



August 10, 2007

**BY EMAIL AND AIR BORNE EXPRESS**

Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

RECEIVED  
C.F.T.C.  
AUG 10 PM 2:40  
OFFICE OF THE SECRETARY

**Re: Rule Certification. NYMEX Submission 07.93: Notification of Approved Amendment to Supplement No. 1, "Official List of Approved Brands and Markings" of the Grade 1 Copper Futures Contract.**

Dear CFTC Commissioners:

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of an approved amendment to Supplement No. 1, "Official List of Approved Brands and Markings" of the Grade 1 Copper Futures Contract to be implemented effective Monday, August 13, 2007. The approved amendment changes the name of the producer of the "TINTAYA" brand of copper cathode from BHP Billiton Tintaya S.A to Xstrata Tintaya S.A.. Xstrata Queensland, Ltd. has informed the Exchange that it has acquired the assets of BHP Billiton Tintaya S.A. and renamed the company Xstrata Tintaya S.A. Xstrata Queensland, Ltd. is a major global diversified mining group and producer of copper, aluminum, coal, nickel, zinc, and precious metals with processing facilities in Australia, Peru, Argentina, Chile, the Philippines, and Canada. In 2006, the annual production capacity of copper was 1.01 million tons while gold production reached 786,800 ounces. The brand insignia remains unchanged.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendment complies with the Act, including regulations under the Act. This approved amendment will go into effect on Monday, August 13, 2007.

Should you have any questions concerning the above, please contact James Zeng at 212-299-2612 or Joann Arena at 212-299-2356.

Very truly yours,

William Purpura  
Senior Vice President – Comex Division

cc: Christopher Bowen, Esq.

Attachment: Approved Amendment to Supplement No. 1, "Official List of Approved Brands and Markings" of the Grade 1 Copper Futures Contract.

Underlining indicates additions: [ ] indicates deletions.

Copper Supplement  
No. 1

COMMODITY EXCHANGE, INC.  
GRADE 1 COPPER CATHODES

OFFICIAL LIST OF APPROVED BRANDS AND MARKINGS

|   | <u>COMPUTER CODE</u>                                    | <u>BRAND NAME(1)</u>   |
|---|---|--|
| ASARCO Incorporated-----  | ATR   | ATR  |
| ASARCO Incorporated Ray Unit -----<br>RAY GRADE 1               | RAY   | ASARCO   |
| Atlantic Copper S.A. -----                                      | FMS   | FMS  |
| [BHP Billiton Tintaya S.A. -----]                               | TINT  | TINTAYA]   |
| BHP Copper Inc.-----<br>Copper/Pinto                            | BHPP  | BHP  |
| Cobre de Mexico, S.A.-----                                      | CDM   | CDM  |
| Codelco-Chile---Corporacion Nacional del-----<br>Cobre de Chile | AE<br>CCC<br>ASXW<br>CCCP<br>CSBL<br>CHUI<br>NAMI<br>RT | AE<br>CCC<br>AE SX-EW<br>CCC-P<br>cCc SBL<br>CHUQUI-P<br>ENM<br>RT |
| Compania Minera Cerro Colorado Ltda-----                        | CMCC  | CMCC   |
| Compania Minera Dona Ines de Collahuasi SCM----                 | COLL  | COLL   |
| Compania Minera Falconbridge Lomas Bayas -----                  | MFLB  | LBF  |
| Compania Minera Quebrada Blanca S.A.-----                       | QB  | QB   |
| Compania Minera Zaldivar-----                                   | ZALD  | ZALDIVAR   |
| Dowa Mining Co. Ltd.-----                                       | DOWA  | DOWA   |
| Falconbridge Limited, Kidd Creek Division-----                  | FKA   | FKA  |

COMMODITY EXCHANGE, INC.  
 COPPER BRANDS AND MARKINGS  
 PAGE 2  
 GRADE 1 CATHODE COPPER (Cont.)

| <u>PRODUCER</u><br>(1)                    | <u>COMPUTER CODE</u>                                       | <u>BRAND NAME</u>   |
|---|--|---|
| INCO Limited-----                         | ORCO   | ORC   |
| Kennecott Utah Copper Corporation-----    | KUCU   | KUC   |
| LG-Nikko Copper Inc. -----                | ONSN   | ONSAN   |
| Metallo-Chimique International N.V.-----  | SME  | SME   |
| Minera El Tesoro-----                     | MELT   | MET   |
| Minera Escondida Limitada -----           | ESOX   | ESOX  |
| Mitsubishi Materials Corporation-----     | MTSB   | MITSUBISHI  |
| Mitsui Mining & Smelting Co. Ltd.-----    | MTS<br>TAMA  | MTSUI<br>TAMANO   |
| Nippon Mining & Metals Co., Ltd-----      | HM<br>SR   | HM<br>SR  |
| Noranda Inc. -----                        | NORA   | NORANDA   |
| Norddeutsche Affinerie AG-----            | NAEN   | NA-ESN  |
| Norddeutsche Affinerie AG -----           | HKAG   | HK  |
| Onahama Smelting & Refining CO. Ltd.----- | OSR  | OSR   |
| Phelps Dodge Corporation-----             | PD<br>PDSR<br>PDSS<br>BCCC<br>PDMI<br>CBCC<br>TWIN<br>PDGO | P*D<br>SANTA RITA<br>PDSS<br>BCCC ("BURRO CHIEF")<br>PDMI<br>CBCC<br>CTB<br>PD*GO |

COMMODITY EXCHANGE, INC.  
 COPPER BRANDS AND MARKINGS  
 PAGE 3  
 GRADE 1 CATHODE COPPER (Cont.)

| <u>PRODUCER</u><br>(1)  | <u>COMPUTER CODE</u> | <u>BRAND NAME</u>     |
|---|----------------------|-----------------------|
| Philippine Associated Smelting & Refining Corp.--                   | PSAR                 | PASAR                 |
| Sociedad Contractual Minera El Abra-----                            | ABRA                 | ABRA                  |
| Sociedad Minera Cerro Verde S.A.-----                               | SMCV                 | SMCV                  |
| Southern Peru Copper Corp.-----                                     | SPCC                 | SPCC-ILO              |
| Southern Peru Copper Corporation/<br>Southern Peru Copper Ltd.----- | SPLX                 | SPCC-SXEW             |
| Sumitomo Metal Mining Co. Ltd.-----                                 | SUMI                 | SUMIKO                |
| White Pine Copper Refinery, Inc.-----<br>Copper                     | WPCR                 | White Pine            |
| <b><u>Xstrata Tintaya S.A. -----</u></b>                            | <b><u>TINT</u></b>   | <b><u>TINTAYA</u></b> |
| Zambia Consolidated Copper Mines                                    |                      |                       |
| Mufulira Copper Refining-----                                       | MCM                  | MCM                   |
| Nkana Copper Refinery-----  | REC                  | REC                   |

(1) Copper Cathodes do not bear a brand marking. Accordingly, a written declaration of brand pursuant to Rule 111.45(f) of the Comex By-Laws must accompany all deliveries.

\*No Longer Produced

August 8, 2007

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Senior Vice President - Research

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| Mitsui Mining & Smelting Co. Ltd.-----    | MITS<br>TAMA   | MITSUMI<br>TAMANO   |
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| Norddeutsche Affinerie AG-----            | NAEN   | NA-ESN  |
| Norddeutsche Affinerie AG -----           | HKAG   | HK  |
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