
OMG AG & Co. KG.	South Plainfield, N.J.	METZ	* DEGUSSA (with 1/2 sun and 1/4 moon within diamond, also Metz est. 1921)
Dowa Mining Co. Ltd.	Kosaka City, Japan	DOWA	DOWA (with crossed hammers within circle)
Empresa Minera del Peru S.A.	La Oroya, Peru	CPPE	CP-PERU

COMMODITY EXCHANGE, INC.  
OFFICIAL LIST OF APPROVED REFINERS AND BRANDS  
(Deliverable Against Commodity Exchange, Inc. Silver Contracts)

<u>PRODUCER</u>	<u>REFINED AT</u>	<u>COMPUTER CODE</u>	<u>BRAND MARKS</u>
Engelhard Corporation	Chessington, England Carteret, N.J.	ENCI ENNE	ENGELHARD LONDON ENGELHARD
	Ivry, France	ECMP	ENGELHARD (with Compagnie Des Metaux Precieux-Paris within an oval)
Furukawa Metals Co. Ltd.	Nikko City, Japan	TRIA	OPEN TRIANGLE (like letter A, brand name "Yamaichi")
Golden West Refining Corporation Limited, Handy & Harman Refining Group Inc.	Attleboro, Mass	GWHH	* HH HANDY & HARMAN REFINING GROUP
Handy & Harman	Attleboro, Mass Fairfield, Conn.	HAND HARM	*HH HANDY & HARMAN SILVER *HH HANDY & HARMAN SILVER (with capital letter F bars produced at Fairfield, Conn.)
INCO Limited	Sudbury, Ontario	ORCO	ORC
Industrial Minera Mexico, S.A.	Monterrey, Mexico Monterrey, Mexico	ASMO IMMM	* ASARCO-MONTERREY IMM-MONTERREY
Johnson Matthey Limited	Brampton, Ontario	JMLT	JM and crossed hammers in diamond Surrounded by JOHNSON MATTHEY CANADA
	Brampton, Ontario	JMJM	* JOHNSON MATTHEY-JM (with crossed hammers and assay stamp: JM LTD.-CANADA-ASSAY OFFICE)
	Brampton, Ontario Brampton, Ontario	JMCA JMMC	* JM (with crossed hammers) * J.M. & M. Ltd.
Johnson Matthey Chemicals Ltd.	Royston, England Royston, England	JMLO JMCF	JOHNSON MATTHEY LONDON * JMCF
	Johnson Matthey Refining, Inc.	Salt Lake City, Utah	JMRI
Kam-Kotia Mines Ltd.	Cobalt, Ontario	CRKO	* CRK
Kennecott Corporation	Magma, Utah	KUEU	KUE
Metalli Preziosi S.p.A.	Milan, Italy	MPSP	METALLI PREZIOSI S.p.A. MILANO (with MP)
n.v. Union Miniere s.a. - Business Unit Hoboken	Hoboken, Belgium Hoboken, Belgium	MHOV HOBN	* HOBOKEN 999.7+ HOBOKEN 999+

COMMODITY EXCHANGE, INC.  
OFFICIAL LIST OF APPROVED REFINERS AND BRANDS  
(Deliverable Against Commodity Exchange, Inc. Silver Contracts)  
COMPUTER

<u>PRODUCER</u>	<u>REFINED AT</u>	<u>CODE</u>	<u>BRAND MARKS</u>
Metalor Technologies USA Corp.	N. Attleborough, Mass	MUST	METALOR® (with "MUS" assay mark)
	N. Attleborough, Mass.	META	* METAUX PRECIEUX SA METALOR (in a circle with letters MUS in center)
Metalor Precieux SA Metalor	Neuchatel, Switzerland	MPOR	METAUX PRECIEUX SA METALOR (in a circle with letters MP in center)
Met-Mex Penoles, SA de CV	Monterrey, Mexico	MPSA	* METALURGICA MEXICANA PENOLES S.A.
	Torreon, Mexico	POPM	PRODUCT OF PENOLES MEXICO
Mitsubishi Materials Corporation	Kagawa, Japan	DIAM	Three diamonds forming a triangle
No. 1 Mining Corporation	Namtu, Burma	BRMA	BURMA MINES
Noranda Metallurgy Inc. - Copper	Montreal East, Quebec	CCRL	CCR CANADA
Norddeutsche Affinerie A.G.	Hamburg, W. Germany	NAHA	NORDDEUTSCHE AFFINERIE HAMBURG
PAMP S.A.	Castel San Pietro, Switzerland	PAMP	PAMP
PGP Industries, Inc.	Duncan, South Carolina	PGPI	* <u>PGP</u>
Rand Refinery Limited	Germiston, Transvaal	RRSA	RAND REFINERY LTD. (with RR Ltd. on underside)
Rudarsko Metalursko Hemijski Kombinatski, Trepca	Zvecan, Yugoslavia	TREP	TREPCA
Sabin Metal Corporation	Scottsville, N.Y.	SABN	SMC
Sheffield Smelting Co. Ltd.	Sheffield, England	SSCL	* THE SHEFFIELD SMELTING CO. LTD.
United States Assay Office	Denver, Colorado	USDE	* SEAL OF UNITED STATES (with year and location of production)
	New York, New York	USNY	
	Philadelphia, Pa.	USPH	
	San Francisco, Cal.	USSF	
United States Metals Refining Co., division of Amax Copper, Inc.	Carteret, N.J.	DRW	* DRW
U.S. Smelting, Refining & Mining	East Chicago, Ill.	USSC	* USSCO
Zaklady Metalurgiczne Trzebinia	Trzebinia, Poland	ZTMP	ZTM

\* No Longer Produced

PLATINUM FUTURES CONTRACT

Supplement No. 2

OFFICIAL LIST OF APPROVED ASSAYERS AND ASSAYER/REFINERS\*

Assayer U.S.A.	Facility at
CALIFORNIA	
*PGP Industries, Inc.	13429 Alondra Blvd. Santa Fe Springs, Calif. 90670 310-921-7464
<b><u>* Heraeus Metal Processing Inc.</u></b>	<b><u>13429 Alondra Blvd.</u></b> <b><u>Santa Fe Springs, CA 90670</u></b> <b><u>562-483-1802</u></b>
NEW JERSEY	
*Engelhard Corporation	101 Wood Ave. Iselin, N.J. 08830 732-205-5000
Ledoux & Company	359 Alfred Ave. Teaneck, N.J. 07666 201-837-7160
NEW YORK	
*Sabin Metal Corporation	300 Pantigo Place East Hampton, NY 11937 (631) 329-1717
PENNSYLVANIA	
*Johnson Matthey Inc.	1401 King Rd. West Chester, Pa. 19380 610-971-3000
GERMANY	
* OMG AG & Co. KG	Rodenbacher Chaussee 4 D-63457 Hanua-Wolfgang Germany (011) 49 6181 59 4610
JAPAN	
*Tanaka Kikinzoku Kogyo K.K.	6-6 Nihonbashi Kayabacho 2 Chome Chuo-Ku, Tokyo -103 Japan (011) 81 03 3668-0111

Assayer	Facility at
UNITED KINGDOM	
*Johnson Matthey PLC	40-42 Hatton Garden London EC1N 8EE England (011) 44 207 269-8000
Alex Stewart (Assayers) Ltd.	Caddick Road Knowsley Industrial Estate Knowsley Merseyside L34 9ER United Kingdom (011) 44 151 548-7777
FRANCE	
*Comptoir Lyon-Alemand Louyot	13 Rue De Montmorency Paris, Cedex 03 France 75139 1-42-771111
*Engelhard-CLAL Paris	41 Rue de Paris 93139 Noisey-Le-Sec France 33-1-4850-5596
SWITZERLAND	
*Metaux Precieux S.A. Metalor	Avenue du Vignoble CH-2009 Neuchatel Switzerland (011) 41 327 206-111
*Valcambi S.A.	Via Passeggiata CH-6828 Balerna Switzerland 011-41-91-695-5311



PALLADIUM FUTURES CONTRACT

Supplement No. 2

OFFICIAL LIST OF APPROVED ASSAYERS AND ASSAYER/REFINERS\*

Assayer U.S.A.	Facility at
CALIFORNIA	
*PGP Industries, Inc.	13429 Alondra Blvd. Santa Fe Springs, Calif. 90670 310-921-7464
* <b><u>Heraeus Metal Processing Inc.</u></b>	<b><u>13429 Alondra Blvd.</u></b> <b><u>Santa Fe Springs, CA 90670</u></b> <b><u>562-483-1802</u></b>
NEW JERSEY	
*Engelhard Corporation	101 Wood Ave. Iselin, N.J. 08830 732-205-5000
Ledoux & Company	359 Alfred Ave. Teaneck, N.J. 07666 201-837-7160
NEW YORK	
*Sabin Metal Corporation	300 Pantigo Place East Hampton, NY 11937 (631) 329-1717
PENNSYLVANIA	
*Johnson Matthey Inc.	1401 King Rd. West Chester, Pa. 19380 610-971-3000
GERMANY	
* OMG AG & Co. KG	Rodenbacher Chaussee 4 D-63457 Hanau-Wolfgang Germany (011) 49 6181 59 4610
JAPAN	
*Tanaka Kikinzoku Kogyo K.K.	6-6 Nihonbashi Kayabacho 2 Chome Chuo-Ku, Tokyo -103 Japan (011) 81 03 3668-0111

Assayer

Facility at

UNITED KINGDOM

\*Johnson Matthey PLC

40-42 Hatton Garden  
London EC1N 8EE  
England  
(011) 44 207 269-8000

Alex Stewart (Assayers) Ltd.

Caddick Road  
Knowsley Industrial Estate  
Knowsley  
Merseyside  
L34 9ER  
United Kingdom  
(011) 44 151 548-7777

FRANCE

\*Comptoir Lyon-Alemand  
Louyot

13 Rue De Montmorency  
Paris, Cedex 03  
France 75139  
1-42-771111

\*Engelhard-CLAL Paris

41 Rue de Paris  
93130 Noisey-Le-Sec  
France  
33-1-4850-5596

SWITZERLAND

\*Metaux Precieux S.A. Metalor

Avenue du Vignoble  
CH-2009 Neuchatel  
Switzerland  
(011) 41 327 206-111

\*Valcambi S.A.

Via Passeggiata  
CH-6828 Balerna  
Switzerland  
011-41-91-695-5311

NYMEX PLATINUM FUTURES CONTRACT

Supplement No. 5

APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

<u>COUNTRY/PRODUCER</u>	<u>MOST RECENT MARKS</u>	<u>COMPUTER CODE</u>
<b><u>UNITED STATES</u></b>		
Engelhard Corporation, Carteret	“E” Symbol in octagon	ECCA
<b><u>Heraeus Metal Processing Inc.</u></b>	<b><u>Heraeus with HMP surrounded by a sun</u></b>	<b><u>HPMI</u></b>
Johnson Matthey Inc.	Johnson Matthey Made in U.S.A.	JMUS
<b><u>PGP Industries Inc.</u></b>	<b><u>PGP in a circle of dots</u></b>	<b><u>PGPI</u></b>
Sabin Metal Corporation	SMC	SMC
<b><u>FRANCE</u></b>		
Engelhard-Clal Paris	Engelhard-CLAL Paris	ECLP
<b><u>GERMANY</u></b>		
OMG AG & Co. K	Degussa with half sun & quarter moon in a diamond	OMGA
W.C. Heraeus GmbH	Heraeus H surrounded by a sun & the word	WCHG
<b><u>GREAT BRITAIN</u></b>		
Engelhard-Clal (UK) Limited	E-C in a parallelogram	ECUK
Inco Europe Limited	Inco	INCO
Johnson Matthey plc	Company logo & Made in England	JMUK

NYMEX PLATINUM FUTURES CONTRACT

Supplement No. 5

APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

<u>COUNTRY/PRODUCER</u>	<u>MOST RECENT MARKS</u>	<u>COMPUTER CODE</u>
<b><u>ITALY</u></b>		
Engelhard s.r.l. (from serial number R501 onwards)	“1ER” in octagon	ESRL
<b><u>JAPAN</u></b>		
Ishifuku Metal Industry Co. Limited	Ishifuku Tokyo	IMIL
Matsuda Sangyo Co. Limited	Matsuda Tokyo Assayer Melter	MSCL
Tanaka Kinkinzoku Kogyo K.K.	Tanaka Tokyo	TKKK
Tokuriki Honten Co. Limited	Tokuriki Tokyo	THCL
Asahi Pretec Corp	AKK in a diamond	ASPC
<b><u>NETHERLANDS</u></b>		
H. Drijfhout & Zoon's Edelmetaalbedrijven B.V.	H. Drijfhout & Zoon Amsterdam Melters	DZAM
<b><u>RUSSIA</u></b>		
Ekaterinburg	РОССИЯ in an oval & company symbol	EKAT
Krasnoyarsk	Made in Russia (with K and a flower)	KRAS
Novosibirsk Refining Factory	РОССИЯ in an oval & company symbol	NOVO
Prioksk	РОССИЯ in an oval & company symbol	PRIO

NYMEX PLATINUM FUTURES CONTRACT

Supplement No. 5

APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

<u>COUNTRY/PRODUCER</u>	<u>MOST RECENT MARKS</u>	<u>COMPUTER CODE</u>
<b><u>SOUTH AFRICA</u></b>		
Impala Platinum Limited	Company symbol only Impala Animal Head	PLAT
Rustenburg Platinum Mines Limited	Rustenburg in a rectangle	RPML
Western Platinum Refinery Limited	W.P.L. Platinum	WPRL
<b><u>SWITZERLAND</u></b>		
Argor-Heraeus SA	Argor-Heraeus SA	AHSA
Metaux Precieux SA Metalor	M.P. Assayeur Fondeur	MPSA
Valcambi SA	Valcambi S.A. Balerna-Suisse	VABS
Pamp S.A.	PAMP individual letters in cylinder followed by the word Switzerland	PAMP

**FORMER REFINERS**

The following organizations have ceased the production and refining of good delivery material or have changed the markings of their ingots or plates. However, previously produced ingots and plates continue to be accepted as good delivery.

<u>COUNTRY/PRODUCER</u>	<u>FORMER MARKINGS</u>	<u>COMPUTER CODE</u>
<b><u>UNITED STATES</u></b>		
Engelhard-Clal	Engelhard-CLAL New York	ECNY
Engelhard Metals Corporation, Carteret	“E” symbol in octagon	EMCC
<b><u>PGP Industries Inc.</u></b>	<b><u>PGP in a circle of dots</u></b>	<b><u>PGPI</u></b>

NYMEX PLATINUM FUTURES CONTRACT

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APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

**FORMER REFINERS**

<b><u>COUNTRY/PRODUCER</u></b>	<b><u>FORMER MARKINGS</u></b>	<b><u>COMPUTER CODE</u></b>
<b><u>FRANCE</u></b>		
Compagnie des Metaux Precieux SA	“Compagnie des Metaux Paris CMP”	CMPP
Comptoir Lyon – Alemand Louyot	“Comptoir-Lyon-Alemand Louyot Paris Affineur Fondeur” in octagon	CLAL
Engelhard SA	“Engelhard” in parallelogram and “Comptoir-Lyon-Alemand Louyot Paris Affineur Fondeur” in octagon	ENSA
<b><u>GERMANY</u></b>		
Degussa AG	Degussa with half sun & quarter moon in a diamond	DEAG
<b><u>GREAT BRITAIN</u></b>		
Engelhard Limited	“Engelhard London” and “E” in parallelogram	ELGB
<b><u>RUSSIA</u></b>		
State Refinery	Made in USSR with hammer & sickle	RUSS
<b><u>SOUTH AFRICA</u></b>		
Impala Platinum Limited	Company symbol	IMPL
<b><u>SWITZERLAND</u></b>		
Argor SA	Argo S.A. Chiasso	ARSA

NYMEX PALLADIUM FUTURES CONTRACT

Supplement No. 5

APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

<u>COUNTRY/PRODUCER</u>	<u>MOST RECENT MARKS</u>	<u>COMPUTER CODE</u>
<b><u>UNITED STATES</u></b>		
Engelhard Corporation, Carteret	“E” Symbol in octagon	ECCA
<b><u>Heraeus Metal Processing Inc.</u></b>	<b><u>Heraeus with HMP surrounded by a sun</u></b>	<b><u>HPMI</u></b>
Johnson Matthey Inc.	Johnson Matthey Made in U.S.A.	JMUS
<b><u>PGP Industries Inc.</u></b>	<b><u>PGP in a circle of dots</u></b>	<b><u>PGPI</u></b>
Sabin Metal Corporation	SMC	SMC
<b><u>FRANCE</u></b>		
Engelhard-Clal Paris	Engelhard-Clal Paris	ECLP
<b><u>GERMANY</u></b>		
OMG AG & Co. KG	Degussa with half sun & quarter moon in a diamond	OMGA
W.C. Heraeus GmbH	H surrounded by a sun & the word Heraeus	WCHG
<b><u>GREAT BRITAIN</u></b>		
Engelhard-Clal (UK) Limited	E-C in a parallelogram	ECUK
Inco Europe Limited	Inco	INCO
Johnson Matthey plc	Company logo & Made in England	JMUK

NYMEX PALLADIUM FUTURES CONTRACT

Supplement No. 5

APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

<u>COUNTRY/PRODUCER</u>	<u>MOST RECENT MARKS</u>	<u>COMPUTER CODE</u>
<b><u>ITALY</u></b>		
Engelhard s.r.l. (from serial number R501 onwards)	1ER” in octagon	ESRL
<b><u>JAPAN</u></b>		
Ishifuku Metal Industry Co. Limited	Ishifuku Tokyo	IMIL
Matsuda Sangyo Co. Limited	Matsuda Tokyo Assayer Melter	MSCL
Tanaka Kinkinzoku Kogyo K.K.	Tanaka Tokyo	TKKK
Tokuriki Honten Co. Limited	Tokuriki Tokyo	THCL
Asahi Pretec Corp	AKK in a diamond	ASPC
<b><u>NETHERLANDS</u></b>		
H. Drijfhout & Zoon’s Edelmetaalbedrijven B.V.	H. Drijfhout & Zoons Amsterdam Melters	DZAM
<b><u>RUSSIA</u></b>		
Krasnoyarsk	Made in Russia (with K and a flower)	KRAS
Novosibirsk Refining Factory	РОССИЯ in an oval & company symbol	NOVO
Prioksk	РОССИЯ in an oval & company symbol	PRIO



NYMEX PALLADIUM FUTURES CONTRACT

Supplement No. 5

APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

<u>COUNTRY/PRODUCER</u>	<u>MOST RECENT MARKS</u>	<u>COMPUTER CODE</u>
<b><u>SOUTH AFRICA</u></b>		
Western Platinum Refinery Limited	W.P.L. Palladium & symbol	WPRL
<b><u>SWITZERLAND</u></b>		
Argor-Heraeus SA	Argor-Heraeus SA	AHSA
Metaux Precieux SA Metalor	M.P. Assayeur Fondeur	MPSA
Valcambi SA	Valcambi S.A. Balerna-Suisse	VABS
Pamp S.A.	PAMP individual letters in cylinder followed by the word Switzerland	PAMP

**FORMER REFINERS**

The following organizations have ceased the production and refining of good delivery material or have changed the markings of their ingots or plates. However, previously produced ingots and plates continue to be accepted as good delivery.

<u>COUNTRY/PRODUCER</u>	<u>FORMER MARKINGS</u>	
<b><u>UNITED STATES</u></b>		
<b><u>PGP Industries Inc.</u></b>	<b><u>PGP in a circle of dots</u></b>	<b><u>PGPI</u></b>
<b><u>FRANCE</u></b>		
Compagnie des Metaux Precieux SA	“Compagnie des Metaux Precieux Paris CMP”	CMPP
Comptoir Lyon –Alemand Louyot	“Comptoir-Lyon-Alemand Louyot Paris Affineur Fondeur” in octagon	CLAL
Engelhard SA	“Engelhard” in parallelogram and “Comptoir-Lyon-Alemand Louyot Paris Affineur Fondeur” in octagon	ENSA

NYMEX PALLADIUM FUTURES CONTRACT

Supplement No. 5

APPROVED BRANDS  
ACCEPTABLE ON THE LONDON PLATINUM and PALLADIUM MARKET

**FORMER REFINERS**

<b><u>COUNTRY/PRODUCER</u></b>	<b><u>FORMER MARKINGS</u></b>	<b><u>COMPUTER CODE</u></b>
<b><u>GERMANY</u></b>		
Degussa AG	Degussa with half sun & quarter moon in a diamond	DEAG
<b><u>GREAT BRITAIN</u></b>		
Engelhard Limited	“Engelhard London” and “E” in parallelogram	ELGB
<b><u>RUSSIA</u></b>		
State Refinery	Made in USSR with hammer & sickle	RUSS
<b><u>SOUTH AFRICA</u></b>		
Matthey Rustenburg Refiners	“JM Ltd” and company symbol “Trade Mark” and “Made in South Africa”	MRRA
<b><u>SWITZERLAND</u></b>		
Argor SA	Argor S.A. Chiasso	ARSA

### **III. EXCHANGE ACTION**

The proposed amendments were approved by the NYMEX Board of Directors at a regularly scheduled meeting. No anti-competitive effects are anticipated or are apparent. There were no substantive opposing views concerning this amendment.

While there are open positions in the Silver, Platinum and Palladium Futures Contracts, these amendments will not have an economic impact on positions or prices in the market.

The Exchange intends to implement the proposed amendments the day after it receives notification of Commission approval, or notification that such approval is not necessary.

The Exchange Membership was informed in a Notice to Membership dated August 5, 2004, that the Exchange intends to amend Supplement No. 1, "Official List of Approved Brands and Markings" of the Grade 1 Copper Futures as discussed above, pending notification from the Commission.