



**Commodity Futures Trading Commission**

**Pt. 19, App. A**

coding structure, and electronic data submission procedures approved in writing by the Commission.

**§ 19.01 [Reserved]**

**§ 19.02 Reports pertaining to cotton on call purchases and sales.**

(a) *Information required.* Persons required to file CFTC Form 304 reports under §19.00(a) shall file CFTC Form 304 reports showing the quantity of call cotton bought or sold on which the price has not been fixed, together with the respective futures on which the purchase or sale is based. As used herein, call cotton refers to spot cotton bought or sold, or contracted for purchase or sale at a price to be fixed later based upon a specified future.

(b) *Time and place of filing reports.* Each CFTC Form 304 report shall be made weekly, dated as of the close of business on Friday, and filed not later than 9 a.m. Eastern Time on the third business day following that Friday using the format, coding structure, and electronic data transmission procedures approved in writing by the Commission.

**§ 19.03 Delegation of authority to the Director of the Division of Enforcement.**

(a) The Commission hereby delegates, until it orders otherwise, the authority in §19.00(b) to issue special calls to the Director of the Division of Enforcement, or such other employee or employees as the Director may designate from time to time.

(b) The Commission hereby delegates, until it orders otherwise, to the Director of the Division of Enforcement, or such other employee or employees as the Director may designate from time to time, the authority in §19.00(b) to provide instructions or to determine the format, coding structure, and electronic data transmission procedures for submitting data records and any other information required under this part.

(c) The Director of the Division of Enforcement may submit to the Commission for its consideration any matter which has been delegated in this section.

(d) Nothing in this section prohibits the Commission, at its election, from exercising the authority delegated in this section.

**§§ 19.04—19.10 [Reserved]**

APPENDIX A TO PART 19—FORM 304

**CFTC FORM 304****Statement of Cash Positions for Unfixed-Price****Cotton “On Call”**

**NOTICE:** Failure to file a report required by the Commodity Exchange Act (“CEA” or the “Act”)<sup>1</sup> and the regulations thereunder,<sup>2</sup> or the filing of a report with the Commodity Futures Trading Commission (“CFTC” or “Commission”) that includes a false, misleading, or fraudulent statement or omits material facts that are required to be reported therein or are necessary to make the report not misleading, may (a) constitute a violation of section 6(c)(2) of the Act (7 U.S.C. 9), section 9(a)(3) of the Act (7 U.S.C. 13(a)(3)), and/or section 1001 of Title 18, Crimes and Criminal Procedure (18 U.S.C. 1001) and (b) result in punishment by fine or imprisonment, or both.

**PRIVACY ACT NOTICE**

The Commission’s authority for soliciting this information is granted in sections 4i and 8 of the CEA and related regulations (*see, e.g.*, 17 CFR 19.02). The information solicited from entities and individuals engaged in activities covered by the CEA is required to be provided to the CFTC, and failure to comply may result in the imposition of criminal or administrative sanctions (*see, e.g.*, 7 U.S.C. 9 and 13a-1, and/or 18 U.S.C. 1001). The information requested is used by the Commission to prepare its cotton on-call report. The requested information may be used by the Commission in the conduct of investigations and litigation and, in limited circumstances, may be made public in accordance with provisions of the CEA and other applicable laws. It may also be disclosed to other government agencies and to contract markets to meet responsibilities assigned to them by law. The information will be maintained in, and any additional disclosures will be made in accordance with, the CFTC System of Records Notices, available on [www.cftc.gov](http://www.cftc.gov).

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<sup>1</sup> 7 U.S.C. 1, *et seq.*

<sup>2</sup> Unless otherwise noted, the rules and regulations referenced in this notice are found in chapter I of title 17 of the Code of Federal Regulations; 17 CFR chapter I.

**BACKGROUND & INSTRUCTIONS**

## Applicable Regulations:

- ☐ 17 CFR 19.00(a) specifies who shall file Form 304.
- ☐ 17 CFR 19.02(a) specifies the information required on Form 304.
- ☐ 17 CFR 19.02(b) specifies the frequency (weekly), the report date (close of business on Friday), and the time (9 a.m. Eastern Time on the third business day following that Friday) and manner, for filing the Form 304.

Please follow the instructions below to generate and submit the required filing. Relevant regulations are cited in parentheses () for reference. Unless the context requires otherwise, the terms used herein shall have the same meaning as ascribed in parts 15 to 21 of the Commission's regulations.

**Complete Form 304 as follows:**

**The trader identification fields should be completed by all filers.** This Form 304 requires traders to identify themselves using their Public Trader Identification Number, in lieu of the CFTC Code Number required on previous versions of the Form 304. This number is provided to traders who have previously filed Forms 40 or 102 with the Commission. Traders may contact the Commission to obtain this number if it is unknown. If a trader has a National Futures Association Identification Number ("NFA ID") and/or a Legal Entity Identifier ("LEI"), the trader should also identify itself using those numbers. Form 304 requires traders to identify the name of the reporting trader or firm and the contact information (including full name, address, phone number, and email address) for a natural person the Commission may contact regarding the submitted Form 304.

**Merchants and dealers of cotton shall report on Form 304.** Report in hundreds of 500-lb. bales unfixed-price cotton "on-call" pursuant to § 19.02(a) of the Commission's regulations.

Include under “Call Purchases” stocks on hand for which price has not yet been fixed. For each listed stock, report the delivery month, delivery year, quantity of call purchases, and quantity of call sales.

**The signature/authorization page shall be completed by all filers.** This page shall include the name and position of the natural person filing Form 304 as well as the name of the reporting trader represented by that person. The trader certifying this Form 304 on the signature/authorization page should note that filing a report that includes a false, misleading, or fraudulent statement or omits material facts that are required to be reported therein or are necessary to make the report not misleading, may (a) constitute a violation of section 6(c)(2) of the Act (7 U.S.C. 9), section 9(a)(3) of the Act (7 U.S.C. 13(a)(3)), and/or section 1001 of Title 18, Crimes and Criminal Procedure (18 U.S.C. 1001) and (b) result in punishment by fine or imprisonment, or both.

**Submitting Form 304:** Once completed, please submit this form to the Commission pursuant to the instructions on [www.cftc.gov](http://www.cftc.gov) or as otherwise directed by Commission staff. If submission attempts fail, the reporting trader shall contact the Commission at [techsupport@cftc.gov](mailto:techsupport@cftc.gov) for further technical support.

Please be advised that pursuant to 5 CFR 1320.5(b)(2)(i), you are not required to respond to this collection of information unless it displays a currently valid OMB control number.

Public Trader ID No. [provided by CFTC]		OMB No. 3038-0013			
<p align="center"><b>COMMODITY FUTURES TRADING COMMISSION</b></p> <p align="center"><b>FORM 304</b></p> <p align="center"><b>STATEMENT OF CASH POSITIONS FOR UNFIXED-PRICE</b></p> <p align="center"><b>COTTON "ON-CALL"</b></p>				Identifying Information	
				Identification Codes:	
				NFA ID	Legal Entity Identifier (LEI)
				Name of Reporting Trader or Firm:	
				Name of Person to Contact Regarding This Form:	
First Name	Middle Name	Last Name	Suffix		
Contact Information:					
Address	Phone Number	Email Address			

<p>NOTICE: Failure to file a report required by the Commodity Exchange Act ("CEA" or the "Act") and the regulations thereunder, or the filing of a report with the Commodity Futures Trading Commission ("CFTC" or "Commission") that includes a false, misleading or fraudulent statement or omits material facts that are required to be reported therein or are necessary to make the report not misleading, may (a) constitute a violation of section 6(e)(2) of the Act (7 U.S.C. 9), section 9(a)(3) of the Act (7 U.S.C. 13(a)(3)), and/or section 1001 of Title 18, Crimes and Criminal Procedure (18 U.S.C. 1001) and (b) result in punishment by fine or imprisonment, or both. Please be advised that pursuant to 5 CFR 1320.5(b)(2)(i), you are not required to respond to this collection of information unless it displays a currently valid OMB control number.</p>				
Unfixed-price Cotton "on-call" pursuant to § 19.02(a); include under "Call Purchases" stocks on hand for which price has not yet been fixed. Report in hundreds of bales (500-lb. bales).				
Delivery Month	Delivery Year	Call Purchases ('00 bales)	Call Sales ('00 bales)	

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Please sign/authenticate the Form 304 prior to submitting.

Signature/ Electronic Authentication:

- ☐ By checking this box and submitting this form (or by clicking “submit,” “send,” or any other analogous transmission command if transmitting electronically), I certify that I am duly authorized by the reporting trader identified below to provide the information and representations submitted on this Form 304, and that to the best of my knowledge the information and representations made herein are true and correct.

Reporting Trader Authorized Representative (Name and Position):

\_\_\_\_\_ (Name)

\_\_\_\_\_ (Position)

Submitted on behalf of:

\_\_\_\_\_ (Reporting Trader Name)

Date of Submission: \_\_\_\_\_

CFTC Form 304 (XX-XX)

Previous Editions Obsolete



Form 304, Example – July 2020 Call purchases of 200 bales and sales of 1,800 bales;

October Call purchases of 6,600 bales and sales of 8,000 bales.

Unfixed-price Cotton “on-call” pursuant to § 19.02(a); include under “Call Purchases” stocks on hand for which price has not yet been fixed. Report in hundreds of bales (500-lb. bales).			
Delivery Month	Delivery Year	Call Purchases (‘00 bales)	Call Sales (‘00 bales)
July	2020	2	18
October	2020	66	80

## PART 20—LARGE TRADER REPORTING FOR PHYSICAL COMMODITY SWAPS

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- 20.1 Definitions.
- 20.2 Covered contracts.
- 20.3 Clearing organizations.
- 20.4 Reporting entities.
- 20.5 Series S filings.
- 20.6 Maintenance of books and records.
- 20.7 Form and manner of reporting and submitting information or filings.
- 20.8 Delegation of authority.
- 20.9 Sunset provision.
- 20.10 Compliance schedule.
- 20.11 Diversified commodity indices.

APPENDIX A TO PART 20—GUIDELINES ON FUTURES EQUIVALENCY

APPENDIX B TO PART 20—EXPLANATORY GUIDANCE ON DATA RECORD LAYOUTS

AUTHORITY: 7 U.S.C. 1a, 2, 5, 6, 6a, 6c, 6f, 6g, 6t, 12a, 19.

SOURCE: 76 FR 43862, July 22, 2011, unless otherwise noted.

### § 20.1 Definitions.

As used in, and solely for the purposes of, this part:

*Business day* means “business day” as that term is defined in §1.3 of this chapter.

*Cleared product* means a paired swap or swaption that a clearing organization offers or accepts for clearing.

*Clearing member* means any person who is a member of, or enjoys the privilege of, clearing trades in its own name through a clearing organization.

*Clearing organization* means the person or organization that acts as a medium between clearing members for the purpose of clearing swaps or swaptions or effecting settlements of swaps or swaptions.

*Closed swap or closed swaption* means a swap or swaption that has been settled, exercised, closed out or terminated.

*Commodity reference price* means the price series (including derivatives contract and cash market prices or price indices) used by the parties to a swap or swaption to determine payments made, exchanged, or accrued under the terms of the contracts.

*Counterparty* means, from the perspective of one side to a contract, the person that is the direct legal