**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”)

[[1]](#footnote-1) and the regulations thereunder,[[2]](#footnote-2) 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 § 6(c)(2) of the Act (7 U.S.C. 9), § 9(a)(3) of the Act (7 U.S.C. 13(a)(3)), and/or § 1001 of Title 18, Crimes and Criminal Procedure (18 USC 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 most commonly used in the Commission’s market and trade practice surveillance activities to (a) provide information concerning the size and composition of the commodity derivatives markets, (b) permit the Commission to monitor and enforce speculative position limits and (c) enhance the Commission’s trade surveillance data. 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).

**BACKGROUND & INSTRUCTIONS**

17 CFR § 19.00(a) requires each person subject to the provisions of this paragraph to report its cash positions to the Commission by filing series ’04 reports. 17 CFR § 19.00(b) specifies the manner of reporting on Form ’04 series. 17 CFR § 19.02(a) specifies the information required on Form 304. 17 CFR § 19.02(b) specifies the frequency (**weekly**), the as of report date (close of business Friday,) and the time (9 a.m. Eastern Time on the third business day following the report date) for filing the reports. As appropriate, please follow the instructions below to generate and submit the required report or filing. 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:**

General & Identifying Information: All filers.

For each listed stock, report Delivery month

Delivery year

Call purchases

Call sales

Signature/Authentication: All filers.

**Submitting Form 304:** Once completed, please submit this form to the Commission pursuant to the instructions on [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] 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.

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| **COMMODITY FUTURES TRADING COMMISSION**  **FORM 304 - STATEMENT OF CASH POSITIONS FOR UNFIXED-PRICE COTTON “ON-CALL”** | CFTC CODE NO. [INSERT] | | | OMB No. XXXX-XXXX | | |
| Identifying Information | | | | | |
| Identification Codes | | | | | |
| NFA ID | Legal Entity Identifier (LEI) | | | Other CFTC Identifier | |
|  |  | | |  | |
| Name of Non-Natural Person | | | | | |
|  | | | | | |
| Name of Natural Person | | | | | |
| First Name | Middle Name | Last Name | | | Suffix |
|  |  |  | | |  |
| Contact Information | | | | | |
| Address | Phone Number | Email Address | | | |
|  |  |  | | | |
| 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 § 6(c)(2) of the Act (7 U.S.C. 9), § 9(a)(3) of the Act (7 U.S.C. 13(a)(3)), and/or § 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. | | | | | | |
| 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) | | | |
|
|  |  |  |  | | | |
|  | | | | | | |

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 the information and representations are true and correct.

Reporting Trader Authorized Representative (Name and Position):

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

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

Submitted on behalf of:

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

Date of Submission:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Form 304, Example – July 2013 Call purchases of 200 bales and sales of 1,800 bales; October Call purchases of 6,600 bales and sales of 8,000 bales.

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| 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 | 2013 | 2 | 18 |
| October | 2013 | 66 | 80 |
|  | | | |

1. 7 U.S.C. section 1, et seq. [↑](#footnote-ref-1)
2. Unless otherwise noted, the rules and regulations referenced in this notice are found in chapter 1 of title 17 of the Code of Federal Regulations; 17 CFR Chapter 1 et seq. [↑](#footnote-ref-2)