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OFFICE OF THE SECRETARIAT

October 28, 2008

Mr. David Stawick  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, DC 20581

RE: Removal of U.S. origin only requirement for Oat futures  
CBOT Submission No. 08-166

Dear Mr. Stawick:

The Chicago Board of Trade ("CBOT") hereby notifies the Commission of a change to CBOT Rule 15104 which removes the U.S. origin only requirement from the grade requirements set forth in the CBOT Oat contract. This wording was inadvertently added to the contract specifications during the CME/CBOT rule harmonization.

The text of the rule amendments are attached, with additions underlined and deletions overstruck.

The Exchange certifies that this change complies with the Act and the regulations thereunder.

If you require any additional information regarding this action, please do not hesitate to contact David Lehman at 312-930-1875 or via e-mail at [David.Lehman@cmegroup.com](mailto:David.Lehman@cmegroup.com); John D. Hill at 312-930-1852 or via e-mail at [John.Hill@cmegroup.com](mailto:John.Hill@cmegroup.com); or me. Please reference our CBOT Submission #08-1XX in any related correspondence.

Sincerely,

/s/ Stephen M. Szarmack  
Director and Associate General Counsel

## Text of Rule Amendments

(Additions are underlined, deletions are bracketed and overstruck.)

### Chapter 15 Oat Futures

#### 15104. GRADES / GRADE DIFFERENTIALS

~~[Upon written request by a taker of delivery at the time loading orders are submitted, a futures contract for the sale of oats shall be performed on the basis of United States origin only.]~~

<u>OATS GRADE DIFFERENTIALS</u>	
No. 1 Extra Heavy Oats	At 7 cents per bushel over contract price
No. 2 Extra Heavy Oats	At 4 cents per bushel over contract price
No. 1 Heavy Oats	At 3 cents per bushel over contract price
No. 2 Heavy Oats	At contract price
No. 1 Oats	At contract price
No. 2 Oats (36 lb. minimum test weight)	At 3 cents per bushel under contract price
No. 2 Oats (34 lb. minimum test weight)	At 6 cents per bushel under contract price

Bright Oats shall carry no additional premium or discount. Oats with more than 14% moisture are not deliverable.

A contract for the sale of oats for future delivery shall be performed on the basis of the grades officially promulgated by the Secretary of Agriculture as conforming to United States Standards at the time of making the contract. If no such United States grades shall have been officially promulgated, then such contract shall be performed on the basis of the grades established by the Department of Agriculture of the State of Illinois, or the standards established by the Rules of the Exchange in force at the time of making the contract.