To: The Federal Trade Commission
Office of the Secretary
Room 135-H (Annex E)
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Via e-mail: https://secure.commentworks.com/ftc-jewelry

Dated: August 25, 2008

Re: Jewelry Guides, Matter No. G711001

The following constitutes the comments of the undersigned trade associations ("Associations"). These comments are submitted in response to the Federal Register Notice issued by the Federal Trade Commission ("Commission") on February 20, 2008 regarding a proposed amendment to the Jewelry Guides concerning platinum (the "2008 Notice").

Members of the Associations joining in this submission include manufacturers, wholesalers, distributors, precious metal suppliers and refiners, diamond dealers, colored gemstone dealers, and retailers – essentially the entire jewelry community. The Associations are grateful for the opportunity to comment on the proposed amendment, and appreciate the attention that will be afforded our response.

I. Introduction

In addressing the Guide for marketing and labeling jewelry products containing platinum, the Associations seek above all clarity (to ensure trade compliance and a level playing field) and simplicity (to ensure consumer understanding and protection). A clear and practical approach to this matter will avoid consumer deception.

The Associations welcome new alloys containing platinum to the marketplace. The Associations' members often introduce new products to their customers in order to provide the latest in innovations. It is in the interest of the Associations' members to be able to sell new products, but it is also important that they ensure confidence in their products by providing full and easily understood disclosure.

The Commission has determined that the current Guide regarding platinum alloyed with platinum group metal ("PGM") should not be amended. The Commission's current proposal supplements the Guide by addressing the manner in which alloys containing combinations of base metal and platinum are to be marketed.

As explained below, while amendments to the Platinum Guide addressing base metal/platinum alloys are in order, those proposed by the Commission do not meet current legal standards since the representations required by the proposal are "likely to materially mislead consumers acting reasonably under the circumstances."[1] Further, the representations that are proposed are so impractical that they will not be delivered and are impossible to implement. Consumers' perceptions of the meaning of "platinum" are strong – and their understandings of technical terms to describe metal content are weak. They will believe that they are buying platinum, and no amount of technical disclosure will overcome that impression.

As noted above, the Associations welcome new products to the marketplace that blend platinum with base metals. However, by permitting the word "platinum" as a descriptor for these products, a system that facilitates potentially deceptive representations is created that cannot be resolved by a complex disclosure of composition of the alloy. As will be demonstrated below, recent studies show that a "reasonable consumer" is unlikely to comprehend information about alloy content. Thus, the suggested disclosures are the equivalent of no disclosure at all. Further, the practical impediments required to make these disclosures means that the consumer will likely not receive the information. The result will be consumers who believe that they are buying high-content platinum products - and they are not.

The current Platinum Guide should be retained and clarified and a supplement added to address descriptions of platinum and non-PGM alloys. This is provided in the Associations' proposed amendment (Attachment One),

[1] FTC Policy Statement on Deception, appended to Cliffdale Associates, Inc., 103 F.T.C. 110, 176 (1984).

which conforms to consumer expectations and understandings by confining the use of the word "platinum" to its well-understood meaning. Our proposal would require that marketers employ descriptors other than "platinum" for alloys containing platinum and base metals. Adopting this approach will benefit consumers by providing a clear and easily understood signal distinguishing these two very different alloys.

II. Background

Traditionally, a product marketed as "platinum" has a high, almost pure, precious metal content; either 850 parts per thousand (ppt) pure platinum, or at least 500 ppt pure platinum alloyed with at least 450 ppt PGM. As a result, traditional platinum products are costly, as platinum and other PGMs are rare, expensive, and highly desirable.

The Commission's Platinum Guide was last revised in 1997.[2] On that occasion, the Commission announced that the revised Guide provided for "different markings on articles made of platinum, depending on the relative 'fineness' or parts per thousand of pure platinum versus platinum group metals (iridium, palladium, ruthenium, rhodium and osmium)." The Commission also stated that its intention in revising the Guide was to simplify it and to "bring its guidance into closer accord with international standards."[3]

In December of 2004, representatives of Karat Platinum, a company bringing a new alloy of platinum jewelry to market, requested an opinion from the Commission regarding the Platinum Guide. It was Karat Platinum's position that the Guide did not prohibit describing its platinum/base metal product as "platinum," despite the high base-metal content of the alloy. After reviewing submissions on the issue, the Commission concluded on February 2, 2005, that the Guide neither prevented nor allowed the use of the word "platinum" to describe this alloy. On July 6, 2005, the FTC published a Notice seeking comments on whether the Guide should be revised to address how products composed of between 850 to 500 ppt pure platinum and no other platinum group

[2] The Commissions Industry Guides are at 16 C.F.R. Part 23

[3] *FTC Revises Guide for Platinum Jewelry Marketing,* Commission Press Release, April 8, 1997, Attachment Two

metals should be marked or described (the "2005 Notice"). Comments were also solicited on whether the Guide should be revised to address platinum-clad,-filled, -plated or platinum-overlay products.[4]

The submission of the Associations, dated October 12, 2005, speaking for thousands in the trade, argued that in order to establish clarity on this subject the Commission should revise the Guide to specifically restrict the use of the term "platinum" to alloys containing only platinum and platinum group metals, thereby prohibiting the marking or describing of platinum/base metal alloy jewelry as "platinum." [5]

On February 20, 2008, the Commission issued the 2008 Notice, publishing a proposed amendment and seeking comment.[6]

III. Research and Information Gathering

The Jewelers Vigilance Committee ("JVC") and other associations formed an advisory Platinum Task Force in December 2004 seeking views on the marketing of platinum. The Task Force is chaired jointly by the JVC, the Manufacturing Jewelers and Suppliers of America ("MJSA") and Jewelers of America ("JA"). Approximately fifty individuals and entities, at all levels of the trade, are currently members of the Task Force. It has met to discuss industry views on numerous occasions. The Associations have also sought the views of the members of their governing boards for their comments regarding the 2008 Notice.

In this submission, the empirical evidence relied upon by the Associations includes the results of consumer surveys conducted by Dr. Thomas J. Maronick and surveys conducted by JA and the American Gem Society ("AGS") of their respective members.

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[4] FTC 2005 Notice, Federal Register, Vol. 70, No. 128 p. 38834

[5] Submission of the Jewelers Vigilance Committee, et al, FTC Submission #517683-00068, (October 10, 2005). This 2005 submission is herein fully incorporated by reference.

[6] FTC 2008 Notice, Federal Register, Vol. 73, No. 38 page 10192

IV. General Analysis of the FTC Proposed Rule on Platinum/Base Metal Alloys

The Commission identified the need to address the marketing of platinum/ base-metal alloys, relying on the following conclusions:

> "(1) a substantial number of consumers believe products marked as "platinum" are pure and possess desirable qualities; (2) a substantial number of consumers generally would not expect platinum/base metal alloy jewelry to be marked or described "platinum"; (3) many consumers do not fully understand numeric jewelry markings and chemical symbols and may find them confusing; (4) testing data in the record suggests that some platinum/base metal alloys do not possess all of the qualities of higher purity platinum jewelry that consumers expect..."[7]

The data collected support these conclusions. Consequently, a clear and simple system to signal to consumers that platinum/base metal alloys are not platinum should be employed. Restricting the word "platinum" to alloys containing 500 to 950 parts per thousand pure platinum, only when combined with platinum group metals is that clear system. Some other word or brand name should be used to describe alternative alloys thereby calling the consumer's attention to the fact that it is not platinum. This has been the practice and tradition of the industry for generations and is well accepted by consumers. Further, it is consistent with international standards.

The use of the word "platinum" to describe alloys containing non-PGM creates the risk of deception. The Commission would nonetheless allow its use, along with a statement that the alloy contains platinum and non-platinum group metals (a term not well understood) and a disclosure of metal composition (another term not well understood). A third disclosure would be triggered if the alloy's attributes were different than the attributes of traditional platinum – the trigger point left to the seller's discretion. As will be demonstrated below, the Commission's proposal is unworkable and will not resolve the potential consumer misperception about the alloy. The representations will confuse and, ultimately, will not help consumers understand the difference between lower-purity and

[7] FTC 2008 Notice, *supra*, at pg 10194

higher-purity platinum products, harming consumers that are acting reasonably under the circumstances.

Moreover, the proposed amendment will be extremely difficult to enforce. The judgment regarding a "differing attributes" disclosure is left entirely to the seller's discretion, and there is no universally-accepted test to determine if the decision to refrain from the disclosure is accurate. In fact, these attributes are not routinely tested. Finally, as described more fully below, the proposed amendment creates an unnecessary obstacle to international commerce by instituting a standard that is wholly inconsistent with any other in the global marketplace.

Thus, the Commission should require that "platinum" retain its traditional meaning and amend the Platinum Guide as proposed by the Associations in Attachment One to this submission. The platinum/base metal alloys can and should be marketed using alternative, branded words, such as those which already exist (e.g. "Polarium") thereby signaling to the consumer that they are buying a different product. This method has historical precedence in the use of the words "brass" and "bronze" to describe metal alloys.

A. Many Consumers Equate "Platinum" With Purity

It has been established that purchasers of platinum products have clear understandings of the product. The Commission acknowledged this, having analyzed the research available in 2005, and then concluded that "a substantial number of consumers believe products marked or described as 'platinum' are pure and possess certain desirable qualities." It also concluded that:

> "many consumers have high expectations regarding products described as platinum, and draw the conclusion that such products possess certain qualities or attributes that make them superior to products consisting of other metals (e.g., superior strength, durability, and resistance to scratching and tarnishing)."[8]

Recent research confirms these earlier findings. A study, conducted by Dr. Thomas Maronick, indicates that forty percent of consumers believe that a

[8] FTC 2008 Notice, *supra*, at pg 10194

product with platinum is pure or nearly pure.[9] Thus, the use of the word "platinum" to describe platinum/base metal alloys is inconsistent with consumers' understandings and will inevitably deceive. Technical disclosures as to the composition and attributes of the base-metal content will not dispel widely-held perceptions of platinum purity.

B. The Proposed Disclosures Will Materially Mislead Consumers and Will Not Prevent Deception

Despite the Commission finding that consumers associate the word "platinum" with the pure metal, the proposed amendment would allow products consisting of up to fifty percent base metal combined with pure platinum to be marketed using the word "platinum." [10] Recognizing the "high probability" of consumer deception that would ensue, the proposed amendment mandates a complex three-tier system of representations and disclosures, starting with the fact that the alloy contains platinum and non-platinum group metals.[11] Information about the content of the alloy, using unabbreviated metal names, along with the percentages of metal content must be disclosed. In some circumstances, a disclosure that the attributes of the platinum/base-metal product may differ from those of a traditional-platinum product is also required.

It is unlikely that these disclosures will eliminate the gap between what consumers will think they are buying – pure precious metal – and what consumers will actually get – a less valuable blend of precious and base metals. Inevitably, this will permit marketers to make deceptive claims about the value and attributes of products produced from these platinum/base metal alloys, since the required disclosures will simply not be understood.

In cases where the seller has concluded that there are no differences in attributes, the consumer is informed only about the components of alloys, which will not be understood. Where there are differences in attributes, the statement that "there are differences in attributes from pure platinum" is required. This is insufficient. As the data show, specific differences in attributes are important to

[9] Dr. Thomas Maronick study, 2008. This study was conducted by Platinum Guild International ("PGI"), and we understand that it will be submitted to the FTC by PGI.
[10] FTC 2008 Notice, *supra*, at pages 10196-97
[11] *Ibid.*, page 10197

consumers, and this information will be missing from the disclosure. However, requiring the marketer to describe attribute differences is not practical; this information is too voluminous and complex to be imparted during the course of a sale. Last, regardless of what is required in the disclosure, the realities of the retail environment make it unlikely that it would reach consumers.

1. Disclosure of Metal Content, with a claim of "no differing attributes"

The requirement to disclose that the metal contains platinum and non-platinum group metal assumes that consumers understand the metallurgical term "platinum group metals." They do not. According to the Maronick study, fully eighty percent of consumers did not know, or were not sure, what "other non-platinum group metals" meant. Thus, this initial disclosure – which should alert consumers that the product is less valuable than traditional platinum and may not share its most desirable attributes – will be ineffective. The goal of disclosure is to enable the consumer to make a discriminating judgment to buy or not to buy. This goal will not be achieved.

The proposed amendment additionally provides, at 23.7(b) (4) (ii), that the seller of platinum/base metal alloys must disclose "the full composition of the product (by name and not abbreviation) and percentage of each metal." As was true of the first disclosure, this is not likely to deliver any useful information. Once again, the issue is one of comprehension.

Dr. Maronick found that a large number of consumers simply do not understand details about metal alloys, whether or not the component metals are abbreviated or spelled out in full. When asked whether they understood the meaning of "58.5% Platinum and 41.5% Copper/Cobalt" forty-five percent did not know, or were not sure.[12] Thus, in a substantial number of consumer interactions, the disclosure of the full composition of the product by percentage, even without abbreviations, would fall on non-comprehending eyes or ears.

It is likely that a large percentage of consumers, comprehending only the term "platinum" in this disclosure will be deceived, thinking that they have purchased a product that is the equivalent of traditional platinum. Consumers will

[12] Maronick, *supra*

complete the transaction with the impression that they are buying platinum – a pure product, as they understand it – when they are not.

A seller of platinum/base metal products need not make any additional disclosures if the seller concludes that its "material" attributes are equivalent to traditional, nearly-pure platinum products. While the seller must have "competent and reliable scientific evidence" to support the decision not to disclose, the decision not to include information about attributes is the seller's alone.

It is also left to the seller to determine which attributes (and the differing nature of the attributes) are material, although the rule does itemize five important attributes as examples: durability, hypoallergenicity, resistance to tarnishing and scratching, and the ability to re-size or repair the product. This leaves a wide area of subjectivity.

This is especially true in light of the fact that there are endless possibilities of alloys combining platinum and base metals – and all of these alloys will differ from each other in some manner, probably differing in their attributes to some degree. A standard for disclosure that relies on this subjective standard presents endless possibilities for non-compliance, with very little means to check whether or not the representations are accurate. There are no industry-wide, universally-accepted testing methods that produce "competent and reliable" evidence concerning platinum attributes because there is no universally understood standard against which to test for these attributes.[13] Unlike testing for gold content, where the fire assay is universally accepted, testing for platinum attributes is devised when needed to test a particular alloy. Appropriate and individualized tests for each specific alloy could be devised, but there is currently no one universally-accepted testing standard to judge specific attributes. Even if such tests were developed, there are likely to be disputes as to the reliability of the tests and the conclusions. To create a regulatory regime that is based on these uncertain standards is not workable.

[13] Statement of Michael A. Akkaoui, August 12, 2008, Attachment Three, pages 2-3, and Statement of Neill Swan, August 18, 2008, Attachment Four, page 2

Disclosure requirements can be enforced only if they are clear and well understood. In the absence of universally-accepted standards and testing methods, the terms used in the disclosure provision are subject to interpretation. Manufacturers will differ in their understanding of "competent," "reliable," "scientific" and "material." The standard for materially "differing properties and attributes" will be open to interpretation. How "durable," "scratch resistant" or "resistant to tarnishing" must the new alloy be to materially differ from pure platinum products? How would anyone test such a conclusion?

Additionally, marketers – wholesale and retail – are not metallurgists and are not in a position to independently determine what evidence is competent, reliable and scientific. Thus, they will likely rely on the representations of the manufacturers, who themselves will be reaching conclusions open to subjective interpretation about traditional platinum and platinum/base metal attributes. With so much subject to individual perception, at so many levels of the trade, enforcement would be hopelessly difficult.

The main self-regulatory and enforcement body in the industry is the JVC. To meaningfully perform that role in the context of the proposed amendment, enormous resources would be required. Numerous platinum/base metal alloys could be developed in the future – each one with differing sets of properties and attributes. Simply staying current on new alloys and new tests would necessitate substantial time and effort. The proposed regime is completely unworkable.

2. Disclosure of "Differing Attributes"

When marketers conclude that there are attributes that materially differ from platinum, they must say so with no need to disclose any specific differing material properties. This disclosure is inadequate, since it fails to provide the information that consumers clearly want, and must have if they are to make a discriminating purchase decision.

Simply telling a consumer that a lower-purity engagement ring may not have the same "attributes" as a ring made of traditional platinum delivers no useful information. It simply raises more questions. A consumer could easily

buy a ring without understanding that it may not hold a diamond as well, or might tarnish, or may not be hypoallergenic. Fairness requires that consumers learn about those important qualities during the sales process.

In the Maronick study, consumers were asked about eight separate product properties in connection with platinum/base metal engagement rings: durability, luster, density, scratch resistance, tarnish resistance, ability to be re-sized or repaired, hypoallergenicity and the retention of precious metal content over time. Substantial percentages of consumers – from 40 to 80 percent depending on the property – indicated that they would want information about those properties physically attached to the product. Further, the study indicates that they would also expect to be informed about these properties by a salesperson.[14] Indeed, the Commission itself, in its 2008 Notice, found that several qualities associated with platinum are important to a substantial number of consumers. These include "the product's weight, durability, scratch and tarnish resistance, and whether it is hypoallergenic and can be re-sized."[15]

The evidence is clear that the mere disclosure that the product may differ from purer platinum products, as proposed by the Commission, will not impart any of the information consumers want and need. Instead, at best, they will be told only that a particular product "may not have the same attributes as products containing at least 850 parts per thousand pure Platinum, or at least 500 parts per thousand pure Platinum and at least 950 parts per thousand PGM." Since, as shown above, consumers do not understand the meaning of "PGM" or the metallurgical significance of metal alloys, the information provided will be meaningless. To make this disclosure fair and complete, full disclosure about each of the eight important attributes identified here would be required – and this level of disclosure is impractical.

3. The disclosure information will not be delivered.

The research makes clear that the volume of information required to prevent consumer deception and confusion is voluminous. There are significant

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[14] Maronick, 2008, *supra*

[15] 2008 Notice, *supra*, at 10194

questions, however, as to "whether it is possible and how to adequately inform consumers regarding the content and properties of products promoted as 'platinum' but containing substantial percentages of base metals."[16]

The 2008 Maronick study indicates that consumer expectations are that information about jewelry products will be attached to the jewelry itself.[17] Unfortunately, however, this volume of information cannot be attached to the jewelry itself or on a small tag physically affixed to the jewelry. Thus, these disclosures will either be spoken by jewelry salespeople or included in written information delivered with the purchase. If the potential deception is to be prevented, salespeople must be aware of their obligation to disclose, and then act on it during the sales transaction. To accurately make the disclosure, they would need to understand the basics of metal composition and the comparative attributes of the various platinum alloys, as well as the significance of those attributes.

The average jewelry salesperson would be hard pressed to deliver this information. According to a study conducted by the American Gem Society in 2007, Attachment Five, thirteen percent of jewelry salespeople have no college education. Thirty-one percent have some college education, but did not complete a degree.[18] At the retail level, the jewelry workforce is not equipped to take on this complex metallurgical disclosure. In many cases they simply will not provide the information, or will provide wrong information.

A recent study by the Jewelers of America (JA) of its members provides insight to jewelry selling realities.[19] JA members were asked questions about the difficulty of implementing the three part disclosure requirement contemplated by the Commission's proposed amendment. More than half of respondents (52.5%)

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[16] Maronick, Maronick Platinum Awareness Study, 2005, at 28, attached as "C" to the comments of the Platinum Guild International, FTC Submission #517683-00069 (10/12/2005)

[17] Maronick, *supra,* 2008

[18] American Gem Society, Retail Member Survey, October 2007 at page 84.

[19] Jewelers of America "How Do You Disclose Platinum Survey", August 2008, Attachment Six A; Constant Contact Survey Results, Attachment Six B; and, Constant Contact Survey Result with Comments, Attachment Six C.

said that it would be "difficult" or "very difficult" to explain to a customer the names and percentages of each base metal in an alloy of platinum. More than half of respondents (57.4%) said it would be "difficult" or "very difficult" to explain that the attributes of an alloy of platinum and base metal are different from traditional platinum group metal alloys. Nearly half stated that disclosures concerning platinum and base metal jewelry attributes could not be attached to the jewelry in the form of a tag or other physical means.[20]

The members then were asked if they had any further comments. In general, these comments were focused on protecting consumers. The quotations are attached. Two, in particular, summarize the Associations' position: "I do not think that the FTC should rely on jewelers to make the disclosure. Give this metal a different name to avoid confusion and deception;" and "Most customers don't know what a base metal is let alone a platinum group metal. This 'explanation' would require a textbook and a seminar." [21]

Such technical, spoken or even written disclosures at the point of sale are more than likely to have a "chilling" effect. Consumers will simply be "turned off" by the conversation – and may very well walk away from any product that requires these confusing, lengthy and unappealing disclosures. Since sales people are aware of this, the likelihood that they will engage in the conversation is very small.

If the representations were provided in written format, it would be unlikely that a consumer would read and digest such highly-technical information. Moreover, it is likely that the written document would be separated from the jewelry over time. Thus, this jewelry could be re-sold, repaired or appraised without any identification of the alloy at all. These varied metal alloys will be unknown to a jeweler when, for example, they are asked to alter or repair an item made of non-traditional platinum alloy. This creates the risk that the item will be damaged.

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[20] Jewelers of America "How Do You Disclose Platinum Survey", *Ibid*, Attachment Six A
[21] *Ibid.*, at pages 1 and 4.

A similar risk exists should the consumer seek an appraisal of a platinum/base metal product. Platinum/base metal alloys are visually indistinguishable from purer-platinum alloys. Since written disclosures about alloy content are likely to be separated from a product shortly after its purchase, an appraiser may be unable to correctly identify or value the jewelry, to the detriment of the consumer.

The enforcement challenges associated with the required disclosures are substantial. First, an enforcer would have to assess whether the marketer has accurately described the metal content. Second, there are no universally-accepted tests or standards available to assess representations about attributes. Nonetheless, an enforcer would have to determine whether a marketer was justified in deciding against making the "differing attribute" disclosure. In the absence of universally-accepted tests to measure or evaluate these attributes, and the endless possibilities of different alloys, assessing the credibility of attribute representations would be impossible.

The Associations' proposal to limit the word "platinum" to traditional platinum eliminates all of this uncertainty. Platinum can be tested for metal content without difficultly. Moreover, complicated disclosures are not required, since consumers already understand this product.

To create a regulatory regime that is complex, will never be understood, will never be employed and will be impossible to enforce is not a realistic solution.

C. Harmonization with International Standards

The Platinum Guide proposed by the FTC is not in harmony with any known international standard for this product and will thus create an impediment to foreign commerce. If adopted, US-manufactured products made of platinum and base metal could not be sold as "platinum" in the many foreign jurisdictions that have adopted the standards of the International Standards Organization

("ISO") or of the World Jewellery Confederation ("CIBJO")[22]. They could not be hallmarked or sold as "platinum" products in hallmarking countries.[23] This would create the unnecessary obstacles and impediments to trade discouraged by the Trade Agreement Acts of 1979.[24] Further, negative perceptions of US-made products containing platinum could develop, due to the uncertainty of the quality of US-manufactured platinum alloys. In the absence of a compelling reason to impose this hardship on the platinum industry and consumers, the proposed amendment should not be adopted.

The Commission recently issued a decision regarding the use of the word "cultured" for synthetic gemstones. [25] In that decision, the Commission noted that the purpose of the Guides was the "prevention of deceptive practices." It further noted that the standards of international jewelry associations may "serve a different purpose than the Commission's Guides." The Commission then dismissed the significance of any international standards that were not based solely on preventing deception.[26] No authority was cited for this assertion.

This narrow approach to the consideration of international standards is an improper basis on which to analyze the need for international harmonization. The prevention of deception and unfairness is encompassed in every aspect of standards that are enacted to promote business ethics. Moreover, in 1997, the Commission stated that their intended goal for Platinum standards in the Guide was harmonization with international standards.[27] No concerns regarding the basis for considering international standards recognition was expressed at that time.

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[22] The acronym "CIBJO" is based on the French name of the organization, "*Confédération International de la Bijouterie, Joaillerie, Orfèvrerie des Diamantes, Perles et Pierres.*" This translates to "International Confederation of Jewellery, Silverware, Diamonds and Stones."
[23] Many nations (e.g. England, France, Germany and Switzerland) require precious metal jewelry (including platinum jewelry) to be stamped by approved assaying guilds before they are sold to assure precious metal content. Jewelry made of platinum and base metal alloy would not meet the standards for hallmarking, and could not use the word "platinum" as a descriptor and would not be hallmarked.
[24] 19 U.S.C. §2532(2)(A)
[25] FTC Letter, July 21, 2008, re: Use of the word "cultured" to describe synthetic gemstones
[26] *Ibid.*, at pages 5-6
[27] Press Release, *supra*, fn 3

1. ISO Standards

Under ISO standards, the use of the word "platinum" is restricted to platinum/PGM alloys.[28] The amendment proposed by the Commission is inconsistent with this standard.

The ISO is an organization that sets standards in many fields by wide industry consultation. According to its published materials, the goal of ISO is to create international standards that:

- "make the development, manufacturing and supply of products and services **more efficient, safer and cleaner**
- **facilitate trade** between countries and make it **fairer**
- provide governments with a technical base for **health, safety and environmental legislation**, and conformity assessment
- **share** technological advances and good management practice
- disseminate **innovation**
- **safeguard consumers**, and users in general, of products and services
- make life simpler by providing **solutions** to common problems."[29]

Clearly, incorporated into ISO's goals is setting standards to further the prevention of deceptive practices to safeguard consumers and to facilitate fair trade. The international jurisdictions that have adopted these standards into law are relying on the ISO system that developed these standards to protect their citizens. Thus, even under the Commission's narrow view, ISO standards would qualify for consideration since they are designed not only to facilitate trade, but also to prevent deception and unfairness.

In arriving at its high-purity platinum standard, ISO was guided by principles of fairness and a desire to protect consumers. The Commission can be assured that harmonization with the ISO standard would serve the "deception or

[28] International Standards Organization 9202:1991 (E) – Jewellery – Fineness of precious metal alloys. The standard is attached as Exhibit 4 to the Associations' Comments of October 10, 2005, supra.

[29] ISO website; http://www.iso.org/iso/about/discover-iso_what-standards-do.htm; emphasis in original

unfairness" standard required by the FTC Act[30] as well as international-trade interests expressed in the Trade Agreements Act. As was the case in 1997, when the Commission last revised the Jewelry Guides, reliance on the ISO is completely appropriate, and in the best interests of both consumers and the industry.

On the other hand, consumers and industry will be hurt if standards adopted by the United States are at variance from those that govern the international community. Commerce in jewelry is global; US-made goods that are identified as "platinum" but contain base metals cannot be sold in any country that applies ISO standards. This creates a hardship for the industry that will inevitably be felt by consumers.

2. CIBJO Standards

CIBJO is a confederation of national jewelry trade associations from around the world. It is the leading international standard setting association in the jewelry industry. Its mission statement includes the following provisions:

> "CIBJO is an international confederation of national jewellery trade organizations. CIBJO's purpose is to encourage harmonization, promote international cooperation in the jewellery industry, and to consider issues which concern the trade worldwide. Foremost among these is to protect consumer confidence in the industry." [31]

Clearly, CIBJO standard-setting goals encompass the prevention of consumer deception.

CIBJO standards are published in the form of "blue books" on subjects that include diamonds, colored gemstones, and precious metal, including platinum. In CIBJO's precious-metal blue book, platinum standards are consistent with the ISO standards and with accepted jewelry-industry standards already adopted into law by many international jurisdictions. According to these standards, the word "platinum" cannot be used to describe an alloy combining platinum and base metals. Sales of products made in the US of an alloy

[30] 15 USC §45(a)
[31] CIBJO web site – www.cibjo.org

combining base metal and platinum using the word "platinum" to describe the product would be barred under CIBJO standards, many national laws, and would be inconsistent with ISO standards.

For these reasons, the US regulatory provisions should be made consistent with international standards. These standards are the basis on which trade is conducted throughout Europe, Asia, Africa, the Middle East and elsewhere. US standards should not stand alone, since it will clearly present an impediment and obstacle to trade in direct contravention of the Trade Agreements Act. There is a further concern that the proposed-US amendment to the Guide will undermine the international perception of US-made products, threatening the integrity of the entire US-platinum jewelry market abroad.

V. The Associations' Proposal

Because consumers associate the term "platinum" not only with purity, but with several distinct attributes that distinguish the product from other precious metals and make it highly desirable, that word ought to be reserved for pure platinum/PGM alloys. The Associations' proposed amendment to the Guide takes into account traditional trade practice, international standards and current consumer perceptions. It restricts the use of the word "platinum" to its traditional, well understood and internationally-accepted meaning, thereby avoiding the complex and therefore misleading disclosures that would otherwise be required for platinum/base metal alloys. This simple system would meet consumer expectations and would also prevent any impediment to international trade. It would also create a level-playing field in the industry, leaving room for marketers to promote platinum/base metal jewelry in a positive manner, using alternative brand names that clearly distinguish their products from platinum. Creative marketing techniques are sure to attract sales for these products without deceiving consumers in the process.

VI. Answers by the Associations to the Commission's Questions

1. *Should the Commission amend the platinum section of the Jewelry Guides by adopting the proposed amendment?*

For the reasons stated above, the Associations do not agree that the FTC's proposed amendment should be adopted. Instead, we ask that the FTC adopt the version proposed by the Associations, Attachment One.

2. *Should the Commission revise the language in the proposed amendment to provide for additional disclosures to ensure that consumers are not misled, for example, by including additional, more detailed disclosures regarding how products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM, differ from traditional platinum products in terms of purity and rarity?*

The Associations believe that their proposed amendment will adequately address this issue since the word platinum will be restricted to an alloy whose attributes and characteristics are well understood by consumers. If, on the other hand, the FTC's proposed amendment is adopted, the volume of information needed to correct misperceptions and achieve a fair transaction is more than can be realistically attached to jewelry or conveyed during a sales process.

3. *Should the Commission revise the language in the proposed amendment to state that the disclosures should be physically attached to the jewelry product?*

If the FTC's proposed amendment is adopted, attaching adequate representations and disclosures to the jewelry is not feasible. Even providing the metal composition disclosure, with no reference to attributes, would be lengthy and complex. It would not be possible to attach this information to a piece of jewelry.

The Commission's proposal will inevitably require that the information be placed on a tag, the invoice or on other written material included with the item when sold. This will inevitably become separated from the item. As described above, important information about the product will thus be lost to appraisers,

repairers, and second and third-generation purchasers, all to the detriment of consumers and the industry.

4. Should the Commission revise the language in the proposed amendment to provide that marketers need only make the third disclosure that the platinum/base metal alloy may not have the same attributes or properties as traditional platinum products, if they represent expressly or by implication that such product has one or more of the same attributes or properties as traditional platinum products (i.e., a triggered disclosure)?

If the use of the word "platinum" is allowed to describe a platinum/base metal alloy, research shows that the implicit representation would be that the alloy has the same attributes as traditional platinum. Thus, to inform consumers about the differences between the base-metal alloy and platinum, the third disclosure would be required in every circumstance that a marketer offers non-traditional platinum/base metal alloy jewelry for sale. Since the differences in attributes will depend on the alloy (and there might be innumerable alloys developed) these disclosures will be impossible to manage.

5. Is there a specific word or phrase that could be used to describe products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM, that would adequately convey that such products differ from traditional platinum products.

Generally, the Associations leave this category of thought to the marketers that use their talents to name jewelry products in a manner that attracts sales without misleading consumers. To date, trademarks like "Polarium" have been used to describe alloys using platinum in combination with non-PGM metals. This method of signaling to consumers that the jewelry is made of an alloy different from platinum is accepted and familiar to the trade and to consumers, and is the approach advocated by the Associations.

Creating a new word for a new product has precedent in the field of metallurgy. When various metals are blended, with substantial quantities of each, the product is no longer one or the other. The ancients recognized this in

creating the word "bronze" for a blend of copper and tin, and the word "brass" for copper and zinc. The principle is as valid today as it was then.

6. What, if any, additional disclosures are necessary to explain that a product that contains at least 500 ppt, but less than 850 ppt, pure platinum, and that does not contain at least 950 parts per thousand PGM, may not have the same attributes as traditional platinum products?

A disclosure, without further detail, that a platinum/base metal alloy may have attributes that differ from traditional platinum raises more questions for a consumer than it answers. Studies show that specific attribute disclosures are important to consumers.

The Commission identifies the following attributes, as examples, in its disclosure requirements: durability, hypoallergenicity, resistance to tarnishing and scratching, and the ability to re-size or repair the product.[32] However, the Maronick research indicates that there are additional attributes that consumers associate with traditional platinum that may not exist in platinum/base metal products to the same degree, or at all, and therefore should be disclosed. Those are: luster, density and the retention of precious metal content over time. If the word "platinum" is used to describe platinum/base metal products, then all these attributes should be identified in the disclosure. And of course, each different alloy will have a different set of attributes to disclose.

The attribute disclosure necessary to meet consumer expectations will be so complex, lengthy and incomprehensible that it will not be delivered by a salesperson, and if delivered, will not be understood. Further, these disclosures are too complex to enforce.

7. The proposed amendment provides that marketers disclose the full composition of the platinum/base metal alloy using full, unabbreviated names and the percentage of each metal. Other provisions in the platinum sections of the Jewelry Guide provide for compositional disclosures using parts per thousand. Will the use of percentages for this disclosure confuse consumers?

[32] FTC 2008 Notice, *supra*, at page 10197; proposed section 23.7(b)(4)(iii).

As explained above, many consumers do not understand descriptions of the component parts of alloys in platinum products whether disclosed by full name and percentage, or by abbreviated names and parts per thousand. Neither version will be understood.

8. What evidence, not submitted in response to the Commission's earlier request for comment, indicates what specific properties are important to consumers when purchasing a product marked or described as "platinum?" If there is such evidence, please provide this evidence.

The recent Maronick study indicates that the majority of consumers purchasing a platinum/base metal ring want information about several attributes physically attached to the ring. Those attributes are: durability, luster, scratch resistance, tarnish resistance, ability to be re-sized or repaired, and hypoallergenicity. Half of the consumers questioned also wanted information about "the retention of precious metal content over time" attached to the product. Forty percent said the same about the attribute of density.[33]

9. Is there evidence indicating the meaning consumers take from qualified platinum markings using abbreviations and chemical symbols (e.g., 585 Pt., 415 Co.Cu.)? If so, please provide this evidence.

The Maronick study indicates that eighty-eight percent of consumers did not know, or were not sure, of the meaning of the following mark: "585 PT; 415 Co Cu."[34]

10. Is there evidence indicating the meaning consumers take from qualified platinum markings using full-name compositional disclosures (e.g., 58.5% Platinum, 41.5% Copper/Cobalt)? If so, please provide this evidence.

Yes, the Maronick study indicates that when asked about the meaning of "58.5 % Platinum and 41.5% Copper/Cobalt," forty-five percent of consumers did not know or were not sure what it meant.[35] .

[33] Maronick, 2008, *supra*
[34] Maronick, 2008, *supra*

11. Is there evidence indicating whether consumers think that products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM, share the qualities, such as durability, luster, density, scratch and tarnish resistance, ability to re-size or repair, and hypoallergenicity, that are associated with traditional platinum products? If so, please provide this evidence.

The Maronick study indicates that thirty-two percent of consumers believe that a platinum/base metal ring does, or probably does, have the same attributes as a "platinum" ring. Another thirty-seven percent believe that it may have the same attributes.[36] This indicates a risk for substantial confusion should the word "platinum" be allowed to describe platinum/base metal products.

12. Is there evidence indicating what qualities consumers associate with non-platinum PGM products (products made with platinum group metals other than platinum, e.g., palladium, iridium), such as durability, luster, density, scratch and tarnish resistance, ability to re-size and repair, and hypoallergenicity, that are associated with traditional platinum products? If so, please provide this evidence.

We are unaware of any evidence of this nature.

13. What constitutes "competent and reliable scientific evidence" to substantiate representations regarding the qualities material to consumers, such as the durability, luster, density, scratch and tarnish resistance, ability to re-size and repair, and hypoallergenicity of traditional platinum products and products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM? Please provide any evidence that supports your answer.

Such evidence or tests to substantiate these attribute claims, if available, could only be conducted at metallurgical laboratories. Therefore, most jewelers

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[35] Maronick, 2008, *supra*
[36] Maronick, 2008, *supra*

would not be in a position to test attribute, or even content, claims for products made from platinum/base metal alloys. With respect to testing for precious metal content, platinum alloys are unlike gold and silver alloys. The latter are easily tested by jewelers, at all levels of the trade, to substantiate manufacturer's claims regarding gold and silver content. Therefore, jewelers would be unable to substantiate to their own satisfaction that the attribute claims made by manufacturers are reliable.

Nor is such evidence available now to the jewelry industry.[37] Standardized testing could presumably be developed to provide this evidence, but each alloy would have to be separately tested for each attribute, thereby setting up an unworkable and complex system that could not be enforced. If a company claimed to have scientific evidence of the attributes and properties of their alloy, it would be difficult for an outside party to test each and every differing alloy to ensure that the representation about the alloy were accurate.

14. Describe in detail the scientific tests used to determine or substantiate representations regarding the qualities material to consumers, such as the durability, luster, density, scratch and tarnish resistance, ability to re-size and repair, and hypoallergenicity, of traditional platinum products and products that contain at least 500 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM. Please provide any evidence that supports your answer.

SAME AS ABOVE (Answer to 13)

15. Describe in detail any differences between alloys that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM, and traditional platinum products in terms of the qualities material to consumers, such as durability, luster, density, scratch and tarnish resistance, ability to re-size and repair, and hypoallergenicity. Please explain the basis for your answer and provide evidence that supports your answer.

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[37] Akkaoui Statement, *supra*, at pages 2-3; Swan Statement, *supra*, at page 2

This issue was addressed by the Platinum Guild International (PGI) in its comments to the Commission submitted in 2005. Research sponsored by PGI confirmed that platinum/base metal alloys "may contain properties that differ significantly from traditional platinum jewelry sold in the United States..." The report regarding that research is included as an exhibit to the PGI submission of 2005.[38]

Advancing technology will inevitably lead to the production of numerous such alloys, each with potentially differing qualities that are important to consumers. There have been such metals developed since 1916 with more sure to come. To describe the differing attributes would require resources that are not available to the Associations, and would impose an undue burden on the industry.

16. Is there evidence indicating what the terms "Karat Platinum," Platifina," "Platinum V," and "Platinum 5" mean to consumers? If so, please provide this evidence.

In the Maronick study consumers were asked, in substance, whether they would expect products with the listed names to have the same attributes as a "platinum" engagement ring. In the case of "Karat Platinum," sixty percent of consumers answered "yes" or "probably yes." In the case of "Platinum Five," forty-one percent answered "yes" or "probably yes." In the case of "Platinum V," thirty-three percent answered "yes" or "probably yes." Last, in the case of "Platifina," eleven percent answered "yes" or "probably yes."[39]

These studies indicate that products with "Platinum" in their name – such as "Karat Platinum," "Platinum Five" or "Platinum V" confuse or mislead many consumers concerning the metal content and attributes of the product. Products that use alternative names do not deceive consumers in this way.

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[38] 2005 PGI submission, *supra*, at Exhibit C
[39] Maronick, 2008, *supra*

17. Do consumers associate the terms "Karat Platinum," "Platifina," Platinum V," and "Platinum 5" with the qualities, such as durability, luster, density, scratch and tarnish resistance, ability to re-size and repair, and hypoallergenicity, that are associated with traditional platinum products? If so, please provide any evidence that supports your answer.

The Maronick study indicates that many consumers would expect rings described with the listed names to have the same attributes as "platinum." Consumers were asked whether they would expect a ring described as "Karat Platinum" that contained fifty to sixty percent platinum and the rest base metal to be different from a "platinum" ring with regard to any of these attributes: durability, luster, density, scratch resistance, tarnish resistance, ability to be re-sized and repaired, hypoallergenicity and the retention of precious metal content over time. From forty-two to fifty-six percent of the consumers answered "yes," depending on the specific attribute.

18. Is there evidence indicating what the phrase "other non-platinum group metals" means to consumers? If so, please provide this evidence.

Yes. According to the Maronick study, eighty percent of consumers do not know, or are not sure, what the phrase means.

19. Should the Commission amend the platinum section of the Jewelry Guides to address other products that contain platinum, such as platinum-clad, filled, plated, coated, or overlay products that are not currently addressed in the section?

Yes.

a. If so, how and why?

The Associations' proposed amendment includes a provision that addresses the products listed above.[40] Platinum-plated products are currently on the market in volume and for that reason standards should be set, as they are for gold, to protect consumers against deceptive practices. As is the case for gold-

[40] The specific standards recommended by the Associations, detailed in our proposal, Attachment One, were formulated after consultation with industry experts, particularly Michael A. Akkaui of Tanury Industries. See Akkaoui Statement, supra, at pages 3-4.

plated objects, it is important to set thickness standards to ensure durability and to prevent consumer deception.

There is no indication that platinum-filled or platinum-clad items are being sold. In fact, metallurgists with whom the JVC has consulted have represented that these methods of production are not appropriate for platinum.

b. *What evidence supports making your proposed revisions(s)? Please provide this evidence and explain why any such revision is necessary to ensure that consumers are not misled including specific guidance as to the recommended thickness of the filling, plating, or overlay of such platinum products.*

There is no doubt that platinum-plated jewelry products are currently marketed and that they are visually indistinguishable from one another. A search on "Google" for platinum-plated jewelry results in listings for hundreds of thousands of such products. Despite the similarity in appearance, the actual amount of platinum used in the process varies, and greatly affects the value and durability of the product. The revisions proposed by the Associations are based on consultations with manufacturers currently engaged in the production of these products. There is general agreement in the trade that such standards should be set in order to ensure consumer confidence in these products.

VII. Conclusion

For the reasons expressed above, we ask that the Commission not enact its Proposed Amendment to the Platinum Guide. Instead, in the interest of protecting consumers from deception and unfairness, and with the goal of achieving international harmonization, the Associations urge the adoption of the approach set forth in our Attachment One. Thank you for your consideration of this important request.

Respectfully submitted:

Cecilia L. Gardner, Esq.
President, CEO and General Counsel
The JVC is the industry's "Guardian of Ethics and Integrity," as well as the leading industry expert on matters of legal compliance and sound business practices. Its membership consists of 1,200 firms, representing nearly 10,000 individual businesses from all segments of the jewelry industry, including manufacturers, retailers, wholesalers, diamond dealers, colored gemstone dealers, designers, laboratories and precious metal refiners.

Curtis A. Ley
President and CEO, Manufacturing Jewelers and Suppliers of America
MJSA is a national trade association with over 1,750 members that include finished jewelry manufacturers, designers and industry suppliers.

Matthew A. Runci
Jewelers of America is the national trade association for businesses serving the fine jewelry retail marketplace, representing approximately 11,000 member stores. Jewelers of America's primary purpose is to improve consumer confidence in the jewelry industry by: serving as a forum for discussion and analysis of issues; playing a leadership role in public, government and industry

affairs; advocating professionalism, including high ethical, social and environmental standards; and facilitating members' access to education.

Ruth Batson
Executive Director and CEO, American Gem Society
AGS, founded in 1934 by Robert M. Shipley, is a trade association dedicated to proven ethics, knowledge and consumer protection within the jewelry industry. Members are held to the highest ethical standards in the industry and are recertified annually to maintain the AGS titles. AGS's membership consists of 1600 firms and 3500 credentialed jewelers.

ATTACHMENT ONE

DRAFT

REVISED FTC GUIDES §23.7

§23.7.1 Misuse of the words "Platinum," "Iridium," "Palladium," "Ruthenium," "Rhodium," and "Osmium."

(a) It is unfair or deceptive to use the words "Platinum," "Iridium," "Palladium," "Ruthenium," "Rhodium," and "Osmium" (or their abbreviation) to describe, mark or market all or part of any industry product that is not composed of the precious metal of the type described. The Platinum Group Metals (PGM) are Platinum, Iridium, Palladium, Ruthenium, Rhodium, and Osmium. The following abbreviations for each of the PGM may be used: "Plat." or "Pt." for Platinum; "Irid." or "Ir." for Iridium; "Pall." or "Pd." for Palladium; "Ruth." or "Ru." for Ruthenium; "Rhod." or "Rh." for Rhodium; and "Osmi." or "Os." for Osmium.

(b) It is unfair or deceptive to misrepresent the quantity of parts per thousand pure Platinum or PGM in an industry product.

(c) It is unfair or deceptive to mark, describe, or otherwise use the word "Platinum" (or its abbreviation) by itself or in combination with other words or numerical designations for all or part of an industry product, except as follows:

(1) If an article consists of at least 950 parts per thousand pure Platinum, the article may be marked "Platinum" (or its abbreviation) without any qualification or addition.

(2) If an article consists of at least 950 parts per thousand PGM, of which at least 850 parts per thousand are pure Platinum, the article may be marked with the word "Platinum" (or its abbreviation) immediately preceded by the numerical designation of the parts per thousand pure Platinum. Thus, the following markings may be used: "950Pt.," "950Plat.," "900Pt.," "900Plat.," "850Pt.," "850Plat."

(3) If an article consists of at least 950 parts per thousand PGM, of which at least 500 parts per thousand are pure Platinum, the article may be marked with the word "Platinum" (or its abbreviation) immediately preceded by the

numerical designation of the parts per thousand pure Platinum and the name of each PGM constituent immediately preceded by the numerical designation of the parts per thousand of each PGM, as for example, "600Pt.350Ir.," "600Plat.350Irid.," "550Pt.350Pd.50Ir.," "550Plat.350Pall.50Irid."

(d) It is unfair or deceptive to mark, describe, or otherwise use the word "Platinum" (or its abbreviation) by itself or in combination with other words or numerical designations for all or part of an industry product that does not consist of at least 950 parts per thousand PGM, of which at least 500 parts per thousand are pure Platinum.

(e) Industry products consisting of alloys of platinum in combination with non-PGM in excess of 50 parts per thousand of the total metal in the alloy should be marked, described or marketed using names, brands or descriptive labels that do not use the term "platinum" or any derivative thereof.

§23.7.2 Misrepresentation as to Platinum Plating

(a) It is unfair or deceptive to misrepresent the thickness, weight ratio, or manner of application of any Platinum plating on any surface of an industry product or part thereof.

(b) It is unfair or deceptive to mark, describe, or otherwise use the word "Platinum" (or its abbreviation) by itself or in combination with other words or numerical designations for all or part of an industry product that is not composed throughout of Platinum but is surface-plated with Platinum unless the word "Platinum" (or its abbreviation) is adequately qualified to indicate that the product or part is only surface-plated.

(c) It is unfair or deceptive to mark, describe, or otherwise use the terms "Platinum Plate" or "Platinum Plated," "Pt.P.," or "Platinum Electroplate," or "Platinum Electroplated," "Pt.E.P.," (or any other abbreviation) to describe all or part of an industry product, except as follows:

(1) The surface-plating with Platinum, applied by any process, shall be of

such thickness and extent of surface coverage that reasonable durability is assured;

(2) The surface-plating of such article shall be composed of at least 950 parts per thousand pure Platinum.

(3) The minimum thickness of Platinum affixed on all significant surfaces of an industry product by any process shall be no less than .125 microns (5 microinches);

(4) The Platinum plating shall be of substantial thickness[1] so that durable coverage of the base metal to which the coating has been affixed is assured. The exact thickness of the plating may be marked on the item, as for example ".125 microns platinum plate," ".125μ Pt.P.," ".125 microns platinum electroplate" or ".125 μ Pt.E.P."

NOTE: If an industry product has a thicker plating of platinum on some areas than others the minimum thickness of the plate should be marked.

NOTE: The plating process may include a base layer of PGM or other metal to promote the plating process. The base layer of PGM or other metal, with the exception of Rhodium, shall not be considered in the thickness calculation of the plate.

(d) When the plating is of at least 950 parts per thousand pure Platinum, but does not meet the minimum thickness specified above, and the plating is of such thickness and extent of surface coverage that reasonable durability is assured, the marking or description may be "Platinum Flashed" or "Pt.Fl." or "Platinum Washed" or "Pt.W."

(e) When the electroplating is of at least 950 parts per thousand pure Platinum and of a minimum thickness throughout equivalent to .5 microns (20 microinches) of pure Platinum, the marking or description may be "Heavy Platinum Electroplate," "Heavy Platinum Electroplated" or "H.Pt.E.P." When electroplating qualifies for the term

[1] The term "substantial thickness" means that all areas of the plating are of such thickness as to assure a durable coverage of the base metal to which it has been affixed. Since industry products include items having surfaces and parts of surfaces that are subject to different degrees of wear, the thickness of plating for all items or for different areas of the surface of individual items does not necessarily have to be uniform.

"Platinum Electroplate," "Platinum Electroplated" "Heavy Platinum Electroplate" or "Heavy Platinum Electroplated" and has been applied by use of a particular kind of electrolytic process, the marking may be accompanied by identification of the process used, as for example, "Platinum Electroplated (X Process)" or "Heavy Platinum Electroplated (Y Process)."

(f) The following are examples of markings or descriptions that may be misleading: Use of the words "overlay," "filled," "clad," "rolled-plate," "covered" or "coated" to describe a product that has been affixed with Platinum on all significant surfaces by an electrolytic process.

Appendix

Exemptions Recognized in the Assay for Quality of Platinum Industry Products

[Substitution for Appendix, section (e)]

(e) Exemptions recognized in the industry and not to be considered in any assay of a product consisting of 850 to 950 parts per thousand platinum include springs, winding bars, sleeves, crown cores, mechanical joint pins, screws, rivets, dust bands, detachable movement rims, hat-pin stems, and bracelet and necklace snap tongues. Exemptions recognized for products consisting of a minimum of 500 parts per thousand platinum include: pin tongues, joints, catches, lapel button backs and the posts to which they are attached, scarf-pin stems, hat pin sockets, shirt-stud backs, vest-button backs, and ear-screw backs, provided such parts are made of the same quality platinum as is used in the balance of the article.

Platinum Plating Standards

Plate, Electroplate	=	a minimum of .125 microns (5 microinches)
Flashed/Washed	=	less than .125 microns (5 microinches), reasonable durability must be assured
Heavy Electroplate	=	a minimum of .5 microns (20 microinches)

ATTACHMENT TWO

Federal Trade Commission
Protecting America's Consumers

For Release: April 8, 1997

FTC Revises Guide For Platinum Jewelry Marketing

New Guide Simpler, Better Reflects International Standards, Agency Says

The Federal Trade Commission has revised its guide for the marketing of jewelry made wholly or in part of platinum, a precious metal that is more costly than gold. The guide provides for different markings on articles made of platinum, depending on the relative "fineness" or parts per thousand of pure platinum versus platinum group metals (iridium, palladium, ruthenium, rhodium and osmium). The FTC said it has revised the Platinum Guide to simplify it and bring its guidance into closer accord with international standards. The revised guide adopts the international standard. The guide also continues to permit some markings not currently included in the international standards on products marketed in the United States, but the retained marking system has been simplified.

The revisions announced today follow the FTC's announcement in May 1996 of revisions to other sections of its Guides for the Jewelry, Precious Metals, and Pewter Industries, which assist the industry and consumers by helping marketers avoid deceptive or misleading represen tations about such products. At the time it announced the revisions to the remainder of the Jewelry Guides, the FTC requested additional comments on the Platinum Guide.

Effective immediately, the revised Platinum Guide provides that items consisting of:

- 950 parts or more per thousand of pure platinum can be marked "platinum" without the use of any qualifying statements;
- 850 to 950 parts per thousand can be marked in accordance with international standards of "950 Plat." or "950 Pt.," "900 Plat." or "900 Pt.," "850 Plat." or "850 Pt." (the revised guide permits the use of a two or four-letter abbreviation for platinum);
- 500 parts per thousand of pure platinum and at least 950 parts per thousand platinum group metals can be marked with the parts per thousand of pure platinum followed by the parts per thousand of each platinum group metal (example: "600 Plat.350Irid." or "600Pt.350Ir."); and
- less than 500 parts per thousand pure platinum cannot be marked with the word platinum or any abbreviation thereof.

A notice published in today's Federal Register summarizes the 806 comments the FTC received in response to its request for additional comments about the Platinum Guide, and explains the reasoning for the changes. The Commission vote to revise the Platinum Guide was 5-0.
An FTC alert for consumers titled Puttin' on the Glitz: What to Know When Shopping for Jewelry offers consumers a number of tips and useful information to consider when purchasing jewelry.

Copies of the alert, the Platinum Guide Federal Register notice and the entire Jewelry Guides are available from the FTC's web site at *http://www.ftc.gov* and also from the FTC's Public Reference Branch, Room 130, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580; 202-326-2222; TTY for the hearing impaired 202- 326-2502. To find out the latest news as it is announced, call the FTC NewsPhone recording at 202-326-2710.

Media Contact:

Bonnie Jansen
Office of Public Affairs
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Bureau of Consumer Protection
Constance M. Vecellio, 202-326-2966
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ATTACHMENT THREE

Statement of Michael A. Akkaoui Regarding the FTC's Proposed Revision to the Platinum Guides; Question 19

I, Michael A. Akkaoui, am the President and CEO of Tanury Industries, a company that specializes in metal-plating processes and metal finishing, including platinum plating. In that capacity, I have reviewed the Federal Trade Commission's proposed revision to the Platinum Guides, issued February 20, 2008, with a particular focus on Questions 13, 14 and 19.

Questions 13 and 14 address the issue of scientific testing to substantiate representations regarding products composed of platinum alloys. Specifically, the FTC asks:

> "13. What constitutes "competent and reliable scientific evidence" to substantiate representations regarding the qualities material to consumers, such as the durability, luster, density, scratch and tarnish resistance, ability to resize and repair, and hypoallergenicity of traditional platinum products and products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM? Please provide any evidence that supports your answer.
>
> 14. Describe in detail the scientific tests used to determine or substantiate representations regarding the qualities material to consumers, such as the durability, luster, density, scratch and tarnish resistance, ability to resize and repair, and hypoallergenicity of traditional platinum products and products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM? Please provide any evidence that supports your answer."

Question 19 addresses whether there is a need for FTC guidance regarding products that consist of platinum over other metals, as well as platinum-clad products. Specifically, the FTC asks:

> "19. Should the Commission amend the platinum section of the Jewelry Guides to address other products that contain platinum,

such as platinum-clad, filled, plated, coated, or overlay products, that are not currently addressed in the section?

a. If so, how and why?

b. What evidence supports making your proposed revision(s)? Please provide this evidence and explain why any such revision is necessary to ensure that consumers are not misled including specific guidance as to the recommended thickness of the filling, plating, or overlay of such platinum products.

c. If not, why not?

Professional Background

Tanury Industries has been in business since 1946. The services we provide include precious-metal plating of platinum, gold, rhodium and silver. Our staff includes several chemists and engineers with doctorates in materials.

My recommendations are based on my experience in the field of metallurgy and metal-plating processes, particularly platinum plating. I hold a Juris Doctorate degree from the New England School of Law and a Bachelor of Arts degree from Providence College. I have worked at Tanury Industries since 1974, and serve on the Board of Directors of Manufacturing Jewelers and Suppliers of America ("MJSA") (Past Chair). I am a member of the American Electroplaters and Surface Finishers Society ("AESFS") and the Rhode Island Contract Electroplaters. I have been a featured speaker on electroplating topics before the MJSA and the AESFS.

In formulating the recommendations that follow, I consulted with colleagues in the industry. Those individuals include Thomas A. Tanury and Joseph Accaoui both having 30 years experience in precious-metal finishing.

Questions 13 and 14 – Testing of Platinum Attributes

I know of no "competent and reliable scientific evidence" that is uniformly accepted across the platinum industry to substantiate representations regarding

durability, luster, density, scratch and tarnish resistance, the ability to resize and repair and hypoallergenicity. One fundamental reason is that there are no established-industry standards regarding these qualities, and thus no recognized testing measures to evaluate representations about them.

While metallurgists at Tanury Industries can no doubt devise both standards and tests to quantify and measure many platinum qualities, these standards and tests would produce results that had relevance only to our company. Since there are no established standards, the results would not allow us to measure our platinum products against others in the industry.

Question 19 – Platinum over other Metals and Platinum Clad

My recommendations regarding platinum coatings follow the format of the FTC's Gold Guide, standards which are accepted and understood in the industry. However, as platinum is a very different metal than gold, with distinct properties that affect the plating process and the visual result, the thickness standards that I recommend for platinum are lower than those in place for gold. Additionally, the Gold Guide distinguishes gold-plate from gold-electroplate, proscribing different minimum standards for each. I do not recommend that this particular aspect of the Gold Guide be incorporated into the Platinum Guide. Given the lower minimum-thickness requirements that are appropriate for platinum, as compared to gold, there is no need to prescribe separate standards for plate and electroplate.

I respectfully submit the following recommendations:

-Platinum Plating

Platinum plating is a metallurgical process that is technologically feasible and currently employed in the industry on a large scale. For that reason, the FTC should address this process. Specifically, based on my experience, that of Tanury Industries, and accepted industry practice, I recommend the following:

1) Platinum plate or electroplate affixed on all significant surfaces should be composed of at least 950 parts per thousand pure platinum.

2) Platinum plate or electroplate should be no less than .125 microns (5 microinches) of at least 950 parts per thousand pure platinum.

3) The plating process may include a base layer of platinum group metal or other material to promote the plating process. The base layer of platinum group metal, or other material, with the exception of Rhodium, should not be considered in the thickness calculation of the plate.

4) When the thickness of the platinum plating on a product is less than .125 microns (5 microinches) the product should be described as "Platinum Flashed" or "Platinum Washed."

5) When the thickness of the platinum plating is no less than .5 microns (20 microinches) the product may be described as "Heavy Platinum Electroplate."

-Platinum Filled and Platinum Clad

It is not technically feasible to create platinum-filled or platinum-clad products. For that reason I do not recommend that the FTC address these products in its revised Platinum Guide.

Thank you for the opportunity to share my expertise with the Commission.

August 12, 2008
Date

Michael A. Akkaoui
President and CEO

Tanury Industries

ATTACHMENT FOUR

Statement of Neil Swan Regarding the FTC's Proposed Revision to the Platinum Guides; Questions 13 and 14

I, Neill Swan, am a Sales and Marketing Manager at Johnson Matthey, and am based in the company's headquarters in Royston, UK. Johnson Matthey, founded in 1817, specializes in advanced-materials technology, including the production, supply and use of platinum and the other metals of the platinum group. The company focuses on catalysis, precious metals, fine chemicals and process technology, and employs approximately 8,700 people in over 30 countries around the world, including the United States.

I have had twenty-eight years of experience in the international jewelry industry. Among my current responsibilities at Johnson Matthey is the marketing of platinum as a jewelry material. I am also involved in the technical side of the industry, and initiated and led the research and production of Johnson Matthey's industry-acclaimed technical manual for platinum.

I have reviewed the Federal Trade Commission's proposed revision to the Platinum Guide, issued February 20, 2008, with a particular focus on Questions 13 and 14. Those questions concern testing to substantiate representations regarding products composed of platinum alloys. Specifically, the FTC asked:

> "13. What constitutes "competent and reliable scientific evidence" to substantiate representations regarding the qualities material to consumers, such as the durability, luster, density, scratch and tarnish resistance, ability to resize and repair, and hypoallergenicity of traditional platinum products and products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not contain at least 950 parts per thousand PGM? Please provide any evidence that supports your answer.
>
> 14. Describe in detail the scientific tests used to determine or substantiate representations regarding the qualities material to consumers, such as the durability, luster, density, scratch and tarnish resistance, ability to resize and repair, and hypoallergenicity of traditional platinum products and products that contain at least 500 ppt, but less than 850 ppt, pure platinum, and that do not

contain at least 950 parts per thousand PGM? Please provide any evidence that supports your answer."

My answers to Questions 13 and 14, on behalf of Johnson Matthey, are based on the company's and my own extensive, international, technical and marketing experience in the jewelry industry.

I respectfully submit the following answers:

-Question 13

To my knowledge, there is currently no "competent and reliable scientific evidence" that is uniformly accepted across the jewelry industry to substantiate representations regarding durability, luster, density, scratch and tarnish resistance, the ability to resize and repair and hypoallergenicity. One fundamental reason is that there are no established-industry standards regarding these qualities (e.g. for Platinum alloys, or between Platinum and Gold alloys), and thus no recognized testing to evaluate representations about them.

-Question 14

To our knowledge, there are no tests which have been accepted industry wide to determine or substantiate representations regarding qualities such as the durability, luster, density, scratch and tarnish resistance, ability to resize and repair, and hypoallergenicity.

Thank you for the opportunity to share my expertise with the Commission.

Neill Swan

Johnson Matthey

August 19, 2008
Date

ATTACHMENT FIVE

American Gem Society

Retail Member Survey

October 2007

Conducted for

American Gem Society

Source: MemberScope

Objectives

The **AMERICAN GEM SOCIETY (AGS)** commissioned **MemberScope®** (a division of Research USA) to conduct a survey of their retail members in order to find out more about them, their firms, and their evaluation of AGS membership.

Some specific areas studied included:

- Number of years in business
- Locations of stores
- Services offered
- Number of employees
- Gross sales
- Advertising and promotion
- Association membership
- Trade show attendance
- Attendance at AGS classes or seminars
- Degree of interest/likelihood of participation in AGS educational programs
- Readership of *Spectra*
- Conclave attendance
- Demographic characteristics
- AGS suppliers with whom members do business

Source: MemberScope

Methodology

The names used for this survey were selected from the **AMERICAN GEM SOCIETY**'s entire membership list of 965 retailers.

On September 4, 2007, every name was mailed an advance notice postcard signed by Ruth Batson, Executive Director and CEO of the **AMERICAN GEM SOCIETY**, which informed them of the survey and asked for their participation.

On September 7, 2007, every name was mailed an eight-page questionnaire, a cover letter from the **AMERICAN GEM SOCIETY**, which again asked for their participation, a one-dollar bill incentive, and a stamped return envelope. Participants were also given the option to complete the questionnaire online.

On September 28, 2007, every retailer member who had not returned a questionnaire was mailed a cover letter from **Research USA**. The cover letter thanked those who may have already completed and returned their questionnaires, and asked all others to please do so online or by returning the previously sent questionnaire for the success of the survey.

By October 22, 2007, there were 362 completed questionnaires returned. 264 questionnaire were completed and mailed to **Research USA** and 98 were completed online.

Questionnaires mailed		965
Returned:		
Incomplete	12	
Undeliverable	2	
Too late for tabulation	1	15
Net effective mailing		950
Completed questionnaires returned		362
Percentage return		38.1%

Source: MemberScope

The information in this report is based on a computer tabulation of the 362 completed questionnaires that were returned.

Results are projectable within a range of ±5.1% (with 95% confidence) for most of the tables in this report.

68. What is the highest level of education you have completed?

Some high school or less	.6%
High school graduate	13.0
Some college/2-year degree	31.4
Graduated from 4-year college	36.0
Some postgraduate study	12.7
Master's degree(s)	4.8
Doctorate(s)	1.5
	100.0%
4-year college graduate or better	55.0%

Base: 331

Source: MemberScope

ATTACHMENTS SIX A, SIX B and SIX C

Jewelers of America How Do You Disclose Platinum Survey

From August 6 through August 9, 2008, Jewelers of America conducted an email survey to members to gather retailer opinions on the Federal Trade Commission's proposed changes to its *Guides for the Jewelry, Precious Metals, and Pewter Industries.*

Previously, the guides only addressed the disclosure of jewelry containing traditional platinum and platinum group metal alloys (such as ruthenium or iridium).

Under the proposed new guidelines, companies would need to tell consumers:

- That the **jewelry contained platinum and base metals**;
- The **percentage of each base metal in the jewelry, by name and not abbreviation (i.e. "58.5% Platinum, 41.5% Copper/Cobalt").**
- That the **jewelry may not have the same attributes as traditional platinum jewelry made with platinum group metals** (such as purity, durability, luster, hypoallergenicity, tarnish/scratch resistance, resize/repair issues, ability to maintain precious metal content). **However,** if a company has **competent and reliable evidence** that its platinum/base metal jewelry has the same attributes as traditional platinum jewelry, it **would not be required to include this third disclosure.**

Retailers were asked five questions related to the workability (from very easy to very difficult) of implementing these disclosures.

Question 1: Members were asked to rank the workability of explaining to a customer the name and exact percentage of each base metal, and explain that the attributes of the base metals used are different from those of traditional platinum group metal alloys.

More than half of respondents (52.5%) said this would be "difficult" (23.2%) or "very difficult" (29.3%) to explain to the customer; 5.1% said it would be "very easy" to explain to a customer, while 18% said it would be "easy." An additional 4.8% responded "not sure" and 19.2% left the question blank.

Comments:

"This new standard is sure to cause confusion and room for misleading the consumer about the quality of the product."

"Explaining it is easy, but customers understanding is another issue."

"Most customers don't know what a base metal is let alone a platinum group metal. This 'explanation' would require a textbook and seminar."

"It would result in hindering the consumer's ability to shop effectively by means of comparison"

"Having the information available would be far different than having to explain it to customers who don't want to be confounded by it."

Question 2: Members were asked to rank the workability of explaining to a customer the name and exact percentage of each base metal, and explain that the attributes of the base metals used are different from those of traditional platinum group metal alloys. Assuming a customer would ask what those differences were specifically, retailers were asked to also consider the workability of specifically identifying those attributes to the customer.

More than half of respondents (57.4%) said this would be "difficult" (28.4%) or "very difficult" (29%) to explain to the customer; 5.1% said it would be "very easy" to explain to the customer, while another 12.5% said it would be "easy." An additional 6.1% responded "not sure" and 18.6% left the question blank.

Comments:

"A trained professional would find it fairly easy to explain. The problem arises when less informed people try to sell the product."

"Too confusing. Will retailers be truthful with content? Or will the main goal be just to make the sale and just say that it is all platinum?"

"Not necessarily difficult to explain, but cumbersome and difficult for the customer to understand."

"We are opposed to any items made with non-platinum alloys being referred to as platinum. Confusion will reign for customers. Don't allow this."

"Historically, platinum has been thought of as a purer metal; this new ruling will tarnish its name."

Question 3: Members were asked if disclosures concerning platinum and base metal jewelry would be able to be attached to the jewelry in the form of a tag or other physical means:

Yes: 32.1%
No: 49.5%
No response: 18.3%

Comments:

"Anything is possible, but not without the display looking awful. Maybe more like a card included with the purchase along with warranty information."

"Yes, if this new product is to be sold, it should have clear explanations so the consumer makes an educated choice. This should be done on the tag."

"Would be covered by associate at counter, with a copy of printed material given at point of sale."

"You would need to attach a book to it."

"The alloy should also be marked clearly on the jewelry, because tags can and will be removed."

Question 4: Members were asked whether or not companies should be required to spell out the base metal names when disclosing:

Yes: 42.5%
No: 39.1%
No response: 18.3%

Comments:

"Use abbreviations, like in karat content."

"Yes, but only for less than 85% plat; too many options in alloy metals to expect sales persons to accurately recall and represent abbreviations."

"Enforcement would be impossible."

"Should be spelled out...but how much room do you think there is available without making showcases full of large signs and tags."

Question 5: Members were asked if they had any further comments on the proposed FTC amendment.

The following is a sampling of their remarks:

"I think this would cause a lot of confusion and misrepresentation to the consumer of the value and quality of a product that is trying to be sold to the consumer. The average salesperson would 99% of the time misrepresent what they were trying to sell. Returns and consumer dissatisfaction would likely be very high."

"It should be made clear when a product is not made exclusively from platinum family metals."

"We don't discuss alloys used with gold. We should use the same procedures only indicating the platinum percent."

"I think everything about the proposed amendment should protect the consumer from unethical behavior by any one in the jewelry industry. I think the more clearly the amendment is written, the more likely it will be followed by ethical jewelers."

"What an absolutely insane idea! The king of jewelry metals would be reduced to junk jewelry and the consumer would not understand it. It would only allow the low-end businesses to look good in their pricing and the consumer would think the only difference in jewelry is price. This idea only hurts consumers."

"This creates an unreasonable burden to the retailer. Easy enough to explain the percentage of platinum, but with regard to the various base metals it would be a confusing, scary overload of information for the end user."

"I do not think that the FTC should rely on jewelers to make the disclosure. Give this metal a different name to avoid confusion and deception."

The complete survey results are attached.

JEWELERS OF AMERICA

Constant Contact Survey Results

Survey Name: JA Survey How Do You Disclose Platinum

Response Status: Partial & Completed

Filter: None

Aug 11, 2008 9:24:22 AM

TextBlock:

Previously, the FTC Guides for the Jewelry, Precious Metals, and Pewter Industries only addressed the disclosure of jewelry containing traditional platinum and platinum group metal alloys (such as ruthenium or iridium).

The FTC's proposed changes would allow companies to sell as "platinum jewelry" any products alloyed with base metals that contain less than 850, but at least 500 ppt (parts per thousand) of pure platinum.

The FTC is proposing that companies would need to tell consumers:

· That the jewelry contains platinum and other base metals;

· The percentage of each base metal in the jewelry, by name and not abbreviation.

· That the jewelry may not have the same attributes as traditional platinum jewelry made with platinum group metals (such as durability and hypoallergenic qualities). However, if a company has competent and reliable evidence that its platinum/base metal jewelry has the same attributes as traditional platinum jewelry, it would not be required to include this third disclosure.

Please answer the following five questions on how the proposed FTC amendment could affect you.

You're showing a customer a ring of platinum alloyed with base metals. You are required to:

Tell her the name and exact percentage of each base metal in the product.

Explain that the attributes of the base metals used in the alloy are different from those of traditional platinum group metal alloys -- if they are different. For example: "This ring contains 58.5 % platinum, plus 31.5% XX base metal, and 10% XX base metal. The latter two metals are base metals, and a ring alloyed with them has different attributes from one alloyed with only platinum group metals. "

You would find this (please check correct response):

Answer	0% 100%	Number of Response(s)	Response Ratio
Very Easy to Explain to the Customer		17	5.1 %
Easy to Explain to the Customer		59	18.0 %
Not Sure		16	4.8 %
Difficult to Explain to the Customer		76	23.2 %
Very Difficult to Explain to the Customer		96	29.3 %
No Response(s)		63	19.2 %
	Totals	**327**	**100%**

You're showing a customer a ring of platinum alloyed with base metals. You are required to:

Tell her the name and exact percentage of each base metal in the product.

If they differ from traditional platinum, you must explain that the attributes of the base metals used in the alloy are different from those of traditional platinum group metal alloys. Assuming your customer asked you to explain exactly what those differences are, you identify the specific different attribute that metal has. These different attributes could include: durability, hypoallergenicity, lustre, ability to resize and repair, scratch and tarnish resistance, purity, and ability to maintain precious metal content.

For example: "This ring contains 58.5 % platinum, plus 31.5% XX base metal, and 10% XX base metal. A ring alloyed with these base metals has different attributes from one alloyed with only platinum group metals. These include a difference in the level of durability, lustre, purity, and the ring's ability to maintain precious metal content."

You would find this (please check correct response):

Answer	0% 100%	Number of Response(s)	Response Ratio
Very Easy to Explain to the Customer		17	5.1 %
Easy to Explain to the Customer		41	12.5 %
Not Sure		20	6.1 %
Difficult to Explain to the Customer		93	28.4 %
Very Difficult to Explain to the Customer		95	29.0 %
No Response(s)		61	18.6 %
	Totals	327	100%

Would disclosures concerning platinum and base metal jewelry be able to be attached to the jewelry in the form of a tag or other physical means?

Answer	0% 100%	Number of Response(s)	Response Ratio
Yes		105	32.1 %
No		162	49.5 %
No Response(s)		60	18.3 %
	Totals	327	100%

When disclosing the base metals alloyed with platinum, whether stamped on the jewelry, or on an accompanying tag or card, should companies be required to spell out the base metal names (rather than referring to them using abbreviations)?

Answer	0% 100%	Number of Response(s)	Response Ratio
Yes		139	42.5 %
No		128	39.1 %
No Response(s)		60	18.3 %
	Totals	327	100%

Do you have any other thoughts about the FTC's proposed amendments to the platinum disclosure guidelines?

176 Response(s)

Constant Contact Survey Results

Survey Name: JA Survey How Do You Disclose Platinum
Response Status: Partial & Completed
Filter: None
Aug 08, 2008 11:49:30 AM

1. You're showing a customer a ring of platinum alloyed with base metals. You are required to: Tell her the name and exact percentage of each base metal in the product. Explain that the attributes of the base metals used in the alloy are different from those of traditional platinum group metal alloys – if they are different. For example: "This ring contains 58.5 % platinum, plus 31.5% XX base metal, and 10% XX base metal. The latter two metals are base metals, and a ring alloyed with them has different attributes from one alloyed with only platinum group metals." You would find this (please check correct response): - Comments

Answer	Respondent
I only use 900 and 950 plat	
it would result in hindering the consumer's ability to shop effectively by means of comparison.	
I do not see the revelance of what the other metals are only that the item has 585/1000 parts platinum.	
when selling 58% gold it is not necessary to explain this. why then would it be required when selling platinum?	
Customers will be confused. Selling an item with that much base metal will open many doors for fraud.	
just give the metal a new name, with different levels depending on alloys	
And the customer will appreciate the information as well.	
I would tell her that it is a lower grade of platinum than what I sell for we only work in 90% or high platinum	
the average consumer won't take the time to listen to the explanations and will hear what he wants to hear, that its platinum and it's cheaper.	
We should use the same ast the Gold Standard. 9Kt, 10Kt, 14Kt, 18KT, etc.	
Not enough info being disclosed. Am not in favor of a platinum alloy of 58.5% et. al. labeled "platinum"	
Lets face it the public still dose not understand the current alloys. Let not muddy the waters with this new set of rules.	
The sales staff in general would not go into this...Leave it alone...It is not broken	
Wat too much information. Why not be permitted to treat the same as golld content???	
Can be done similar to 10k, 14k & 18k BUT will the customer understand and grasp it...probably not.	
Even if you try most customers will not understand, and will not let you get so technical.	
Customers are just interested in platinum or white gold.They are used to jewelry being plated due to marketing of jewelry sold through Cable companies	
before you even get 1/2 finished with the explanation you have lost the sale	
What if a mistake is made?	
In either this or the following case, it sounds very confusing for the consumer and takes the romance and mystique out of the jewelry. Come up with an	
I refuse to sell anything less than .900 or .950 platinum.	
A trained professional would find it fairly easy to explain.	
Customer would "zone out"	

Having the information available would be far different than having to explain it to customers who don't want to be confounded by it.
It depends on the alloys and the clients ability to absorb the information.
I think it would be easy to explain but not easy for a consumer to understand. I find the majority of consumers don't want complex explanations.
Its the same as selling 14 or 18kt gold, it's not pure gold, don't think retailers should have a problem with it.
We would NOT include items made from this mixture of "platinum" in our inventory
This kind of "talk" turns customers off by makeing it sound like you are trying to sell them something less than ideal. (see comments to question #2)
Easy enough to explain, however, I believe consumers would have a difficult time truly understanding the differences in that explanation.
But very difficult for the customer to understand. It would be very confusing if it was called Plat.
similar to gold methodology 14PBA = 58.5 - rest allow and base metal or 14PA = 58.5 plat remainder precious alloy - 14PA more valuable than 14PAB -
Not thourough enough.
Most customers don't know what a base metal is let alone a platinum group metal. This "explanation" would require a textbook and seminar.
Been doing something like that with gold for years. However, not by name of each alloy.
However Ifeel all would be miss reprasented by a large part of the industry and I don't feel there would be proper controll to stop it!
This would be an unethical practice. Customers have a right to assume that platinum standards are at least the 90% they have allways been historically
consumers are very naive concerning jewelery and must be protected
difficult because of the need to explain the characteristics and effects of the alloy metals and how they may affect the customer
The %s you mention are misleadingly similar to the gold alloy for 14K gold.Long technical explanations are a sure way to loose a customer's attention.
Although I like the idea of a 585 platinum, it will be difficult to explain in detail the exact metals used and how they change it
Platinum is the purest metal and should stay that way. Added alloys takes away from 90-95% Platinum.
This would truly confuse and may even cause the customer to be uneasy with making a purchase from that jeweler.
Almost impossible to teach all employees to do with every customer.
Let's be real. It is eather an ok metal to use or not. You are not eating it!!!
That is not Platinum "As it is known."
Customers won't care. It is the Plat Guild's, the manufactures and the jewelers responsibility to explain if needed, not forced by the government
there are so many individuals in the business that are unaware of the attributes of the base metals that would mislead others at all levels of purchas
Most customers trust the jewelers to sell them what is right. Very few are interested in exact details
I probably wouldn't have bought the piece anyway. It's like wasting space in a nice boutique with 10k gold.

very confusing wording... but it not too far off from explaining 14k or 18k
It is like 14K gold, it isn't pure gold but you don't ask us to tell the customer what other alloys are contained in 14K.
Customers have no idea what I'm talking about when I explain the alloys in gold, so explaining platinum would be a waste of my time and thier patience
Most customers would not understand and just stop listening
I do not believe my customers would be the least bit interested in knowing the base metals and exact percentages, just that it wasn't pure platinum.
That's ridiculous. First, I wouldn't even sell it. Second, how does one romance all those different alloys.
Apply same examples as gold % etc.
I think the customer will just hear "platinum" and disregard the other stuff--so they won't really know that it is a lower % than 950 plat.
Way to complicated
One of the benefit to selling platinum is its purity. explaining the alloyed version will only confuse customers and hurt the trust building process
This would not be of as much interest to my customers as the,Look,sizing ability,durability
tHE CONSUMER WOULD BE CLULESS OF WHAT YOU WERE TRYING TO EXPLAIN TO HIM/HER
Bench jewelers have enough difficulty with this... sales persons would have little chance of understanding, remembering, and complying with law.
Easy for experienced or knowledgeable sales staff.□ However, the concern is in regards to new sales people taking the easy way saying "it's platinum".
Someone needs to ask why Platinum should be explained differently than gold with 10K being the lowest in the USA
Too much info, too quickly will overwhelm customers. They are originally drawn to the style of a piece of jewelry, not the metal content.
I think most of all that this will be very confusing to the customer. The resulting indefinte amount of variable will be hard for a jewelers to track
not acceptable explaination.
You would lose the customer in 5 seconds as well as sales people getting things confused as well.
What exactly is the base metal that you are talking about? With gold I am not required to tell about the alloys, but I certainly am able.
EASY TO EXPLAIN BUT WOULD RUIN THE MOMENT OR POSSIBLE SALE.
Why must we let the greedy large low end elements of our industry ruin the few remaining iconic hallmarks of prestige.
The understanding of the differences between precious metals and base metals require much more than just a list of the materials.
Difficult in the sense where you would have to explain the attributes of the alloy
I have to rely on my staff to answer these questions, and frankly, it would be very difficult for them. It takes away from the romance of the sale.
I personally think that 14k platinum or something is going to confuse people and cheapen platinum jewelry, it is not good for the industry

We are opposed to any item made with non-platinum alloys being referred to as Platinum. Confusion will reign for customers. Don't allow this.
It is enough to tell the customer that it has 58.5% platinum and the rest are other precious metals.
To use the word Platinum (stamped) the item should not be less the 85% platinum.... Otherwise it is truly mis-representation to the public.
I would not buy or Sell any platinum products that are not traditional alloys containg 90% plat or more.
not only is it difficult to explain to the customer but the customer may find it confusing and a sale is lost due to frustration and info overload.
Your assuming we can remember all of our vender's and the different alloys they use and we may, Then there are our employees. 50%Pl 10%Ir?
Every company uses a different formula. This would be very cumbersome and an added expense to the vendor, jewler and end user.
This would be too technical to explain to customers since purchasing a piece of jewelry should be a pleasant experience.
We don't do this for .585 or .750 gold.
Most consumers may not know what base metals are.
This new standard is sure to cause confusion and room for mis-leading the consumer about the quality of the product
As a custom shop, we are used to explaining metal contents more than most stores, but it would be difficult with a proposed change in platinum
Most people would not understand the difference.
This is just making room for more fraud.
Saying it is easy,trying to explain what it means to the customer is difficult.Even more difficult,explain any comparison alloy in a competing product
The difficulty remains with the individual customer. Most customers are very understanding as long as the price reflects the product.
Eplainning is easy, but , customer understanding! is another issue.
I think this would be extremely confusing to the customer.
Very easy to explain but it will probably go over the head of most consumers. The question was phrased improperly.
This would be horrible for consumers as well as jewelers and would diminish the "exclusiveness" of platinum as a pure metal
Way too many words. Plus average salesperson won't understand these combinations, let alone the consumer questions.
Try explaining to a customer what "Siladium" is.
customers would be confused
I think Platinum needs to remain pure.
Platinum should be treated like gold or silver, .925 or 10, 14, 18, or 22 karat.
This would be confusing to the customer. If they hear the word Platinum the assumption will be that is is the same as 900 or 950 platinum.
I am strongly opposed to the new ruling. Platinum should only be used for items that are at least 90% platinum and alloyed with platinum group metals.
If it doesn't contain 90/10 (Platinum to alloy) it will debase the "name" in it's entirity.
most of my customers want to know about the attributes of the allow not the mix.

Gold is already explained in that fashion, consumers really don't know the true karat value of platinum other than platinum.

2. You're showing a customer a ring of platinum alloyed with base metals. You are required to: Tell her the name and exact percentage of each base metal in the product. If they differ from traditional platinum, you must explain that the attributes of the base metals used in the alloy are different from those of traditional platinum group metal alloys. Assuming your customer asked you to explain exactly what those differences are, you identify the specific different attribute that metal has. These different attributes could include: durability, hypoallergenicity, lustre, ability to resize and repair, scratch and tarnish resistance, purity, and ability to maintain precious metal content. For example: "This ring contains 58.5 % platinum, plus 31.5% XX base metal, and 10% XX base metal. A ring alloyed with these base metals has different attributes from one alloyed with only platinum group metals. These include a difference in the level of durability, lustre, purity, and the ring's ability to maintain precious metal content." You would find this (please check correct response): - Comments

Answer	Respondent
It would afford unscrupulous sellers an unfair advantage to those sellers who abide by the regulations	
When ask by a customer, yes. I don't understand the "if they differ" the attributes will always differ if the alloy is different.	
Customers want platinum not base metals.	
new name that could be marketed. _ different alloy combinations giving the piece easily explained differences and manufacturers guidelines t follow	
I would just tell them that it is an inferior product	
again, the customer won't want the explanation. too much information.	
Now we have to have a degree in geology as well as gemology. Manufacturers would not use the same base metal. The saleman would just make up a metal.	
Am not in favor of a platinum alloy such a 5.5% to be labeled "platinum"	
People want fine made jewelry period. This is only going to add to the already combersome disclosures.	
see above	
Again, due to the mass market of jewelry, our customer's are aware of the "romancing" of platinum by the cable stations on platinum branding.	
Difficult but not impossible	
(cont.) easier method of explanation, maybe similar to karatage. What do other industries do?	
Again, a trained professional would find it fairly easy to explain. The problem arises when less informed people try to sell the product.	
the explanation is not dificult, we can study our product. the client may be ill affected by issues that could arise from mis-leading info out there.	
I think platinum is platinum. If it is to be alloyed and changed from it's current ratios so drastically then market it under a different name.	
It is going to be very difficult to have this kind of technical info available for each ring and be able to know which info applies to which ring.	
seems easier	
Value needs to be mentioned.	
Again, to big of a chance for miss reprasentation.	
If we allow this standard in US made or sold jewelry we are confirming the belief in the rest of the world our jewelry is inferior.	
Customers will believe anything so when they see plat. they will want to believe it	

see above comments
That explanation is useless because it vague. The only useful explanation would include specifics in comparison to traditional platinum alloys.
We don't sell 58.5 alloy yet and no plans to do so
Platinum is 90-95% pure and should not be changed
It would leave the customer feeling that there is a concern regarding strength, durability, luster, etc..
One more time. Let's be real. It is eather a ok metal to use or not. Just stamp it!!!
Again, who cares. So long as the ring is disclosed as 585 or 750 platinum like we describe gold as 14k or 18k the rest shouldn't matter
Too confusing. Will retailers be truthful with content? Or will the main goal be just to make the sale and just say that is all platinum?
Again, I wouldn't bother with buying the piece in the first place.
Still difficult - but not as bad as the first explanation
Its one thing to explain differences,another to be rquired to explain. This opens up legal issues like "you didn't tell me" return five years later.
This is the 21st century and we are a high tech world. This is what the client wants and should know.
There again: the 58.5% platinum is easy to explain to the customer but why would we have to explain the: 31.5% XX base metal, and 10% XX base metal?
not necessarily difficult to explain, but cumbersome and difficult for the customer to understand.
See my previous comment.
I wouldn't sell it. And the customer doesn't want to hear all that stuff
again, same as gold.
Better than scenario #1, but still confusing. The last sentance explaining what the difference DOES is helpful.
Customer only hears platinum, not the rest
This is what my customers are more interested in
AGAIN, OVER THE CONSUMERS HEAD.
same as for 1.
Too much info again for a customer who's Just Looking. Well trained stores will scare customers undertrained stores will mislead & get sales from us
Why cheapen the allure of platinum, didn't we already do that with 10k gold?
SAME AS ABOVE. UNLESS CUSTOMER IS EXTREMELY KNOWLEDGEABLE IT WILL LESSEN THE VALUE THE WORD PLATINUM IMPLIES,
same as above
We are opposed to any item made with non-platinum alloys being referred to as Platinum. Confusion will reign for customers. Don't allow this.
easy to explain if we only talk about the percentage of platinum and not confuse the customer with the other two numbers
The stamp Platinum should not be used if less than 85% platinum is used in the product. And I am speaking of jewelry now.
if we gave a typical client that much information, you can bet we'd probably lose the sale.
see answer to question 1.

Most sales associated would not have the knowledge to adequately explain the attributes of these metals.
This is just making room for more fraud.
Same as b-4, easy to say, hard to explain to customer. This whole issue could create alot of problems for the industry
Same
hey! We are selling an item of romance or art, this is possibly killing the mood of the sale by focusing on the tech. and not the beauty.
see above
This would be very confusing and complicated for the consumer
Customers are neither chemists nor metallurgists, as a rule. They want simple, direct, truthful answers to their questions, and they are entitled.
The customers will be confused with the idea that a " platinum " ring may not be hypo-allergenic.
Historically, platinum has been thought of as a purer metal; this new ruling will tarnish its name.
Same comment as above
This is very confusing to the customer and the sales associates.

3. Would disclosures concerning platinum and base metal jewelry be able to be attached to the jewelry in the form of a tag or other physical means? - Comments

Answer	Respondent
This would seriously detract from an aesthetically pleasing presentation which would normally allow such a product to be represented properly	
A seperate handout would be possible but attaching it to the tag will not work	
Most jewelry stores dont follow present FTC guidelines now, what makes them think they will start now.	
engraved on the piece	
everyone removes the tags. Just like the country of origin tags	
too much info, the fine print will be too fine to read without magnifier	
The vast majority of people still do not read the fine print even with their signing their life away on a mortgage.	
confusion to the average salesperson and create another way for the crooked jeweler to give a lower price...	
It would take up more space than our tags allow.	
However; customers would not care, until later when a problem occurs and then would not remember the tag.	
Yes, But this would be something that could be a mistake on a tag or customer misunderstood the quality or the employee messed up, or ect. ect.ect.	
Anything is _possible_, but not without the display looking awful. Maybe more like a card included with the purchase along with warranty information.	
It is not so much the effect on the immediate sale, rather the problems arrising months or years after the sale.	
Yes, if this new product is to be sold, it should have clear explanations so the consumer makes an educated choice. This should be done on the tag.	
no, far too much negative to put on a tag without explaining in detail	

Hard enough to have relevant stone and quality info on tags. Spent capital on tag & POS software which would be obsolete with new info was on the tag.
probably not in a tactful, meaningful manner.
The only way would be to have the tag marked and a reference card with explaination.
stamp inside just like karat gold
Very simply, jewelry tags are small and we are already packing loads of information e.g stones, metal, carat weights, cost, dating, price and barcodes
too much information
there would not be enough room on the tags for complete disclosurres
tags do not have enough room for the info we need already, now you want us to squeeze in even more info.
Require a stamp of the New Name. You might use the same system as gold. 14K Plat or 18K Plat. The public has some idea what this means etc.
very difficult to tag the merchandise w/all the different alloys, it would have to be coded, client would not be able to identify from the tag
metal stamping 14P9A1B - 14 parts platinum, 9 parts alloy 1 part base metal
There is more than just listing base metals there needs to be a full explaination and how it reduces the value.
It should be stamped directly on the piece. And it should be fully disclosed by the seller.
It must be marked in the metal as a hallmark. Anything less than 90% would be a mark of shame.
too much info
most anything is possible. this however, would cause a tremendous distraction to the jewelry and display area do to size/amount of info tagged
Not really-there would not be enough room. Currently tags are already crowded with information.
I don't think it would be necessary
Stamping it Plat/50 or something like a karat mark would help
you would have to put a very big tag to explain all the different alloys and it would not enhance the product being sold.
In this way advantages to buying alloyed Platinum could be compared with others much the same way Palladium is sold.
How about MILK? What type of grass did the cows eat, and how much, also what feed, water, etc... Get the picture.
There are no room on tags for this info. Extra tags clutter up. We dont disclose for gold why should it be done for plat?
Additional tags are sloppy looking.
When rings are size or repaired the identification can be removed & not restamped. Most jewelers don't take time to restamp proper id marking already.
Would be covered by associate at counter, with a copy of printed material given at point of sale.
not very easy... maybe a separate card that must be with the item's purchase receipt/box etc...
This is the 21st century and we are a high tech world. This is what the client wants and should know.
jewelry is a small item with small tags, can't fit all that on a tag

not enough room
It must be disclosed. The alloys used need to be known before any future repairs could be done.
I have too many tags already. They make my cases look cluttered, and the jewelry less valuable.
Possibly, but it would fill up the tag.
just like we do for gold
THis would be hard.
Too much information to attach to the item itself. The tag could say the % breakdown (maybe), but the salesperson would need to remember to disclose.
It could but would create too many tags on an item and cluter up showcases
Part of the retail jewelry industry is selling romance and beauty. An overabundance of technical information only takes you away from that
This would let customer know imediately rather than depending on the sales clerk to disclose
yOU WOULD NEED TO ATTATCH A BOOK TO IT.
too much new information
not enough room on typical tags for detailed info beyond traditional karat of gold or % platinum
Maybe from the mfgr. But the jeweler wants the cases to be pretty those tags won't be staying on in the cases.
Tags are too small... sales associates will need to remember everything.
Would be a blanket statement for those items
This would make it easier to strike up a conversation about the metals.
MAKE FOR A LARGE "RING" TAG
I feel a tag would be too bundlesom, but an accompanying card would be beneficial.
Would either have jewelry in the cases, or tags to explain - not enough room for both, and i can't sell tags.
takes up too much space to fit on our current tagging system.
I guess you could stamp the items or list on the tag
Pt58.5% Like that you mean?
We are seriously troubled by this proposal. Tags get torn and lost. People get used to not having to make disclosures on their own.
Metal must be stamped. Any other attachment would open deceit to the public.
Not in our store. that is a merchandising nightmare.
the tag would be too large and aesthetically unappealing in a high end jewelery store.
our tags do not allow for that much additional information
it shoulf be stamped
This info must be stamped! As someone who sizes these rings, I need to know what the material is.
Too much information is already needed to be place on already small tags.
Customers(and many employees of chain stores) can not even properly understand " lab created gems"
Would probably have to print up some form of id to go with the item.
Tags get remove, fade.
A card from Manufacture could list and explain, but as always the concern is will it be actually handed out at counter/point of sale.

On rings the inside stamp. Other platinum items are a rare sale and would be more difficult to mark
Why burden us with more red tape.
Tags are very small and could not contain the information necessary to "de-confuse" the consumer.
Too much info for a small tag.
But the alloy should also be marked clearly on the jewelry, because tags can and will be removed.
if you have different type of platinum/base metal jewelry you would have to know which "speech" you would have to tell the customer...
But I doubt very seriously if the consumer would understand the technical information.
simply put People do not read labies
It would take alot of space. Will the shanks denote it?
Not enough space for all the symbols, letters, details.
Tags do not have that much space.
Yes & no, the initial percentage disclosure would be able to be put on a tag, but space is limited.

4. When disclosing the base metals alloyed with platinum, whether stamped on the jewelry, or on an accompanying tag or card, should companies be required to spell out the base metal names (rather than referring to them using abbreviations)? - Comments

Answer	Respondent
It would possibly add to the confusion and the inability of the consumer to make an informed purchase decision	
Abbreviations are fine, a standard, as in gold alloys is needed	
selling platinum is not the same as a new drug with side effects.	
we can learn the abbreviations	
You are making a mistake.	
again, why change this in the beginning	
should be stamped !!!!! proper abbreviations are OK with me	
We do not need to give the attributes in 14K gold. Simply saying 58 1/2 percent Platinum and 42 1/3 % alloy should sufice.	
Use abbreviations, like in karat content.	
If you can't sell real platinum due to price, explain the difference, offer palladium or gold and makea customer for life rather than today's sale.	
Trained professionals can explain the abbreviations stamped on the pieces of jewelry and accompanying tags or cards should spell out the base metals.	
abbreviations are only meaningful to the jewelry trade.....not the consumer	
People sometimes choose platinum due to metal allergies....they may very likely react to the alloys.	
If you are going to use an alloy that is not what the customer has traditionally expected from platimum then disclose everything so they can see it.	
as mentioned before, this would not fit on any jewelery tag, although I think it is important that it be well documented some where for reference	
on all invoices for sure - items stamped like above	
Because any base metal is more than likely an element on the periodic table(or combination of), there are very clear and universal abbreviations.	

I think it would have to be stamped on the jewelry. Cards/tags would not do!
If we are going sell junk we should at least let the customer know what they are buying
consumers need full disclouser
unfortunately we as a society are getting lazier, if it isn't spelled out the potential for misrepresentation is too great
Keep it simple. 10K gold does not tell us anything but .417 gold, The rest does not matter to consumers.
The more susinctly the info is given, the more the consumer will comfortably accept it.
Just use abbreviations.
Another "Alloy of precious metals" is fine and well, but please do not remove our Platinum's as they now.
Why? It isn't done with gold. Why is platinum being treated different? It would be a logistical nighmare to keep track of that.
My concern is stamping. Tags & cards will get lost especially by customers. Items brought into store without proper stamping = serious issues for all.
Except on the stamp which should be abbreviated but understandable to a jeweler to explain.
Why don't we sell the customer a book with all of the chemical compounds in it and attach the ring to that!
not necessary to protect customer
Yes, if on a card... no, if it is on a tag - but have the abbreviation's spelled out and defined on each invoice and also in a brochure.
On a card yes, but not on a stamp
As stated above. Retailers are to be professionals, so it is time to learn the business.
If we have to explain then yes
Hard to spell for stamping Tags & cards will be lost after a piece is purchased Could be stamped as 14K or .585 to denote the amount of pure platinum
It's not brain surgery! We can work with the abbreviations.
Too much info and not enough room.
customers are not concerned with alloys
The consumer needs to know what the metal contains...without having to translate all the "industry language."
Abbreviations ok for a stamp, but written out for printed materials
Abbreviations can be misunderstood, especailly if a customer calls you on it
Abbreviations are some times hard to determine
Yes, but only for less than 85% plat; too many options in alloy metals to expect sales persons to accurately recall and represent abbreviations.
As long as they can verbally explain to a customer, it'd be ok... follow up with appraisal and/or receipt with all pertinent info.
A ring is too small to include this information as an inside stamping and other jewelry can be too delicate to stamp. A bale - where?
Base metals are not required to be spelled out for gold alloys.
I believe that standardized abbreviations are fine.
They should be disclosed verbally at point of sale.
Huh?
Why open the door to fraudulent use on the public?
as long as there is an industry standard abbreviation code.

not all jewelery salespeople are chemists or familiar with the table of elements or their abbreviations.
A symbol we all can Identify or Abrv. on jewelry & or tag accompanying
If the mfg doesn't spell them out, the sales person may or may not be able to name them.
Abbreviations that do not concern the users health , such as in food & drugs, have been widely accepted for some time.
enforcement would be impossible
We sell a lot of steel because people have metal allergies.
It's a bad idea
to make sure it is clear
It is not a requirement for other alloys and probably shouldn't be required for platinum alloys.
Abbreviations need to be learned and are usually easily understood
Allergic people out there
There should be no tag.
I think it is the manufacturer or designers that are required to inform their accounts and let them know what alloys are used in their metals
Abbreviations are the only logical way to tag the merchandise
Make the abbreviations standardized.
Consumers need to know what they are buying. Jewelry repairers must know what they are working with, and sellers need to know what they are selling.
I feel that the customer that is truly wanting full disclosure will inquire what the abbreviations are.
Full disclosure of the content must be made if it varries from platinum or other noble metals
Should be spelled out....but how much room do you think there is available without making showcases full of large signs and tags. Scheeesh.
It is not required of gold or silver, why would you for platinum?
You need to know what the base metals are.
Again yes and no. I want people to know what they're buying, but I don't think it can be stamped on a ring, it will limit the room to size.

5. Do you have any other thoughts about the FTC's proposed amendments to the platinum disclosure guidelines? - Responses

Answer	Respondent
I believe full disclosure of platinum content and accompanying alloys and base metals should be fully disclosed, particularly in advertising, e-commerce and eny tools used prior to the sale. Anything less is a misrepresentation of the product and thus misleading pertaining to perceived values.	
Training the average store sales associate to handle this transaction will be very difficult. This will just confuse the customer & devalue traditional platinum.	
no	
If it ain't broke, don't fix it!	
Advertising platinum vs 585 platinum needs consideration. Disclosure similiar to gold is needed.	
yes. when a consumer buys a piece of jewelry they are not going to injest it--- they are wearing it. when selling a piece of gold or platinum the % of what they are paying for should be disclosed and as long as the other metals are not radioactive a warning is not necessary.	

I think this would cause alot of confusion and misrepresentation to the consumer of the value and quality of a product that is trying to be sold to the consumer. The average salesperson would 99% of the time misrepresent what they were trying to sell.□ Returns and consumer dissatisfation would likely be very high.
Start enforcing what regulations they have and then take on new ones. No one worrys about the FTC coming in because they have stated they don't have the manpower to enforce most violations.
keep it simple and very honest leaving no room to scam our customers
It should be made clear when a product is not made exclusively from platinum family metals.
Why is it necessary for the FTC to make those amendments in the first place? Sounds to me like it will be easier for someone to scam the general public.
anther way to misslead the customer
If Platinum is going to be mixed mith other Platinum group metals such as ruthenium, rhodium, palladium, osmium, or iridium we can quite simply use the gold standard. 14KP = 0.585 Platinum and 0.415 PGM.
If there is merit to offering a metal like 14K gold that has less pure platinum but still retains many of the traits and features of Platinum....Bring it on! Same with Palladium! 950 pure platinum would still be the king of metals.
THE GUIDELINES SET FORTH BY THE FTC ONLY INCREASE THE CONFUSION THE CUSTOMER IS ALREADY FACING WHEN BUYING JEWELRY, SUCH AS THE DIFFERENT METALS, STONES, STYLES AND THE QUALITIES OF EACH OF THESE.
Do not allow such alloys to be referred to platinum.
There are still so many pieces of jewelry I see come through my studio that are not stamped in anyway. I will abide by all the rules as I always have but your just adding fuel to a blaze that has been out of control for years.
I feel that large discounters are behind this so they can lower the quality and give the illusion of a cheaper price. I think the legitimite jeweler has no reason to want to lower the standard.
We don't discuss alloys used with gold. We should use the same procedures only indicating the platinum percent.
This is a very bad proposal.
They need to ask real jewelers who work with the public everyday to get a better understanding on how customers might react to the proposed changes.
They should not change them.
We need to be up front with all of our jewelry products during our sales conversations with customers; but they are very up to date, due to their own research on the internet, before buying.
Simplicity is always the key to success. But this is government! Stamping, as in the previous years such as Plat/irid 90/10 is very clear to me!
Heavy penalties for subliming the alloy rules._ □ The length of your comment boxes are a joke! I tried to give reasons above and was cut off. Bad survey. The problem is not the legalities it is those that break the laws.
The purity of platinum is the reason it is so appealling to the customer. I want to sell platinum not a platinum mix.

I think this is a bad idea. If we start mixing platinum with base metals such as pewter are we not destroying the integrity of our business? I see it as one more way to make the value put in us as retail jewelers less than expected.The customer turns once again to wally world istead of the jeweler. Don E. Yarbrough Jr. □ DEY GEM Jewelry
Since they allow 10k gold it's going to happen at 50% Platinum. I feel you would be lowering the alore of Platinum to do so------but it's going to happen anyway.
Do government agancies always have to make things so difficult? Think SIMPLE. Most individuals wil A) not be interested or B)simply be confused with the explanation. This will drive the sales of such product away. How many people really pay attention to the nutrition info on food packaging.□ □ SIMPLIFY!!!
It will only confuse people, both in the industry and consumers. Plus what does it do to values of purer platinum pieces. Make give it different grades like gold does, ie: 10K, 14k, 18k. □ □ There are more important things to worry about in this industry. IE; gemstone treatment
Other countries are required to sell .950 platinum unless it is being exported to the USA. I would rather see our standards raised rather than lowered. The liability of setting a valuable diamond in an alloyed platinum setting is scary.
I think everything about the proposed amendment should protect the consumer from unethical behavior by any one in the jewelry industry. I think the more clearly the amendment is written, the more likely it will be followed by ethical jewelers.
I don't believe in the changes of watering down platinum to lower "karat".
don't do it
What an absolutely insane idea! The king of jewelry metals would be reduced to junk jewelry and the consumer would not understand it. It would only allow the low end businesses to look good in their pricing and the consumer would think the only difference in jewelry is price. This idea only hurts consumers.
This only serves to cheapen our products and lowering standards is never good. It invites further misuse and misrepresentation of goods in our industry.
This creates an unreasonable burden to the retailer. Easy enough to explain the percentage of platinum, but with regard to the various base metals it would be a confusing, scary overload of information for the end user.
i don't think this is a good idea. platinum is used for many reasons, but most specifically because it is precious, durable and hypoallergenic. alloying this removes most of the reason to purchase platinum.
No
By changing what we consider to be platinum by today's standards I feel we are compromising the industry by creating ways to "cheat" the consumers by dishonesty.
Yes. Consumers and industry participants already know what platinum is and the definition should not be expanded. Platinum items that contain less than 90% platinum should be given a different name that makes it clear that it is not a true platinum product. If there is any ambiguity and will open the door to abuses.

if this change would be a positive move for the industry i would be for it. it seems that we are tring to make something less precious.
If it is to be called platinum!!!!! It should _ be platinum, not platinum and some other metal.
Yes,It's a stupid idea. Platinum has always represented the finest of quality. It would be very confusing and the quality would be compromised. We had a product called 14Kt./platinum some years ago. The result was very bad and we scraped the settings we bought. I would not sell it.
No
Metals below 900 purity should not be allowed to be refferred to as "platinum" as this has been an industry standard for many years. Consumers could easily be defrauded with impure "platinum" alloys be companies claiming the items to be made of "platinum"
I think it is a bad idea to change the purity standards for what can be called platinum. Platinum should remain at least 90% pure and mixed only with platinum family metals. The explanation needed for this change will give consumers a negative feeling about the entire industry. When too much discussion is needed people feel manipulated.
These disclosures would only serve to confuse the customer and add a certain amount of negativity to the transaction. This would result in lost sales to the retailers that followed the letter of the law. Unscruplous retailers would not be affected.
Only pure plat should be called plat. Lets give it another name.
Why can't we just do it like gold specifying 14K, 18k etc using a similar code to explain the % of platinum content
It is a two sided sword. Gold doesn't need to declare the metals in the alloys that are sold. But I think Plat. should because of the $ amount involved.
invoices should have all metals listed in item with % of total and current market rates of metal. metals source would be nice too - recycled or mined.
I'm not sure you should have to break down the specific alloys (i.e. 38% copper, 10% nickel etc.) so much as the pieces should be clearly labeled "Base metal platinum alloy" "BMPA" "Base Plat". With 14K gold, I don't need to give my customer a detailed breakdown of the alloys, just that it is 58.33% gold, and the rest is base metal.
Platinum should be at least 90% platinum group metals, maybe 85% at lowest. This should show consistancy with prior alloys.
Very Bad proposal! Yes it would ad a good selling price point but seeing how disclosure rules are currently policed I don't think this would be properly disclosired.
I understand the industries desire to make money and that they are in a panic over high metals costs. However getting a governmental OK to cheat the public does not make it right. The question here is does the american jewelry industry want the public ultimatly asssume they have to buy foreign goods to get quality.
If platinum jewelry has less than the traditional 90% to 95% platinum, it should be required to be disclosed to the customer - just like gold jewelry. And, just like gold jewelry, the specific alloys do not need to be disclosed.
this should be explained the same way we explain the different karat of gold jewelry. We do not have to tell the customer how much copper, nickel and zinc are in each piece but we do explain the karat or percentage of the pure gold. The same should be explained in platinum jewelry in an easy to understand percentage ratio.
They should not do it . It will cause much confusion to the public

our industry owes it to our customers to always diclose the nature of products we sell. Due to the diversity of sales people it does not always happen. We need to be our own stewards of truth in advertising anyone caught not being truthful and forthright ought to be put out of business, not fined or scolded. It simply can't be buyer beware anymore
Any assertion about a new platinum alloy using new alloy percentages must be based on time-tested experience-a difficult thing for a new alloy. Also,creating alloys that have percentages that are the same as traditional gold alloys is misleading.A 58.5% alloy of platinum could be called 14kt platinum.Now honestly,who wants that?Call me:207-232-4924
I think that a large number of jewelers will say this is platinum and not disclose the alloys.
companies should not be allowed to make platinum jewelry wtihout at least 90% being platinum and the rest of the allow to be in the platinum group of metals
It should be as simple a the gold Karat marks. This seems fair and practical.
It is a good idea, but it will be confusing to many, especially mass merchants that have staff members which are not trained well. It also has room for abuse by dishonest businesses which may just call it platinum and thus be selling it for much less than a good jeweler selling 950 platinum.
Platinum should not be changed,altered or have its durability lessened.
I am not sure of this at this time...
This should not be allowed to be called Platinum because of the confusion it will cause for consumers and employees.
I find all of this a bit much. Why doesn't the FTC require auto makers to disclose the metal content in their product, and how about the garmet industry, do they have to disclose what the composition of the thread that is used? I am not advocating non-disclosure, but how about- This ring is made of 58.5% platinum and 41.5% other alloys.
JUST STAMP IT ! ! ! We have enough restrictions.
Please leave Platimum alone, leave it in its "Noble" state._ This metal is in a very prestigious class and should remain so for the people who can appricate and afford to have the "Best of the "Best.□ Stephen Wyrick, GG, Certified Master Bench Jeweller.
If the industry wants to alloy platinum, fine. Do the same as with gold. There is no need to over complicate or over regulate the process. It should be up to the Platinum Guild and the retail merchant to explain to the customers. So long as the jewelery item is stamped with 585 PLAT (or the like) that is all the disclosure that is needed.
Leave Platinum they way it is - 900 and 950 and thats it.
Just have us use Platinum 950 or 999
I am against diluting platinum with other base metals that aren't platinum based. Anything should be properly stamped if changes are made. It's a case of if it ain't broke don't fix it. Let's face reality there are so many greedy people that given an opportunity will mislead the unknowledgible & knowledgible. This will give them more opportunities.
Let the FTC provide us with a handout describing all the base metals and their attributes that we can hand out and use to confuse our clients.
Lets do the same for gold so more jewelers understand the problems with nickle.
Keep it as simple as possible. We don't seem to have a big problem with Karat Gold, and the explination of that, so why should Platinum be any different?
The FTC, like a pompous college professor, seems mostly interested in the sound of their own voice.

too much information (no abbreviatons) required to be disclosed on the actual jewelery. Accepted standards already in place for identification.
This should not happen. It degrades the use of platinum and is only a way to under mind the cuatomer.
If this passes be sure to educate the manufacturers, retailers and consumers.
How about a % sign. we relate to that in this country. ie 58%Plat
I don't think it is necessary to go this far with the metallurgical breakdown of the item, but if this is what the buying public wants, then we have to oblige them and learn to new techniques of the time.
Gold is pure at 24K, we sell 18K, 14k, and 10k without having to inform our customers of the alloys used to drop the karat gold down. If they are going to do this to Platinum (which I don't agree with in the first place) why are we having inform our customers of the base metal used?
Vary bad idea
what a load of government nonsense, yet again, let them regulate themselves and thier spending, not the small business. LEAVE US ALONE!
Leave it alone!
typically stupid
disclose what is in the platinum and purity If platinum is marked like the gold jewelry (18K,14K,10K) retailers & jewelers need to know the alloys We were not even aware that they were planning on alloying Plt to this degree &the consumer needs to know what's in the metal It should not be represented as a "Platinum" but as "Platinum-alloyed" piece
They should have identifying marks stamped in the jewelry similar to the markings on gold jewelry.
NO
I embrace them. I just hope they don't make them so complex that they will be difficult to adhere to. On the other hand, why am I disclosing platinum/allow percentages if I don't have to disclose gold/alloy percentages?
I don't think jewelry with all those base alloys should be referred to as Platinum. It should have another name.
I feel it is a nice option for customers especially with the high market prices
Minimum requirement should be to disclose the purity of the alloy in traditional terms, ie. 750, 585 etc. Only 950 platinum should be called "Platinum".
Overall it would make things more complicated. Not all retailers, especially the chain stores have the employees who are capable of dealing with these types of issues.
NO
As mentioned before, I think most consumers are going to hear the term "platinum" and assume it is all the same--950, 550, whatever. Platinum has been equated with purity, stability, etc, so to call something less than that "platinum" does a disservice to the industry and the public. Alter the name to something like "Alloy Mix Platinum"????
I agree with the need for specific disclosure guidelines to cover platinum/base metal alloys. The integrity and image of platinum alloyed with other platinum group metals need to be preserved.
If it is not 90% pure or better, the item should be referred to as 85% platinum, or 65% platinum etc. You don't refer to 10K gold as gold, which most people think is 14K.
I do not agree with the use of alloyed platinum being called platinum. Anything shy of 950 plat should be referred to as a ring containing platinum but not as a platinum ring.

YEAH1 LEAVE IT ALONE. tOO MUCH CHANCEOF MISRPRESENTING PLATINUM.
i like the use of the term platinum to remain as is, new uses should develop new terms, don't hedge in on established standards for profit
Maintain the old standards; lower concentrations of platinum don't behave the same. Platinum has earned its reputation from the behavior of the purer alloys; the diluted versions will smear that, and confuse the consumer. Lower % alloys should not be called "platinum" with an explanation, but alloy "X", containing platinum and other metals.
I believe that only a very small percentage of customers will care about the alloys.
Relying too much on the honesty, integrity, knowledge and experience of ALL salespeople. Would need to put in place a widespread consumer campaign as well as industry educational materials. Also need to be an easy metal stamping system for jewelry items to insure adherance to the rest of the FTC guidlines.□ Lastly, No question what it's made of.
As is true with most government regulations, why not make it as difficult as possible on everyone involved, customer and retailer alike?
I think that only 95% or better platinum alloys should be refered to as platinum. Any other alloy should be refered to as 900 platinum, or 585 platinum. I do not think it should be necessary to disclose the other parts of the alloy that are not platinum.
I think this would simply deminish the value of all plat jewelry. The best thing about plat is it's purity aspect. kiss, keep it simple stupid
This could allow too much confusion translating to lower qualities sold to customers who think they're getting something different than they really are. Percieved value in metals will drop and sales will be affected directly.
It is going to be very difficult to enforce and a burdon on the jeweler to comply.
Should be number designations just like gold, i.e. 14karat or 650PT
DON'T MAKE 14 K PLATINUM, END OF STORY.
No.
YES. IF IT IS NOT 980 OR 990 PLATINUM DON'T USE THE WORD PLATINUM IN DESCRIBING THE CONTENT OF THE□ METAL
The current rules shoud stand on their merit!!!_ Don't change what's not broken!!!
Can't we leave at least ONE piece of the high end jewelry area undisturbed!!!!
Having worked hard to keep standards of my work and materials high, I am not in favor of lowering standards.
There should be easily understood Platinum qualities such as we have in Gold, i.e., 14K, 18K, etc.
if 14k or 585 is good enough to describe karat gold, without the mfg. letting us know what non gold alloying metals are used, I don't know why plat. mfg's. and retailers should be held to a higher standard of disclosure.
What else are they proposing?
I do believe the consumer should be confidant with the product they are purchasing. However, as the disclosure requirements become more complicated, both consumer and the labor pool some of us are required to work with will find jewelry purchases more complicated, frustrating and eventually a total turn off.

The FTC should stop getting so involved in making my job harder for me to do a good job for my customers. If they (the customer)need to know they will ask, and then I will explain to them. This is a trust based business, and making it more difficult for the jeweler to do the right.thing for the customer is insulting, and none of their business.
As in alloyed gold - should not have to disclose what the alloy metals are - just the percentage of plat. The product better benifit the consumer and the industry - head aches we don't need any more of - PGI. Strong, wrokable, no scratch, stay white and cost less or go home!
Calling anything Platinum that is not made in the traditional ways is a Very Bad Idea.
Let's keep the Jewelry Trade as clean as possible.
It is absurd to even cosider allowing this to happen! Platinum as it is now marketed enjoys too good a reputation to allow a "kinda" platinum to enter the marketplace. What is the FTC thinking?
i think i understand why due to the price of platinum. however, i think it totally takes away the hypoallergnic and pure aspects on which we have always platinum.
I think allowing platinum alloys other than the traditional 90/10 or slight modifications to that would total go against every thing that is platinum. Pure Rare Eternal. None of it would apply any more. My thought and opinion DO NOT SELL ANYTHING as platinum that is not at least 85-90% platinum. It is totally miss leading the public.
Maybe the industry should follow the same guidelines as gold....example 14K platinum
This should diluted platinum should not be allowed to be sold as platinum, as an unethical jeweler will use it to his advantage when pricing jewelry and the consumer may be duped. I do not think that the FTC should rely on jewelers to make the disclosure. Give this metal a different name to avoid confusion and deception.
The way things are going it needs to be disclosed somehow.
that will make it much too confusing. almost all customer would not understand it and I believe most sales professionals would find it difficult.
It doesn't seem like manufacturers would should have to disclose all this proprietary information.
Disclosing the alloys in metal should be easier on the ear than percentage specifics. Naming the alloys and how the alloys affect the strengths in the piece of jewelry, I believe would be important to the customer. These are easier tactics to explain to the customer than listing percentages, etc.
KISS
Assuming the goal is to inform the consumer to allow for better buying decisions, I do not see that being accomplished with wording as suggested in the survey question examples.
There should be FULL disclosure to customers for platinum products produced with anything less than 900 parts per thousand of platinum. I personally am not in favor of calling an item a platinum product if it contains less than 90% platinum regardless of the other alloys used.
Make them as strict as possible.
Platinum should be 90 or 95% and alloyed only with other noble metals.
The proposed new guidelines, if not carefully worded and enforced, would allow to much leeway for mis-leading a consumer. Jewelry industry groups such the American Gem Society or Jewelers Vigilant Committee need to advise the FTC on the best use of definitions and guidelines before they pass any new legislation.
Who is trying to change the current system to fit their needs?

This new law would lead to confusion to the public. Platinum needs to remain as it is.
There are major corporations who use the term "pink topaz" for the $1 per carat treated material without any distinction from the $500 per carat natural pink topaz. There are companies who use the term natural pearls when using cultured pearls that have also been irradiated to the current color. .Please allow the purity platinum to remain as is.
The life and durability is why people chose platinum over and over again.
It's a bad idea and will cause great confusion with the public. It will cause wide spread fraud in an industry that the FTC doesn't police to start with.
These guidelines are needed if the industry is moving toward different alloys, I think the the quality stamp should read "650x plat", "800x plat", "750x" plat to insure it can be at least identified and unique alloy is present . . the "x" signifies that it is alloyed with non plat family base metals.
Don't allow it!
Use common sense.
I am opposed; since we have come a long way to introduce and sell platinum as the best metal for jewelry. Allowing this will fool a lot of people that are not aware, even if is written down on a receipt. Big discount jewelers will reap the benefit of a consumer group that think are getting platinum cheaper bacause they bought it a Big Box discount.
Don't at the present time know the attributes of approx. 50% platinum jewelry....hard to answer without knowledge.No serious or lengthly explanation problems with the 3 golds 10k 14k 18k, so if approx. 50% platinum has some terrific benifits then i'm all for it. Mike Danenberg 785-776-7821
Allowing less than the existing percentages of platinum in jewelry to be called platinum jewelry will not only be confusing to the customer and some retailers, but will cause the public to lose confidence in jewelers and in the jewelry they are interested in buying. This is a potentially harmful blow to the jewelry industry.
platinum jewelry is platinum jewelry.anything else should be identified 90-10 etc.
I have no problem with reducing the content of plat. in a piece of jewelry. It is important the properties of the plat. not be compromised. The principle would be the same as gold i.e. 14k, 18k, or 24k.
NO EASY SOLUTION
Less government is better. Let our industry govern as it sees fit.
The FTC should reconsider this horrible change in defining what platinum is and how it shoud be represented. Throughout history platinum has been a special, pure, hypo-allergenic metal. These proposed changes will, cheapen the image of platinum, confuse the consumer and leave the door open to unscrupulous merchants to misrepresent the products.
If gold isn't called gold at 9k in the US then to be called Platinum it should be 900 or better.
IT'S A BAD IDEAL...TOO TECHNICAL....THE CUSTOMER WILL END UP CONFUSED. JEWELERS WOULD NOT BE ABLE TO CONFIRM THE CONTENT FROM THEIR VENDORS. WOULD ALLOW FOR DECEPTION.
Classic polititian thinking - not taking into account how to implement the law.
keeep it simple
This is a bad idea, intended only to debase the product and confuse the customer. Try explaining to a McDonald's customer that their Big Mac is 58.5% beef, and the rest is unidentified animal byproducts, and you will begin to get the idea. We can be in the business of making and selling high quality products, or we can sell garbage. Which is it?

Already this industry is full of crooks who misrepresent jewelry and content of metals. People's trust is at an all time low. These proposed amendments to the platinum disclosure guidlines we open another door by mass merchandisers to cheat customers.
no
this is rediculous and would do the jewelry industry damage as it allows more fraud!!!!!
The fineness of gold isn't fully expressed to the consumer in terms of which exact alloys are used to make up the particular karat they are purchasing. I can not understand why Platinum would be any different if the consumer inquires then the information should be completely disclosed, otherwise a percentage of the mix should be sufficient.
Full disclosure is the only answere to protecting the buying public.
It must be required to be clearly marked and explained so that unscrupulous jewelers have less opportunity to pass it off as pure platinum. I
Why should it be any different for platinum than it is for gold or silver. You don't have to disclose the alloys in gold or silver and explain their affects on the differant karatages.
I think this is a very bad idea. It will be abused. It will make labeling and disclosure very cumbersome. It will ruin the concept that Platinum has always been and should still be considered a purer metal.
I am dead set against it.
Much eaiser to just say % of platinum content. Exanple: This ring is XX% platinum and XX% other metals. Traditional platinum is 90/10 and 95/5. The non platinum metals have other attributes than traditional alloys and if you would like I can explain the differences.
If it is a higer purity, a symbol of some sort should be stamped, example 14kt plumb is 14ktp. We need to clairfy only the percentage of the pure metal in a given item. People have reactions to zinc and the gold that is alloyed with it is not disclosed as well as the nickel in white gold. I think these are more important as it effets ones health
Only platinum metals with 90% or more platinum should be allowed to be called Platinum.
Let the costume jewelers make cheap junk and keep high end jewelry where it belongs - on the high end. Allowing manufactureres to create these base metal alloyed products will only confuse the customer and dilute the very qualities that make platinum the premium metal in our industry.