

**ADDRESSES:** Send comments in triplicate to: Federal Aviation Administration, Docket No. 97-ASO-6, Manager, Operations Branch, ASO-530, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.

**FOR FURTHER INFORMATION CONTACT:** Benny L. McGlamery, Operations Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

**SUPPLEMENTARY INFORMATION:**

**Request for Comments on the Rule**

Although this action is a final rule, which involves modifying the Class E2 surface area airspace at the Brunswick Malcolm-McKinnon Airport, GA, from continuous to part time, comments are invited on the rule. This rule will become effective on the date specified in the **DATES** section. However, after the review of any comments and, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and in determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the rule that might suggest the need to modify the rule.

**The Rule**

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies Class E2 surface area airspace at Brunswick Malcolm-McKinnon Airport, GA, from continuous to part time.

This action lessens the impact on users of this airspace. Class E2 airspace designations are published in Paragraph 6002 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996. The Class E2 airspace designation listed in this document will be published subsequently in the Order.

Under the circumstances presented, the FAA concludes that there is an immediate need to modify the Class E2 airspace at the Brunswick Malcolm-McKinnon Airport, GA, from continuous to part time, to ensure that users of this airspace will be able to

comply with appropriate federal regulations governing non-controlled airspace. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

**PART 71—[AMENDED]**

1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

*Paragraph 6002 Class E airspace areas designated as a surface area for an airport.*

\* \* \* \* \*

**ASO GA E2 Brunswick Malcolm-McKinnon Airport, GA [Revised]**

Brunswick, Malcolm-McKinnon Airport, GA (Lat. 31°09'08" N, long. 81°23'29" W)

McKinnon NDB

(Lat. 31°09'13" N, long. 81°23'22" W)

Glynco Jetport

(Lat. 31°15'33" N, long. 81°27'58" W)

Within a 4-mile radius of Malcolm-McKinnon Airport and within 3 miles each side of the 221° and 032° bearings from the McKinnon NDB and extending from the 4-mile radius to 7 miles southwest and

northeast of the NDB. This Class E airspace area is effective during the days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in College Park, Georgia, on March 24, 1997.

**Wade T. Carpenter,**

*Acting Manager, Air Traffic Division, Southern Region.*

[FR Doc. 97-8615 Filed 4-7-97; 8:45 am]

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**FEDERAL TRADE COMMISSION**

**16 CFR Part 23**

**Guides for the Jewelry, Precious Metals, and Pewter Industries**

**AGENCY:** Federal Trade Commission.

**ACTION:** Final guides.

**SUMMARY:** The Federal Trade Commission (the "Commission") announces that it has concluded a review of Section 23.7 of the Guides for the Jewelry, Precious Metals, and Pewter Industries ("the Guides"), 16 CFR Part 23. Section 23.7 of the Guides addresses claims about platinum products. In a separate **Federal Register** Notice ("FRN"), dated May 30, 1996, the Commission announced revisions to other sections of the Guides.<sup>1</sup> That FRN did not change the section regarding platinum products, but instead requested additional comments on possible revisions to that section.<sup>2</sup> The Commission has now revised the section to simplify it and to bring its guidance into closer accord with international standards.

**EFFECTIVE DATE:** April 8, 1997.

**ADDRESSES:** Requests for copies of this document should be sent to the Public Reference Branch, Room 130, Federal Trade Commission, Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Constance M. Vecellio, Attorney, (202) 326-2966, or Robin P. Rosen, Attorney, (202) 326-3740, Division of Enforcement, Federal Trade Commission, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

The Commission is revising section 7 of the Guides for the Jewelry, Precious Metals, and Pewter Industries, 16 CFR 23.7, as described in detail below. The Commission published an FRN

<sup>1</sup> 61 FR 27178 *et seq.* (May 30, 1996).

<sup>2</sup> 61 FR 27224 (May 30, 1996).

soliciting public comment on amendments to the Guides on June 12, 1992, in response to a petition from the Jewelers Vigilance Committee, Inc. ("JVC").<sup>3</sup> The comment period, as extended, ended on September 25, 1992.<sup>4</sup> The JVC petition proposed some changes to the platinum section of the Guides. The comments also indicated a need to simplify Commission guidance regarding platinum and bring this guidance into closer accord with international standards. In addition, on November 30, 1995, the JVC and the Platinum Guild International submitted a request for an advisory opinion regarding platinum markings that differed from the previous JVC proposal. The Commission concluded that additional comment would be helpful to resolve certain issues and published an FRN soliciting public comment on amendments to section 7 of the Guides on May 30, 1996.<sup>5</sup> The comment period, as extended, ended on September 30, 1996.

The May 30, 1996 FRN solicited comment on several proposals to revise section 7 of the Guides. The FRN summarized the major amendments proposed, as well as revisions that Commission staff proposed. In addition to requesting comment on the proposals described, the FRN asked for comment on nine specific questions.

The Commission received 806 comments.<sup>6</sup> In the remainder of this notice, the comments are cited to by an abbreviation of the commenter's name and the document number assigned to the comment on the public record. A list of the commenters, including the abbreviations and the document numbers used to identify each commenter, is attached as an Appendix.

<sup>3</sup> 57 FR 24996 (June 12, 1992). The JVC, located at 401 East 34th Street, NY, NY 10016, is a trade association that was formed in 1912 to promote ethical practices in the jewelry industry.

<sup>4</sup> 57 FR 34532 (Aug. 5, 1992).

<sup>5</sup> 61 FR 27224 (May 30, 1996).

<sup>6</sup> The Platinum Guild International ("PGI") circulated a form letter to industry members reflecting PGI's views and recommendations regarding the proposed revisions to the Guides. In a cover letter PGI requested that industry members in agreement with the PGI position use the form letter to comment on the proposed Guide. 730 of the comments received duplicated this form letter in all substantive respects. The remaining 76 comments were from: retailers (48); appraisers (4); manufacturer representatives (13); trade associations (6) (Platinum Guild International (3) comments), National Association of Jewelry Appraisers, International Colored Gemstone Association, and Manufacturing Jewelry and Silversmiths of America, Inc.); a dentist using platinum in fillings (2 identical comments); and, one comment each from the Canadian government; a law firm representing a manufacturer; a gemologist; and, a concerned citizen.

Below, the Commission describes the comments and discusses its revisions to section 7 of the Guides.

## II. Background

Section 7 of the current Guides states that it is an unfair trade practice to use the words "platinum," "iridium," "palladium," "ruthenium," "rhodium," or "osmium," or any abbreviations thereof, in a way likely to deceive purchasers as to the true composition of the product. The Commission has retained this provision of section 7, designated it as subsection (a), and added a sentence stating that platinum, iridium, palladium, ruthenium, rhodium, and osmium are the platinum group metals ("PGM"), because not every reader of the Guides will be familiar with the term "platinum group metal."<sup>7</sup>

The current Guides state, in a Note, that markings in compliance with Commercial Standard CS 66-38 (now Voluntary Product Standard ("VPS") 69-76) on the "Marking of Articles Made Wholly or in Part of Platinum" will be regarded "as among those fulfilling the requirements relating thereto which are contained in this section."<sup>8</sup> The VPS provide for four different markings for articles containing platinum. The markings differ based on the relative parts per thousand of pure platinum versus PGM.

(1) An article may be marked "platinum" without qualification if 985 parts per thousand are PGM and 935 parts per thousand are pure platinum.<sup>9</sup>

(2) An article consisting of between 750 and 950 parts per thousand pure platinum and 950 parts per thousand PGM may be marked "platinum" provided that the name of the next predominant PGM precedes the word platinum.<sup>10</sup> (*E.g.*, an article consisting of 900 parts per thousand pure platinum and 100 parts per thousand iridium would be marked "Irid.-Plat.")

(3) An article consisting of between 500 and 750 parts per thousand pure

<sup>7</sup> The JVC proposed adding this sentence and the Commission proposed its addition in the May 30, 1996 FRN. 61 FR 27224. No comments were received regarding this proposal; however, the Commission believes it will be helpful to clarify these terms in the Guides.

<sup>8</sup> The first JVC proposal was to incorporate the VPS, with some changes, into the Guides. The Commercial Standards were promulgated by the U.S. Department of Commerce and administered by the National Bureau of Standards ("NBS"). Later renamed by the NBS as Voluntary Product Standards, they had the same legal significance as FTC guides. The Department of Commerce and the NBS, which is now called the National Institute of Standards and Technology, withdrew these and all other VPS, as an economy measure, on January 20, 1984.

<sup>9</sup> VPS Section 3.5(1).

<sup>10</sup> VPS Section 3.5(2).

platinum and 950 parts per thousand PGM may be marked "platinum" provided that all PGM in the product are marked and preceded by a number indicating the amount of the metal in parts per thousand.<sup>11</sup> (*E.g.*, an article consisting of 600 parts per thousand pure platinum and 350 parts per thousand palladium would be marked "600Plat.-350Pall.")

(4) An article consisting of at least 950 parts per thousand PGM, of which less than 500 parts per thousand are pure platinum, may *not* be marked "platinum" but may be marked with the full name of whichever PGM (other than platinum) predominates in the article.<sup>12</sup> (*E.g.*, an article consisting of 600 parts per thousand palladium, 200 parts per thousand platinum, and 150 parts per thousand iridium would be marked "Palladium.")

The Commission proposed to include the VPS, with one change, in section 7 as safe harbor provisions (*i.e.*, examples of markings and descriptions that are not considered unfair or deceptive).<sup>13</sup> After reviewing the comments and international standards, the Commission has revised the scheme set out in the VPS in several additional respects. Section 7 has been revised to include subsection (b), which provides examples of markings and descriptions that may be misleading, and subsection (c), which provides safe harbor provisions. The safe harbor provisions in subsection (c) of the revised Guide permit the use of international standards (as requested in the JVC/PGI petition for an advisory opinion) and a simplified version of the marking scheme contained in the VPS. The specific provisions of subsections (b) and (c) are discussed in detail below.

## III. Analysis of Comments

### A. International Standards

In response to the 1992 FRN, industry members indicated that the platinum Guides were inconsistent with international standards. The Commission solicited additional comments on this issue in the 1996 FRN, and virtually all of the comments received advocated changing the guidance regarding platinum markings to be consistent with the international

<sup>11</sup> VPS Section 3.5(3).

<sup>12</sup> VPS Section 3.5(4).

<sup>13</sup> 61 FR 27224-27. The one proposed change to the VPS was that Section 3.5(1) be modified to provide that an article could be marked "platinum" without qualification if it contained 950 parts per thousand pure platinum (as opposed to 935 parts per thousand pure platinum and 985 parts per thousand PGM). 61 FR 27227 § 23.7(b)(2).

standards.<sup>14</sup> The international standard, as established by the International Organization for Standardization ("ISO"), and cited in ISO 9202:1991(E), titled "Jewellery—Fineness of precious metal alloys," specifies a "range of fineness of precious metal alloys (excluding solders) recommended for use in the field of jewellery" and provides for three values in parts per thousand for platinum jewelry: 950, 900, and 850. The comments, although advocating the use of an "international standard," did not necessarily support the use of the ISO markings. Rather, the comments advocated markings that were similar to the ISO standard, in that the markings included a two-letter platinum abbreviation, and a number indicating the parts per thousand of pure platinum, but included additional or different ranges of fineness beyond 950, 900, and 850.

For instance, the form letter comments advocated the use of the three ISO markings (PT950, PT900, and PT850) and an additional marking, PT999.<sup>15</sup> The form letter comments stated that the three ISO markings and the additional marking "are the same hallmarks currently used internationally. These will pave the way for easier importation and exportation of platinum jewelry, thereby allowing the U.S. to be on an even playing field with the rest of the world."<sup>16</sup> Other comments advocated the use of markings that required disclosure of the pure platinum content in parts per thousand either preceded or followed by a two-letter abbreviation for platinum but did not support the same ranges of fineness as the ISO or the form letter

comments.<sup>17</sup> The comment from the Canadian Government, however, was consistent with the ISO. The comment stated that the international standard permits three ranges of fineness for platinum, measured in parts per thousand, 950, 900, and 850, and advocated the use of these markings in the Guides.<sup>18</sup>

Based on the international standards reflected in the ISO standard<sup>19</sup> and the request in the comments to utilize standards that are recognized internationally, the Commission has revised section 7 to provide, in subsection (c)(3), that "[a]n industry product consisting of 850 parts per

<sup>17</sup> Itelman (277) (supporting 4 markings but advocating 800, 850, 900 and 950); Hansen (335) (recommending Pt1000, Pt999, Pt950 and Pt900); Austin (413); (recommending 6 markings, Pt999, Pt950, Pt900, Pt850, Pt750 and Pt500); Root (414) (same); Rivclan (496); (advocating simplified stamping using Pt999, Pt950, Pt750, Pt585 and Pt500); Delmarva (497) (same); Four-Star (656) (same); Schoenke (300) (recommending two hallmarks 950Pt and Pt90/Ir10); Schoenke (604) (same); Graubart (322) (supporting one hallmark, Pt900); Goph Albitz (385) (recommending two markings, Pt999 and Pt950); Nengelken (590) (advocating use of Pt999, Pt950 and Pt900 only); Cockrell (606) (supporting the use of 4 markings with the addition of Pt585); Jordan (631) (recommending 3 markings, Pt999, Pt950, Pt900); Eichberg (681) (advocating three markings, Pt999, Pt950, Pt900); Ward (685) (recommending Pt1000, Pt999, Pt950 and Pt900).

<sup>18</sup> Canada (802), p. 4 (explaining that the international standard does not permit a minus tolerance from the declared quality).

<sup>19</sup> The Trade Agreements Act of 1979 states that no federal agency "may engage in standards-related activity that creates unnecessary obstacles to the foreign commerce of the United States . . ." 19 U.S.C. § 2532 (1995). It also states that federal agencies must, in developing standards, "take into consideration international standards and shall, if appropriate, base the standards on international standards." 19 U.S.C. § 2532(2)(A) (1980). A "standard" is defined as "a document approved by a recognized body that provides, for common and repeated use, rules, guidelines, or characteristics for products or related processes and production methods, with which compliance is not mandatory. Such term may also include or deal exclusively with terminology, symbols, packaging, marking, or labeling requirements as they apply to a product, process, or production method." 19 U.S.C. § 2571(13) (1995). An international standard is defined as a standard promulgated by an organization engaged in international standards-related activities, the membership of which is open to representatives, whether public or private, of the United States and all members of the World Trade Organization ("WTO"). 19 U.S.C. § 2571 (5), (6), and (8) (1995). A WTO member is "a state or separate customs territory (within the meaning of Article XII of the WTO Agreement), with respect to which the United States applies the WTO Agreement. Uruguay Round Agreements Act, 19 U.S.C. § 3501(10) (1995).

According to the "foreword" sections in ISO Standard 9202 (cited above), ISO is "a worldwide federation of national standards bodies. The work of preparing International Standards is normally carried out through ISO technical committees." ISO is open to representatives from the United States and to representatives from members of the WTO, and qualifies as an international standards organization.

thousand pure Platinum, 900 parts per thousand pure Platinum, or 950 parts per thousand pure Platinum may be marked or described as 'Platinum' provided that the Platinum marking is preceded by a number indicating the amount of parts per thousand of pure Platinum."

The comments also asserted that in international trade, platinum articles are marked with the parts per thousand accompanied by a two-letter abbreviation, "Pt."<sup>20</sup> The ISO standard does not address abbreviation of the word "platinum"; however, based on the comments' unanimous support for such abbreviations, the Commission has revised section 7 of the Guides to permit the use of two-letter abbreviations, for platinum and the other PGM, in addition to the use of four-letter abbreviations (e.g., "Plat." or "Pt.," "Irid." or "Ir.," "Pall." or "Pd.," "Ruth." or "Ru.," "Rhod." or "Rh.," and "Osmi." or "Os."). Therefore, subsection (c)(3) of revised section 7 provides that industry products consisting of 850, 900, or 950 parts per thousand pure Platinum may be marked "850Pt.," "850Plat.," "900Pt.," "900Plat.," "950Pt.," "950Plat." respectively.<sup>21</sup> For these products (i.e., products containing 850 parts per thousand and above pure platinum), only the amount of pure platinum need be disclosed; there is no need to refer to the presence (or absence) of other PGM.<sup>22</sup>

This provision differs in two respects from the current Guides, based on the VPS, which allowed articles containing between 750 and 950 parts per thousand pure platinum and 950 parts per thousand PGM, to be marked "platinum" provided the name of the other PGM preceded the word platinum.<sup>23</sup> First, in the revised Guides,

<sup>20</sup> Question 7 in the FRN addressed this issue: "Should platinum and other PGM be described with two letter abbreviations? Do consumers understand two letter abbreviations?" 61 FR 27227. Four comments responded to this question, three of which advocated the use of two-letter abbreviations. These three comments further stated that although some consumers may not understand two-letter abbreviations, they would become accustomed to them over time. Johnson Matthey (396), p. 4; PGI (718), p. 3; Canada (802), p. 5; cf. MISA (799), p. 3 (questionnaire results: 7 yes, 9 no, 1 no response).

<sup>21</sup> Although the comments indicated that "999Pt." is a standard also used internationally, the Commission chose not to include this standard because it was not mentioned in ISO Standard 9202. As discussed below, however, the Guide would permit the use of this marking under § 23.7(c)(4).

<sup>22</sup> As discussed below, the revised Guides contain a different marking scheme for products containing less than 850 parts per thousand pure platinum, which is a simplified version of the current standard as described in the VPS.

<sup>23</sup> VPS Section 3.5(2).

<sup>14</sup> Question 5 in the FRN asked: "Are there any international standards for marking platinum products? Should the Guides follow these standards? If so, why?" 61 FR 27227.

<sup>15</sup> E.g., Taylor (002). Throughout the remainder of this document, the "form letter comments" will be described as such and cited as Taylor (002) as this was the first form letter comment received. The PGI also advocated these 4 markings in its own comment. PGI (718).

<sup>16</sup> Taylor (002). Other comments also advocated the use of these four markings: Hoover (479); Worthington (503); Wolls (507); Jones (569); Hartsfield (572); Urban (574); Buruss (614); Montanari (642); Jain (683); Hurst (763); Mathews (779); Good (792); Suna (801); Rudolf (806); Jolliff (678) (representative of Nat'l Assoc. of Jewelry Appraisers (670 members), supporting the use of the 4 markings). The Manufacturing Jewelers and Silversmiths of America ("MISA") sent a questionnaire to its 300 members which contained the nine questions from the FRN. The MISA comment reports the responses from this questionnaire and indicates that, of the 17 responding, 6 supported the use of international standards, 4 opposed it and 7 had no response. MISA (799), pp. 1 & 3. The comment did not specify the international standard the respondents were supporting.

the Commission is not requiring that products containing 850 parts per thousand pure platinum and above also contain 950 parts per thousand PGM. The international standard, as described in the ISO and the comments, does not contain this requirement. To maintain consistency with the international standards, the Commission has decided to omit this requirement in the revised Guides.

Second, the VPS for products containing between 750 and 950 parts per thousand pure platinum (and 950 parts per thousand PGM) required that the next predominant PGM in the article be disclosed and precede platinum in the marking, which resulted in markings such as "Irid.-Plat." The revised Guide permits a disclosure of solely the platinum content in parts per thousand without reference to other PGM where the article contains 850 parts per thousand pure platinum or above. In the FRN the Commission discussed the "Irid.-Plat." marking specifically and solicited comments regarding whether consumers understand this marking.<sup>24</sup> Three comments addressed this issue and indicated that the "Irid.-Plat." marking may be confusing to consumers.<sup>25</sup> The Canadian Government's comment explained that "[c]onsumers have become accustomed to ingredient listings which place the predominant substance first in the listing, followed thereafter by other substances in descending order by weight"; therefore, an "Irid.-Plat." marking is counter-intuitive.<sup>26</sup>

Based upon these three comments and the previously discussed comments' unanimous plea for consistency with international standards, the Commission has decided not to include the provision in the VPS for marking products consisting of between 750 and 950 parts per thousand platinum as a safe harbor in section 7 of the revised Guides.<sup>27</sup> As

<sup>24</sup> 61 FR 27225.

<sup>25</sup> Hoover (479) ("difficult to understand why 95% platinum is PT and 90% platinum with 10% iridium is Irid.-Plat."); Peters (701) (no benefit to consumers to identify products as Irid.-Plat.); Canada (802), pp. 3-4 (may be confusing to consumers).

<sup>26</sup> Canada (802), p. 3.

<sup>27</sup> The omission of this provision of the VPS as a safe harbor in the revised Guides is the only instance where the revised Guides may conflict with markings or descriptions now existing on platinum products. One commenter indicated that the Commission should include an exemption in the Guides to exempt platinum jewelry from the revised Guides if stamped prior to the revision. Suna (801) (asserting that hallmarking changes are very costly). Although the Commission is no longer providing a safe harbor for such markings or descriptions, the Guides do not state that such markings or descriptions are unfair or deceptive; therefore, markings in accordance with the

a result, products containing 850 parts per thousand pure platinum and above can now be marked solely with the parts per thousand of pure platinum content and a two- or four-letter abbreviation for platinum, and there is no requirement that the article contain 950 parts per thousand PGM.

#### B. Unqualified Use of the Word "Platinum" in a Marking or Description

As discussed above, the VPS provided that an article could be marked solely with the word "platinum" if 985 parts per thousand are PGM and 935 parts per thousand are pure platinum. The JVC proposed that the requirement of 985 parts per thousand PGM be changed to 950 parts per thousand pure platinum. In response to the 1992 FRN, fourteen comments addressed this issue. Twelve favored the revision and two opposed the revision without offering substantive reasons.<sup>28</sup> The comments supporting this revision asserted that "950 platinum" is the accepted standard worldwide and use of this standard would harmonize the Guides with international practices.<sup>29</sup>

The 1996 FRN proposed changing section 7 of the Guides as recommended by the JVC and many of the prior comments, to provide that "[a]n industry product consisting of at least 950 parts per thousand pure Platinum may be marked 'Platinum'" without qualification. Only one of the comments received in response to the 1996 FRN addressed this issue. The Platinum Guild International ("PGI") opined that "the guidance for platinum jewelry should be the same, whether below or above 950 ppt pure platinum."<sup>30</sup> As described above, the PGI, both in its individual comments and the form letter comment circulated to industry, has advocated the use of four consistent markings (Pt999, Pt950, Pt900 and Pt850). PGI asserts that these markings will facilitate export of U.S. platinum jewelry.

The Commission has decided that unqualified use of the word "platinum" to mark or describe industry products consisting of 950 parts per thousand pure platinum or above would not be misleading and would not hamper international trade. For many years, the Guides have permitted a marking or description of "platinum" where the pure platinum content was sufficiently high. To address the concern raised in the comment, the Commission has made

provisions of the Guides that governed platinum claims prior to these revisions need not be changed.

<sup>28</sup> 61 FR 27224 notes 5-6 (May 30, 1996).

<sup>29</sup> See 61 FR 27224.

<sup>30</sup> PGI (718), p.2.

this marking an alternative marking. Manufacturers and retailers who seek to export their products or maintain consistency with international standards are free to use "950Pt."

#### C. Minimum Standard for a Platinum Description or Marking

The Commission received numerous comments proposing that 850 parts per thousand pure platinum be established as the minimum standard for a platinum marking. The PGI individual comments and the 730 form letter comments strongly advocate this position, and 23 other comments also support 850 parts per thousand as a minimum standard for a platinum marking.<sup>31</sup> Nineteen comments support 900 parts per thousand pure platinum as the minimum standard for a platinum marking;<sup>32</sup> one comment recommends a minimum of 800 parts per thousand pure platinum;<sup>33</sup> eight comments advocate a 585 minimum;<sup>34</sup> and four comments support a minimum of 500 parts per thousand pure platinum for a platinum marking.<sup>35</sup> One commenter indicated that it is currently preparing to market jewelry containing 585 parts per thousand pure platinum.<sup>36</sup>

The form letter comments advocating an 850 parts per thousand pure platinum minimum standard for a platinum marking explain that:

Growth of over 300% in the last three years in the U.S. platinum market has been achieved by promoting certain characteristics of platinum to consumers. These are: platinum's purity, rarity, distinctive color, luster and density. 850 parts per thousand is the minimum content to retain these qualities, which are prized by the American consumer.<sup>37</sup>

<sup>31</sup> Taylor (002); PGI (718); Graubert (322); LaPrad (341); Johnson Matthey (396); Hoover (479); Worthington (503); Raskin (527); Jones (569); Hartsfield (572); Kelrick (587); Samuel (612); Buruss (614); Montanaria (642); Jolliff (678) (representative of the Nat'l Assoc. of Jewelry Appraisers (670 members)); Rudolf (806); Jain (683); Yanke (717); Carey (759); Hurst (763); Peters (701); Mathews (779); Good (792); Kelrick (796); Suma (801).

<sup>32</sup> Neiman (022); Leber (045); Caldiere (063); Snyder (086); Novell (180, 181 & 182) (three employees of the same retailer; each sent the identical comment); Silver (276); Schoenke (300 & 604); Hansen (335); Glasser (337); Urban (574); Schechter (451); Nengelken (590); Jordan (631); Moses (647); Ward (685); Sullivan (703).

<sup>33</sup> Itelman (277) (recommending 800PT as the minimum standard because 10KT is the minimum for gold).

<sup>34</sup> Four-Star (173); Avante (174); Shersher (374); Smith (762); Rivclan (496); Delmarva (497); Four-Star (656); Cockrell (606).

<sup>35</sup> Shersher (001); Austin (413); Root (414); Coleman & Rhine (805); see also MISA (799), p. 3 (questionnaire results: 3 supported a platinum marking for products below 500 parts per thousand pure platinum, 14 opposed).

<sup>36</sup> Shersher (374).

<sup>37</sup> Taylor (002).

The PGI comment explains that "[t]here is no other worldwide market, with the exception of the U.S., which allows platinum jewelry items below 850 ppt pure platinum to be sold."<sup>38</sup> PGI also asserted that the marking as platinum of products that contain less than 850 parts per thousand pure platinum:

would seriously diminish the quality of jewelry products at the manufacturing and consumer level. \* \* \* To include such low purity platinum jewelry in the guidelines would not make platinum products accessible to consumers but would allow for poor quality and less durable products to permeate the U.S. market from off-shore manufacturing and from U.S. manufacturers, thus misrepresenting the benefits and qualities of high-purity platinum.<sup>39</sup>

Johnson Matthey explained that "[t]he qualities and characteristics of platinum can be changed by the addition of certain elements in varying proportions. \* \* \* It is Johnson Matthey's experience that alloy additions greater than 15% offer no improvements in platinum's working characteristics but can adversely affect its desirable qualities such as colour and density."<sup>40</sup>

The comments advocating 900 parts per thousand pure platinum as the minimum standard for a platinum marking use a similar rationale as the PGI, Johnson Matthey, and form letter comments to support their position.<sup>41</sup> In fact, many of these commenters submitted the form letter comment but

<sup>38</sup> PGI (718), p. 1.

<sup>39</sup> PGI (718), p. 3. Johnson Matthey asserted similarly that permitting products with less than 850 parts per thousand pure platinum to be marked as platinum "would seriously devalue the status of the metal as a jewelry material" and would "damage the US jewelry industry's reputation and restrict export opportunities for American companies." Johnson Matthey (396), p. 4.

<sup>40</sup> Johnson Matthey (396), p. 3. Johnson Matthey further explained that "For example: The addition of 5% copper extends tool life for machined jewelry products and the addition of 5% cobalt provides greater fluidity and hardness. Some additions require greater quantities to be truly effective, for example iridium which at 5% has a limited hardening effect but at 10% provides a very versatile alloy for jewelry manufacture." Johnson Matthey (396), p. 3; see also Canada (802), p. 3 (stating that many characteristics, such as density, acidity, strength, ductility, hardness, wear resistance, color and light, are affected to various extents subject to alloy proportions of precious metals). These comments were addressed to question 1 in the FRN ("Do products with less than 950 parts per thousand pure platinum have the same qualities and characteristics as products with larger amounts of platinum?"). 61 FR 27226.

<sup>41</sup> E.g., Nengelken (590) (asserting that platinum is a precious metal and lower alloys reduce quality); Ward (685) (opining that 900 is the minimum necessary to "retain the quality, purity, security, distinctive color, luster, density and rarity which are valued by the American consumer"); Sullivan (703) (stating that any tolerance below 900 "would downgrade the image [of platinum] in the industry").

simply replaced 850 with 900.<sup>42</sup> Certain comments, however, raised the concern that products containing 585 parts per thousand pure platinum will confuse consumers because 14K gold products contain 58.5% gold.<sup>43</sup> These comments assert that where the products contain gold ornaments on a platinum band, for instance, the consumer will think the "585" refers to the gold content in the ornament and the "platinum" refers to the platinum content in the band. Section 23.9(a) of the current Guides discusses deception as to applicability of a mark. It states that "[i]f a quality mark on any industry product is applicable only to part of the product, the part of the product to which it is applicable (or inapplicable) should be disclosed when, absent such disclosure, the location of the mark misrepresents the product or part's true composition." Therefore, the markings referred to in these comments could be considered deceptive under the current Guides. Thus, no further provision in section 7 is required to address this concern.

The comments supporting 585 as the minimum standard explain that having products consisting of 585 parts per thousand pure platinum and 950 parts per thousand PGM "makes platinum jewelry significantly more affordable without sacrifices in color, look or quality."<sup>44</sup> Two comments, advocating 500 parts per thousand pure platinum as the minimum, assert that a product should consist of at least half of what it is called; "[a] higher standard may 'tie the hands' of future technological breakthroughs" and "be a detriment to the long term platinum market and its salability."<sup>45</sup>

PGI has explained that it has apprehensions about supporting 58.5% platinum because questions still remain as to whether this alloy will be durable, scratch resistant, hypo-allergenic, or will provide a superior setting for gem stones and a dramatic cost savings to consumers—"58.5% platinum has not

<sup>42</sup> Neiman (022); Leber (045); Caldiere (063); Snyder (086); Novell (180, 181 & 182) (three employees of the same retailer; each sent in the identical comment); Silver (276); Glasser (337); Jordan (631).

<sup>43</sup> Schechter (451); Montanari (642); Hurst (763); cf. Goph (386) (asserting that 14 karat white gold is the substitute for consumers who cannot afford platinum and remarking that 585 platinum will ruin platinum's reputation—"if consumers want cheap, let them buy 14K white gold").

<sup>44</sup> Shersher (374), p. 2; see also Cockrell (606) (stating "we have 10K gold. Why not a lower karat platinum?"); Rivclan (496) (asserting that 585 platinum "is excellent jewelry for manufacturing and provides an all important choice for the middle class consumers who can't afford expensive platinum jewelry."); Delmarva (497) (same); Four-Star (656) (same).

<sup>45</sup> Austin (413); accord Root (414).

been properly analyzed or researched to the point where PGI would feel comfortable endorsing this platinum category."<sup>46</sup>

The Commission has received no evidence indicating that a pure platinum content below 850 parts per thousand or 900 parts per thousand results in a product that has lost the qualities that consumers associate with platinum. For many years, the Guides have permitted a platinum marking on products consisting of less than 850 parts per thousand pure platinum.<sup>47</sup> The ISO standard indicates in a note that "[a] possible inclusion of platinum 750% (sic) may be envisaged in the course of further revision of this International Standard."<sup>48</sup>

The Commission believes that if consumers are given full disclosure as to the platinum content and the content of the remaining PGM in the product, they will not be misled. An informative marking or description will put consumers on notice that the product contains certain precious metals, thereby putting them in a position to inquire of the jeweler as to the relative value of the different metals and the overall value of the product. The Commission is persuaded, however, that products consisting of below 500 parts per thousand pure platinum should not bear a platinum marking even if the platinum predominates because this has been the historical standard.<sup>49</sup> Accordingly, the revised Guides provide that "[a]n industry product consisting of at least 950 parts per thousand PGM, and of at least 500 parts per thousand pure Platinum, may be marked

<sup>46</sup> PGI (272), pp. 3-4.

<sup>47</sup> As described above, the VPS, referenced in the current Guide, provided for platinum markings for products consisting of between 500 and 750 parts per thousand pure platinum and for products consisting of between 750 and 950 parts per thousand pure platinum. VPS Sections 3.5(2)-(3). Two different marking schemes were used for each range; both, however, allowed the word platinum to be used in the marking.

<sup>48</sup> ISO 9202: 1991(E).

<sup>49</sup> FRN question 6 requested comment on whether products could be marked "platinum" if the product contained 950 parts per thousand PGM, of which less than 500 parts per thousand were pure platinum. 61 FR 27227. Eleven comments addressed this question and unanimously stated that products below 500 parts per thousand pure platinum should not be marked platinum. Root (360); Austin (361); Johnson Matthey (396), p. 4; Austin (413); Root (414); Rivclan (496); Delmarva (497); Four-Star (656); Moses (647); Peters (701); PGI (718). The only comment arguably supporting a platinum marking for products consisting of less than 500 parts per thousand pure platinum was the MISA comment that indicated that 3 of the 17 members responding to their questionnaire supported such a marking and 14 opposed it. MISA (799), p. 3. Thus, the Commission is retaining the prohibition in the current Guides against platinum markings for products containing less than 500 parts per thousand platinum.

'Platinum' provided that the mark of each PGM constituent is preceded by a number indicating the amount in parts per thousand of each PGM, as for example, '600Pt.350Ir.' or '600Plat.350Irid.'<sup>50</sup>

This provision is the standard from the VPS, referenced in the current Guide. In the VPS, this standard only applied to products consisting of between 500 and 750 parts per thousand pure platinum. As discussed above, a different standard applied to products consisting of between 750 and 950 parts per thousand pure platinum. One of the goals of revising the Guides was to simplify and update the current standards. The comments responding to question 2 in the FRN, which asked whether the guidance for products with differing levels of platinum should be the same, indicated that there is no reason to have these different standards.<sup>51</sup> Thus, use of the one standard for products containing less than 850 parts per thousand pure platinum simplifies the current guidance.

Another option was to permit a derivation of the international standard with only the parts per thousand and a platinum abbreviation disclosed, with no mention of the other PGM. The Commission has decided to retain the

<sup>50</sup> In addition, revised section 23.7(b)(2) of the Guides provides that a marking or description using the word platinum or any abbreviation and a number indicating the parts per thousand, where the product contains less than 850 parts per thousand pure platinum, without mention of the other PGM contained in the product, such as "600Platinum," may be misleading. The revised Guide also retains the requirement of the VPS that products containing lower levels of pure platinum must contain 950 part per thousand PGM. The revised Guide includes this requirement for articles containing less than 850 parts per thousand platinum, whereas the VPS required at least 950 parts per thousand PGM for any article to be marked as platinum. As discussed above, the Commission is not requiring 950 parts per thousand PGM for products containing 850 parts per thousand platinum and above because the international standard (as described in ISO 9202 and the comments) does not contain this requirement.

This marking also provides guidance in the event the platinum industry develops new variations of PGM metals, for example "925Plat.75Irid." (This product also could be marked "900Plat."). The comments indicated that most platinum jewelry consists of either 900 or 950 parts per thousand pure platinum with the exception of platinum chains, which usually contain 850 parts per thousand pure platinum. The acceptable markings, however, are broad enough to address new innovations should they occur.

<sup>51</sup> Shersher (001); Johnson Matthey (396), pp. 3-4; Rivclan (496); Delmarva (497); Four-Star (656); PGI (718); Coleman & Rhine (806). These comments also indicated that one standard may result in less confusion for consumers. The MISA comment indicated that the members supported using the same guidance; of the 17 responding to the questionnaire, 10 supported the same guidance, 3 opposed, and 4 had no response. MISA (799), p. 2.

standard from the VPS, which requires disclosure of all the PGM, and apply it to products containing less than 850 parts per thousand pure platinum. To the extent there are concerns that articles with a pure platinum content below 850 parts per thousand do not possess the same qualities and characteristics of higher platinum content articles, the requirement of additional information for such articles will help insure that consumers are provided with clear and accurate information to make informed purchasing decisions.<sup>52</sup> Several comments indicated that it may be costly to mark, in parts per thousand, each PGM and that these markings are not beneficial to consumers.<sup>53</sup> The Commission believes, however, that including each PGM and the parts per thousand for products containing less than 850 parts per thousand pure platinum is beneficial to consumers. By making consumers aware of the presence of PGM other than platinum in

<sup>52</sup> See Canada (802), p. 3 ("[a]llowing the market to find its own level through providing consumers with clear and accurate information on the products so that they can make informed purchasing decisions is the basic ideal model.")

<sup>53</sup> These comments were received in response to question 3, posed in the FRN ("For products consisting of less than 950 parts pure platinum, what are the benefits and costs of marking each PGM contained in the product? Should the amount of each metal, in parts per thousand, be disclosed?" 61 FR 27227). Nine comments addressed this specific issue. Three stated that it can be costly to mark each metal in parts per thousand. Shersher (001); Canada (806), p. 4; PGI (718), p. 3. Seven stated that it is *not* beneficial and perhaps confusing to mark each metal in its parts per thousand. Mathews (779); Johnson Matthey (396), p. 4; Rivclan (496); Delmarva (497); Four-Star (656); Peters (701); PGI (718); *cf.* Canada (806), p. 4 (stating that markings of each metal in parts per thousand may have only questionable value to the consumer who is only concerned with the total platinum content). The MISA comment appears to indicate that 9 members believe the amount of each metal, in parts per thousand, should be disclosed; 6 do not; and 2 did not respond. The comment is unclear, however, whether these responses correspond to the question regarding costs and benefits or the question regarding marking. MISA (799), p. 2.

Seven comments responded to FRN question 4 ("Should products with less than 950 parts pure platinum be marked with only the amount of pure platinum contained in the product (e.g., PLAT 900)? Do consumers understand this marking? Would percentage markings (e.g., 90% Plat) be preferable and feasible?" 61 FR 27227). These comments indicated that only the platinum content in parts per thousand should be disclosed. Shersher (001); Johnson Matthey (396), p. 4; Peters (701); PGI (718), p. 3; Canada (802), p. 4; *cf.* MISA (799), p. 2 (Marking only with platinum: 8 yes, 9 no; Consumers understanding the marking: 5 yes, 9 no, 3 no response). Three comments indicated that a percentage mark could be mis-read. Johnson Matthey (396), p. 4; PGI (718), p. 3; Canada (802), p. 4. Two comments stated that consumers will understand a marking of "Plat 900." Moses (647); PGI (718), p. 3. One comment indicated that consumers may not understand such a marking. Canada (802), p. 4.

the article, the consumer is put on notice and may ask the jeweler to explain the difference between the article and another article solely marked with the pure platinum content.

#### *D. The Marking of Products Containing Less Than 500 Parts Per Thousand Pure Platinum*

The VPS, referenced in the current Guide, does not allow a platinum marking for articles with less than 500 parts per thousand pure platinum but does permit a marking containing the full name of the PGM, other than platinum, that predominates.<sup>54</sup> The Commission has decided not to include this section of the VPS as a safe harbor in the revised Guides. Although a standard (that differed slightly from the VPS) for products containing less than 500 parts per thousand pure platinum but 950 parts per thousand PGM was proposed,<sup>55</sup> no comments were received regarding the proposal. The Commission is aware that there is an ISO standard for palladium products.<sup>56</sup> The Commission has no evidence, however, that products that would fall under this category of markings are being sold in the U.S. Thus, the Commission has determined that guidance for such products is not needed at this time.<sup>57</sup>

#### **IV. Miscellaneous Issues**

##### *A. Platinum-Filled, Platinum Overlay, or Platinum-Clad Products*

The Commission solicited comment on the need for guidance regarding descriptions of platinum-filled, platinum overlay, or platinum-clad products.<sup>58</sup> Five comments responded. Johnson Matthey, the PGI, and the Canadian government all stated that they were unaware of any "platinum-filled" products being manufactured worldwide.<sup>59</sup> Based on these comments, the Commission has determined that

<sup>54</sup> VPS Section 3.5(4). For example, an article consisting of 600 parts per thousand palladium, 200 parts per thousand platinum and 150 parts per thousand iridium could be marked "Palladium."

<sup>55</sup> 61 FR 27227.

<sup>56</sup> The ISO standard for palladium provides for two markings for palladium, 500 and 950 parts per thousand.

<sup>57</sup> Articles marked or described consistent with the ISO standard or the provisions in the current Guides are not likely to be considered unfair or deceptive.

<sup>58</sup> 61 FR 27227 (question 8).

<sup>59</sup> Johnson Matthey (396), p. 5; PGI (718), p. 4; Canada (802), p. 5. One comment stated that there is a need for Commission guidance but provided no rationale or suggestions. Moses (647). The MISA comments indicate that 12 members felt a need for guidance and 5 did not; no reasons or suggestions were provided. MISA (799), p. 3. Johnson Matthey and PGI did suggest, however, that the guidance on gold and silver-filled articles could be adopted for platinum.

guidance for such products is not needed at this time.

**B. Chain Articles**

The Commission also solicited comments regarding whether chain articles containing solder-filled wire and consisting of at least 850 parts per thousand pure platinum should be marked "platinum."<sup>60</sup> Eight comments addressed this issue. Six responded that chain articles containing solder-filled wire and consisting of at least 850 parts per thousand pure platinum should be marked platinum.<sup>61</sup> One comment responded that all platinum products, including chains, should have a minimum of 900 parts per thousand pure platinum.<sup>62</sup> The Canadian Government comment asserted that the issue of chain articles filled with solder wire may be mooted by the improvements said to be achieved with laser welding.<sup>63</sup> The Commission has decided that there is no basis for the Guides to treat chain products differently from any other industry product containing platinum. Therefore, the markings for chain articles should follow the same standards as all other industry products containing platinum or PGM.

**C. Other**

Several comments raised issues regarding other provisions of the Guides not concerning articles made with platinum.<sup>64</sup> One comment addressed an FTC matter that did not relate to the Guides in any respect.<sup>65</sup> These comments were forwarded to appropriate Commission staff to address but were not considered with respect to the revisions to Section 23.7 of the Guides.

**List of Subjects in 16 CFR Part 23**

Advertising, Trade practices, Watches and jewelry.

Accordingly, the Commission amends chapter I of Title 16 of the Code of Federal Regulations as follows:

**PART 23—[AMENDED]**

1. The authority for citation for Part 23 continues to read as follows:

**Authority:** Sec. 6, 5, 38 Stat. 721, 719; 15 U.S.C. 46, 45.

2. Section 23.7 is revised to read as follows:

**§ 23.7 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 any abbreviation to mark or describe all or part of an industry product if such marking or description misrepresents the product's true composition. The Platinum Group Metals (PGM) are Platinum, Iridium, Palladium, Ruthenium, Rhodium, and Osmium.

(b) The following are examples of markings or descriptions that may be misleading:<sup>10</sup>

(1) Use of the word "Platinum" or any abbreviation, without qualification, to describe all or part of an industry product that is not composed throughout of 950 parts per thousand pure Platinum.

(2) Use of the word "Platinum" or any abbreviation accompanied by a number indicating the parts per thousand of pure Platinum contained in the product without mention of the number of parts per thousand of other PGM contained in the product, to describe all or part of an industry product that is not composed throughout of at least 850 parts per thousand pure platinum, for example, "600Plat."

(3) Use of the word "Platinum" or any abbreviation thereof, to mark or describe any product that is not composed

throughout of at least 500 parts per thousand pure Platinum.

(c) The following are examples of markings and descriptions that are not considered unfair or deceptive:

(1) The following abbreviations for each of the PGM may be used for quality marks on articles: "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.

(2) An industry product consisting of at least 950 parts per thousand pure Platinum may be marked or described as "Platinum."

(3) An industry product consisting of 850 parts per thousand pure Platinum, 900 parts per thousand pure Platinum, or 950 parts per thousand pure Platinum may be marked "Platinum," provided that the Platinum marking is preceded by a number indicating the amount in parts per thousand of pure Platinum (for industry products consisting of 950 parts per thousand pure Platinum, the marking described in § 23.7(b)(2) above is also appropriate). Thus, the following markings may be used: "950Pt.," "950Plat.," "900Pt.," "900Plat.," "850Pt.," or "850Plat."

(4) An industry product consisting of at least 950 parts per thousand PGM, and of at least 500 parts per thousand pure Platinum, may be marked "Platinum," provided that the mark of each PGM constituent is preceded by a number indicating the amount in parts per thousand of each PGM, as for example, "600Pt.350Ir.," "600Plat.350Irid.," or "550Pt.350Pd.50Ir.," "550Plat.350Pall.50Irid."

**Note to § 23.7:** Exemptions recognized in the assay of platinum industry products are listed in Appendix A of this part.

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

**Note:** The following appendix will not appear in the Code of Federal Regulations.

APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS

Abbreviation	No.	Commenter
A & A .....	160	A & A Jewelers, Inc.
A.C. ....	675	A.C. Associates.
A.L. Jacobs .....	236	A.L. Jacobs & Sons, Jewelers.
A&B .....	460	A&B Jewels & Tools.
Aalund .....	243	Nanz Aalund.

<sup>60</sup> 61 FR 27227 (question 9).

<sup>61</sup> Itelman (277); Johnson Matthey (396), p. 5; Buruss (614); Moses (647); PGI (718); cf. MISA (799), p. 3 (9 yes, 6 no, 2 no response).

<sup>62</sup> LaPrad (341).

<sup>63</sup> Canada (802), p. 5.

<sup>64</sup> Hoover (479) (discussing gold standards); Schwartz (709) (describing diamond disclosures); Kremkow (719) (representative of the International Colored Gemstone Association, addressing gemstone treatments); Nicholls (736) (discussing diamond disclosures); Mayfield (754) (addressing

gemstone treatments); Kremetz (798) (describing gold standards and diamond disclosures).

<sup>65</sup> Bakery (760) (discussing a company's violation of an FTC order).

<sup>10</sup> See paragraph (c) of this section for examples of acceptable markings and descriptions.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Abdulky .....	453	F.M. Abdulky, Inc.
Ace .....	382	The Ace of Diamonds.
Adams .....	43	Adams Jewelers, Inc.
Ajour .....	535	Ajour Ltd.
Alexander .....	273	Robert Alexander Jewelers.
Alie .....	80	A.E. Alie & Sons, Inc.
Alishan .....	32	Alishan.
Ali's .....	295	Ali's Persian Carpets.
Allen .....	521	Douglas Allen Jewelers.
Alsohus .....	639	B. Alsohus Jewelers.
Altemueller .....	585	Altemueller Jewelry.
American .....	137	The American Jewelry Co.
American .....	305	American Jewelry Designs.
Anderson .....	494	T.K. Anderson.
Anderson .....	437	Bruce Anderson Fine Jewelry.
Anthony .....	438	John Anthony Designer.
Anthony .....	695	Anthony Jewelers.
Antoinette's .....	370	Antoinette's Inc.
Antonini .....	312	Antonini.
Arkins .....	204	Arkin's Jewelers.
Arkless .....	558	Suzanne M. Arkless.
Armstrong .....	82	K.F. Armstrong.
Arnold's .....	512	Arnold's Jewelry.
Aronstam .....	483	MS Aronstam.
Arrigoni .....	49	Arrigoni Jewelers, Inc.
Artisan .....	336	Artisan Designs.
Asprey .....	70	Asprey.
Auction .....	103	Auction Market Resource.
Aura .....	87	Aura America, Inc.
Aurion .....	3	Aurion International Ltd.
Austin .....	413	Austin Jewelry Appraisers.
Austin .....	361	Austin Jewelry Appraisers.
Avante .....	174	Avante Designs.
Azevedo .....	435	Azevedo Jewelers & Gemologists, Inc.
Bachman .....	14	Bachman Jewelers.
Bailey .....	46	Bailey Banks & Biddle.
Bailey .....	372	Bailey Banks & Biddle.
Bakery .....	760	Bakery, Confectionery and Tobacco Workers.
Ballard .....	90	Ballard & Sons, Inc.
Balshone .....	788	Joseph G. Balshone.
Barclay's .....	549	Barclay's Jewelers.
Barnes .....	153	Barnes Jewelry.
Barnes .....	456	Barnes Jewelry.
Barthman .....	332	William Barthman.
Bauer .....	218	Christian Bauer.
Beattie .....	144	H.W. Beattie & Sons, Inc.
Beauchamp .....	482	Beauchamp & Co. Jewelers.
Begeman's .....	280	Begeman's Jewelers.
Beins .....	404	Robert Beins Jewelers.
Belgian .....	529	Belgian Diamond Specialties.
Ben Bridge .....	219	Ben Bridge Jeweler, Inc.
Ben Adams .....	248	Ben Adams.
Benchmark .....	206	Benchmark.
Bender's .....	217	Bender's.
Benson .....	13	Gallen Benson.
Berk .....	491	Barbara Berk Designs.
Best .....	354	Joseph Best.
Betlach .....	288	Fredrick E. Betlach.
Bienstock .....	392	Bienstock Industries Inc.
Blackstone .....	133	Blackstone Fine Jewelers.
Blancato .....	608	F. Blancato, Inc.
Blumer .....	334	AB Blumer.
Bockman's .....	131	Bockman's Jewelers & Goldsmiths.
Bohan .....	222	Jane Bohan, Inc.
Bomberger .....	690	Carolyn Bomberger.
Bondanza .....	126	Michael Bondanza, Inc.
Bongiorno .....	36	Alexander J. Bongiorno.
Booth .....	241	Richard Booth.
Borelli .....	423	Borelli Jewelers.
Boren .....	163	CJ & Anita Boren Jewelry.
Borsheim's .....	226	Borsheim's.
Bosco .....	316	John Bosco Jewelry Inc.



## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Bracken .....	325	Bracken Jewelers.
Brancier .....	680	Brancier Jeweller.
Braunschweiger .....	6	Braunschweiger.
Braunschweiger .....	635	Braunschweiger.
Brentwood .....	264	Brentwood Jewelry & Gifts.
Brick House .....	708	The Brick House.
Bridge .....	89	Ben Bridge Jeweler.
Briggs .....	599	Louise Briggs.
Brillant .....	255	Brillant Choice.
Broadway .....	128	Broadway Jewelers.
Brodkey .....	4	Brodkey Brothers, Inc.
Broken .....	96	Gem Broken, Inc.
Brookhurst .....	35	Brookhurst Jewelry & Loan.
Brooks .....	159	Brooks Jewelry.
Bruce's .....	710	Bruce's Jewelry Co.
Brundage .....	303	Brundage Jewelers.
Buechner .....	260	John Buechner, Inc.
Bulfer's .....	58	Bulfer's.
Buruss .....	614	Norman Jewelers, Inc.
Butler .....	285	Roger Butler Jewelers.
Butler .....	101	KE Butler & Company.
C & C .....	665	C & C Jewelers.
Cabochon .....	39	Cabochon Gems & Designs.
Cadeaux .....	551	Cadeaux.
Canada .....	802	Consumer Products Directorate, Industry Canada.
Carey .....	759	Town & Country Corporation.
Carlos Diaz .....	235	Carlos Diaz, Silversmiths.
Carlyle .....	492	Carlyle & Co. Jewelers.
Carlyle .....	634	Carlyle & Co. Jewelers.
Carol Klein .....	785	Carol Klein Fine Jewelry.
Carre .....	548	Henri Carre.
Carreras .....	252	Carreras Ltd.
Carroll .....	47	Carroll's Jewelers.
Carter .....	171	Stan Carter Jeweler.
Carter .....	486	James B. Carter.
Carter .....	129	Carter & Sons.
Carter's .....	711	Carter's Jewel Chest.
Cartiers .....	63	Smith Jewelers.
Casey's .....	523	Casey's Jewelers.
Cavanaugh's .....	506	Cavanaugh's Jewelers, Inc.
Chalson .....	156	William Chalson & Co. Inc.
Champion's .....	291	Champion's Jewelers.
Charles .....	250	Charles on Fairhaven.
Chateau .....	511	Chateau Jewelry Corp.
Chopard .....	229	Chopard Watch Corp.
Christensen .....	185	Christensen & Rafferty.
Christian Bernard .....	108	Christian Bernard.
Christopher's .....	519	Christopher's Fine Jewelry and Gallery.
Cinnamon .....	730	Cinnamon Designs.
Clark .....	149	B.C. Clark.
Clark .....	88	B.C. Clark Jewelers.
Classic .....	436	Classic Treasures Jewelry.
Clear Lake .....	720	Clear Lake Precious Metals.
Club .....	104	Club Jewelry Mfg. Inc.
Coast .....	310	Coast Diamond.
Cockrell .....	606	Charles Cockrell.
Coleman & Rhine .....	805	Coleman & Rhine.
Coleman .....	97	Nelson Coleman & Sons, Ltd.
Collector's .....	696	Collector's Showcase.
Continental .....	471	Continental Coin Corporation.
Conway .....	577	Judith Conway.
Conway .....	38	Judith Conway.
Cooper .....	179	Jeff Cooper, Inc.
Cooperman .....	442	Marilyn F. Cooperman Inc.
Cooperman .....	443	Marilyn F. Cooperman.
Cordova .....	79	Cordova, Inc.
Cornerstone .....	117	Cornerstone Jewelry.
Coronado .....	283	Rodimiro Coronado.
Corum .....	580	Corum Jewelers.
Costello .....	654	Costello Jewelry Co.
Cox .....	394	Cox Jewelers.
Crafters .....	275	Metal Crafters, Inc.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Craig .....	686	David Craig Ltd.
Crescent .....	388	Crescent Jewelers Inc.
Crews .....	84	Crews Fine Jewelry.
Cronier's .....	582	Cronier's Fine Jewelry.
Cross .....	298	Cross Jewelers.
Cumberland .....	459	Cumberland Diamond Exchange.
D&F Decker .....	463	D&F Decker Jewelers.
Dakota .....	371	Dakota Gems.
Darden .....	661	Darden Jewelers.
Dardin .....	263	Dardin Jewelers.
David Porter .....	782	David Porter Jewelry.
Dauids .....	476	Dauids.
Davidson .....	469	Davidson & Licht.
David's .....	127	David's Ltd.
Davis .....	510	Hal Davis Jewelers.
Davis .....	109	Davis Diamond Designs.
Davis .....	743	Hal Davis Jewelers.
De Bears .....	379	De Bears, Inc.
De Luna .....	102	De Luna Jewelers.
De Jonghe .....	610	De Jonghe.
De Scenza .....	473	De Scenza Diamonds.
Dearborn .....	232	Dearborn Jewelers.
Deese .....	765	Mikal Deese.
Degroot .....	550	Degroot Industries International, Inc.
Dekkers .....	537	Dekkers Jewelry.
Delfine's .....	545	Delfine's Inc.
Delma .....	301	Delma USA Ltd.
Delmarva .....	497	Delmarva Jewelry.
Delta .....	515	Delta Diamond Setters & Jewelers, Inc.
Demi-Cache .....	148	Demi-Cache, Inc.
Derryberry .....	461	Josef Derryberry.
Dery .....	571	J. Dery Jewelers.
Designs .....	317	Designs in Gems.
DFS .....	290	DFS Merchandising Limited.
DFS .....	289	DFS Merchandising Limited.
Di-Mart .....	638	Di-Mart.
Dia .....	543	Dia Gem.
Diamond Broker .....	270	The Diamond Broker & Fine Jewels II.
Diana .....	777	Diana Jewelers of Liverpool, Inc.
Diller .....	439	Wm. H. Diller Inc.
Direct II .....	687	Gold & Diamonds Direct II.
Dodrill .....	214	T.K. Dodrill Jewelers.
Dohack .....	528	Dohack Jewelers.
Dunay .....	221	Henry Dunay Designs, Inc.
DuNouveau .....	205	DuNouveau Designs.
Dunstan .....	568	Dunstan Jewelers, Ltd.
Dupont .....	502	Dupont Jewelers.
Dupont .....	343	Dupont Jewelers.
E.S.S. ....	60	E.S.S., Inc.
Earl .....	151	Cindi Earl Fine Jewelry.
Earth .....	287	Earth Resources.
Ecco .....	329	Ecco High Frequency Corporation.
Eclipse .....	12	Eclipse Studio.
Ed Mar .....	597	Ed Mar Crystal & Jewelry Co. Inc.
Edward .....	504	George Edward Jewelers.
Edwards .....	199	J & L Edwards Designs.
Ehrhardt's .....	72	Ehrhardt's Enterprises.
Ehrlinspiel .....	110	Egon Ehrlinspiel.
Eichberg .....	681	E. Eichberg Jewelers, Inc.
Eichhorn .....	746	Eichhorn Jewelry, Inc.
Elan .....	789	Elan Ltd.
Elegance .....	34	Elegance Jewelry.
Elements .....	658	Elements Ltd.
Emrick .....	297	Emrick Jewels.
Endicott .....	525	Hudson Endicott.
Endris .....	513	J.O. Endris & Son Jewelers.
Engelhard .....	593	Engelhard-Clal.
Engelhard-Clal .....	193	Engelhard-Clal.
Erickson .....	95	Erickson & Erickson.
Estate .....	165	Estate Jewelry.
Eurocraft .....	158	Eurocraft.
Facet .....	377	Cab N Facet Fine Jewelry.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Factory's .....	122	Factory's Inc.
Fast-Fix .....	398	Fast-Fix Jewelry Repairs.
Fedra .....	176	Fedra, International.
Fell .....	541	David H. Fell & Co. Inc.
Ferguson .....	71	T. Ferguson.
Fernando .....	707	Creations by Fernando.
Fey .....	364	Fey & Company Jewelers.
Finely's .....	676	George Finely's Jewelers.
Finest .....	556	Finest Casting & Service LLC.
Finishing .....	641	Finishing Touches.
Fisher .....	530	Robert S. Fisher & Company.
Five Star .....	786	Five Star Jewelers.
Flash .....	48	Flash Manufacturing.
Fogg .....	292	F.D. Fogg & Co.
Fojt .....	299	J. Fojt Originals.
Ford .....	369	Ford, Gittings & Kane Jewelers.
Forest .....	26	Forest Jewelers.
Fortunoff .....	458	Fortunoff.
Foster .....	589	T. Foster & Co.
Four Stars .....	656	Four Stars.
Four Stars .....	173	Four Stars.
Fox .....	210	Debbie S. Fox.
Fox's .....	674	Fox's Gem Shop.
Fox's .....	726	Fox's Gem Shop.
Fox's .....	723	Fox's Gem Shop.
Fox's .....	727	Fox's Gem Shop.
Fox's .....	722	Fox's Gem Shop.
Fox's .....	721	Fox's Gem Shop.
Fox's .....	672	Fox's Gem Shop.
Fox's .....	673	Fox's Gem Shop.
Fox's .....	725	Fox's Gem Shop.
Fox's .....	671	Fox's Gem Shop.
Fox's .....	724	Fox's Gem Shop.
Fox's .....	728	Fox's Gem Shop.
Francis .....	216	Michael Francis Co.
Francis .....	215	Michael Francis Co.
Frank .....	449	David Frank.
Franz .....	501	Franz Jewelers Ltd.
Frasca .....	211	Frasca Jewelers.
Fredericks .....	73	Phillips & Fredericks Jewelers.
Freeman .....	797	Freeman Jewelers.
Frei .....	536	Frei & Borel.
French Jewels .....	664	The French Jewels.
Freund .....	188	Freund Jewelers.
Friedheim .....	355	Bess Friedheim Jewelry.
Friesen's .....	311	Friesen's Jewelers.
Fuller .....	194	Fuller Findings.
Future Ring .....	424	Future Ring Corporation.
G & G .....	201	G & G Diamond Brokers.
G.N.K. ....	470	G.N.K. Co.
Gallery .....	416	The Jeweler's Gallery.
Gannaway .....	161	Gannaway Bros. Jewelry.
Gasser .....	308	John Gasser & Son.
Gasser .....	147	John Gasser & Son.
Geiss .....	663	Geiss & Sons.
Gem Society .....	741	American Gem Society.
Gem Lab .....	274	The Gem Lab.
Gem East .....	739	Gem East Corporation.
Gem Wave .....	347	Gem Wave, Inc.
Gem Classics .....	668	Gem Classics, Ltd.
Gem Smith .....	544	The Gem Smith Inc.
Gem Vest .....	627	Gem Vest.
Gemma .....	698	Gemma Gallery.
Gems .....	207	Gems & Treasures.
Gemsmith .....	203	Gemsmith Design Gallery Jewelry.
Gemstone .....	586	Gemstone Creations.
General .....	699	General Findings.
GIA .....	659	Gemological Institute of America.
Giganti .....	114	Giganti Jewelers.
GIJ .....	705	Gemologist International Jewelry.
Ginsberg .....	468	M.C. Ginsberg Jewelers, Inc.
Gioielli .....	682	Arata Gioielli.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Glasser .....	337	Gemillion Casting Inc.
Gleim .....	539	Gleim the Jeweler.
Glenn Bletz .....	224	Glenn Bletz & Associates.
Godfrey .....	113	Godfrey Jewelers.
Gold Works .....	651	Gold Works.
Gold Rush .....	30	The Gold Rush.
Gold Button .....	462	Gold Button Jewelers, Inc.
Gold Arts .....	653	Gold Arts.
Gold .....	118	Gold-N-Designs.
Gold Art .....	552	Gold Art Handmade Jewelry.
Gold .....	119	Gold-N-Designs.
Golden Crown .....	233	Golden Crown Jewelers.
Golden's .....	234	Golden's.
Goldex .....	339	Goldex Fine Jewelry.
Goldin .....	403	Goldin Jewelers Inc.
Goldman .....	753	Goldman.
Goldman .....	611	Frederick Goldman, Inc.
Goldsmith .....	231	Michael's Goldsmith Service, Inc.
Goldsmith .....	380	Goldsmith Jewelers.
Goldsmiths .....	679	Brown Goldsmiths.
Goldworks .....	584	The Goldworks.
Good .....	792	Michael Good Designs, Inc.
Goodman .....	509	Goodman & Sons Jewelers.
Goodwin .....	784	Goodwin Manufacturing.
Goph .....	386	Goph & Co.
Goph Albitz .....	385	Goph Albitz Designs.
Gordon .....	44	Samuel Gordon Jewelers & Diamond.
Gottlieb .....	257	Gottlieb & Sons, Inc.
Gould .....	56	Gould's Diamonds & Jewelry.
Gould's .....	271	Gould's Diamonds & Jewelry.
Grader .....	17	Grader Jewelers.
Graubart .....	322	Maurice B. Graubart & Sons, Jewelers.
Gravano .....	68	John Gravano & Co.
Grebitus .....	581	Grebitus & Sons Jewelers.
Grebitus .....	517	Grebitus & Sons Jewelers.
Green .....	644	Lux Bond & Green.
Greenfield .....	195	Greenfield Jewelers.
Gross .....	256	H.L. Gross & Bros.
Grossman .....	83	Gale Grossman.
Grove .....	514	Diamonds in the Grove.
Grunos .....	795	Grunos of Rockford.
H & H .....	600	H & H Design.
H. & H. ....	660	H. & H. Jewels, Inc.
Hadley .....	751	A.H. Hadley & Co.
Hadley .....	752	A.H. Hadley & Co.
Haimoff .....	652	Haimoff & Haimoff.
Hale's .....	516	Hale's.
Halina .....	116	Halina Fuchs.
Haltom .....	245	Mary Haltom Jeweler.
Hamilton .....	393	Hamilton Jewelers.
Hammond's .....	729	Hammond's.
Hands .....	578	Hands Jewelers.
Hank .....	177	Hank & Co.
Hansen .....	335	Hansen Designs.
Hardy's .....	613	Hardy's Diamonds.
Harold's .....	767	Harold's Jewelry Inc.
Harold's .....	557	Harold's Jewelry Inc.
Hartmann .....	793	Hartmann Jewelers.
Hartsfield .....	572	B. Sanfield, Inc.
Hauser .....	383	Hauser & Miller Company.
Hauser's .....	774	Hauser's Jewelers.
Hawken .....	629	Armetrout-Hawken.
Hayman .....	184	David Hayman Jewelers.
Hebblethwaite .....	353	Hebblethwaite.
Heer .....	677	Jandina Heer.
Heffern .....	560	Elleard B. Heffern, Inc.
Heffern .....	561	Elleard B. Heffern, Inc.
Heier .....	624	Heier Resources.
Heller .....	33	Heller Antiques Ltd.
Henri's .....	85	Henri's Jewelry Co.
Heron .....	328	G.B. Heron.
Herrud .....	92	Herrud Jewelers.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Herteen .....	508	Herteen & Stocker.
Heyman .....	397	Oscar Heyman & Brothers, Inc.
Higgins .....	621	Higgins Jewelers.
Hill .....	11	Hill Jewelers.
Holder .....	40	Mark Holder Jeweler.
Holland's .....	607	Holland's.
Hollis .....	531	Hollis & Company Jewelers.
Hollis .....	467	Hollis & Company Jewelers.
Hollis .....	532	Hollis & Company Jewelers.
Hoover .....	479	Hoover & Strong.
Horwitz .....	100	Horwitz Jewelers.
Houck's .....	319	Houck's Jewelry.
Houston .....	65	Houston Gold Exchange.
Houston .....	266	Houston Jewelers.
Houston .....	164	Houston Jewelry.
Howard's .....	357	Howard's Mfg. Jewelers.
Huffords .....	588	Huffords Jewelry, Inc.
Hunter .....	93	Johannes Hunter Jewelers.
Hunters .....	441	Hunters Jewelers Ltd.
Hunter's .....	98	Hunter's Jewelers Ltd.
Hurst .....	763	Berwyn Jewelers, Inc.
Illumina .....	387	Illumina Gallery.
Indigo .....	31	Indigo Gallery.
Indorf .....	167	Peter Indorf Jewelers.
Inlow .....	490	Inlow Designs Jewelers.
Inter Gold .....	693	Inter Gold (India) Limited.
Int'l. Soc. App. ....	791	International Society of Appraisers.
Isis .....	406	Isis Jewelers Inc.
Itelman .....	277	Herco.
J. Dery .....	237	J. Dery Jewelers.
Jacart .....	162	Jacart Gold Exchange.
Jain .....	683	Inter Gold (India) Limited.
JAS .....	375	JAS Jewelers, Inc.
Jeannie's .....	390	Jeannie's Jewelry & Design.
Jewel Box .....	474	The Jewel Box.
Jeweler .....	198	Jeweler to the Trade, Inc.
Jewelers .....	62	Jewelers Workshop.
Jewelers, Inc. ....	646	Jewelers of America, Inc.
Jeweler's Bench .....	742	Jeweler's Bench.
Jeweler's Bench .....	769	Jeweler's Bench.
Jewelry Designer .....	770	Jewelry Designer.
Jewels .....	505	Jewels Salon & Boutique.
JIC .....	758	Jewelry Information Center.
Joaillier .....	24	Fred Joaillier, Inc.
Johnson Matthey .....	396	Johnson Matthey.
Johnson .....	220	Johnson Gems.
Joliff .....	678	The National Association of Jewelry Appraisers.
Jolly's .....	249	Jolly's Jewelers and Silversmiths.
Jones .....	81	Jones & Jones Jewelers.
Jones .....	75	Jones & Jones Jewelers.
Jones .....	569	Indigo Gallery.
Jordan .....	631	Facets.
Josephson .....	579	C.I. Josephson Jewelers.
Jostens .....	493	Jostens.
JRB .....	632	Jeweler's Resource Bureau.
Juniker .....	121	Juniker Jewelry Co.
JVC .....	433	JVC Ferrara Co., Inc.
Kaiser .....	495	Johann Kaiser.
Kam .....	338	Wayne Kam Goldsmith.
Kamen .....	407	Robert C. Kamen.
Kaplan .....	643	Lazare Kaplan.
Karat Gold .....	183	Karat Gold Corner.
Karat .....	170	Karat Gold Jewelers.
Karat Patch .....	208	Karat Patch Jewelry, Inc.
Karen's .....	731	Karen's Jewelers.
Kazto .....	592	Kazto.
Keepsake .....	74	JC Keepsake, Inc.
Keith .....	5	Keith, Inc.
Kelley .....	428	Kelley Jewelers.
Kelley .....	429	Kelley Jewelers.
Kelrick .....	587	Finger Mate, Inc.
Kelrick .....	796	Finger Mate, Inc.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Kendall .....	800	Kendall Gemological Services, Inc.
Kendrick .....	294	Merkley Kendrick.
Kendrick .....	669	Merkley Kendrick.
Kerr .....	591	Kerr Jewelry Division.
Keystone .....	143	Keystone Findings, Inc.
Khamis .....	213	Khamis Fine Jewelers.
Kiger .....	27	Keppie Kiger.
Kingsgate .....	333	Kingsgate Diamonds, Inc.
Kirk .....	28	Kirk Jewelers.
Kizer .....	415	Kizer Cummings Jewelers.
Klecka .....	10	Paul Klecka.
Klecka .....	485	Paul Klecka.
Klima .....	120	Tyler Klima.
Knights .....	365	Norm Knights.
Knowles .....	422	Knowles.
Kohler's .....	344	Kohler's Fine Jewelry.
Kokkelers .....	340	Kokkelers.
Kolman .....	440	Kolman Jewelers.
Krementz .....	798	Krementz & Co.
Krenikow .....	719	International Colored Gemstone Association.
Kreuter .....	489	Jack Kreuter Jewelers.
Krieger .....	309	Hans D. Krieger.
Krieger .....	776	Hans D. Krieger.
Kuhn .....	444	Kuhn, Inc.
La Prad .....	341	Robert E. La Prad.
Lacert .....	755	William H. Lacert.
Lacher .....	409	J.B. Lacher, Inc.
Lacy .....	735	Lacy & Co.
Lambert .....	399	Bruce Lambert.
Landau .....	61	J. Landau, Inc.
Leach .....	650	Leach & Garner.
Leber .....	45	Leber Limited.
Leitzel's .....	238	Leitzel's Jewelry.
Leon's .....	124	Leon's Jewelers.
Levin .....	29	Jack A. Levin.
Levy .....	457	Levy Jewelers.
Levy .....	262	Levy Jewelers.
Lieberfarb .....	253	Lieberfarb, Inc.
Liska .....	733	David W. Liska Co.
Living Stones .....	778	Living Stones Enterprises.
Lone Star .....	55	Lone Star Gold Exchange.
Long .....	373	Long Jewelers.
Lord .....	314	Lord of the Rings.
Love's .....	466	Love's.
Luxor .....	150	Luxor Jewelers, Inc.
M & M .....	475	M & M Jewelry Repair.
M & J .....	714	M & J Jewelry.
M.J. Reed .....	302	M.J. Reed Jewelers.
M.J. .....	622	M.J. Jewellers Ltd.
MAB .....	716	MAB Jewelers.
Magnon .....	620	Magnon Jewelers.
Mandarin .....	25	Mandarin Gems.
Mangan .....	51	Mangan Jewelers.
Mangan .....	52	Mangan Jewelers.
Mark Michael .....	637	Mark Michael Designs, Inc.
Mark Diamonds .....	286	Mark Diamonds Jewelers.
Markides .....	780	Markides Jewelers.
Marla .....	155	Gregg Marla Co.
Marshalls .....	247	Marshalls of Milford, Jewelers.
Marshall's .....	246	Marshall's.
Mart .....	417	Cal. Jewelry Mart.
Martin .....	99	A.J. Martin.
Marvin .....	605	Marvin & Sons.
Marvin .....	657	Marvin & Sons.
Marvin .....	478	Marvin & Sons.
Marvin .....	452	Marvin & Sons.
Maslan .....	9	Richard Maslan & Company.
Master .....	465	Master Goldsmiths.
Master .....	106	Master Goldsmith Collection.
Masters .....	157	Color Masters.
Masters .....	649	Masters.
Mathews .....	281	C. Mathews Design.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Mathews .....	779	C. Mathews Design.
Matlick .....	734	Penny Matlick Fine Jewelry Company.
Mayfield's .....	754	Mayfield's Co.
McArthur .....	617	McArthur Jewelers.
McFadden .....	168	William F. McFadden, Inc.
McKay .....	401	Bruce McKay.
McKeller .....	618	Aay McKeller.
McMullen .....	139	J. McMullen Jewelry.
Measetique .....	362	Measetique Jewels.
Mednikow .....	296	Mednikow.
Megginson .....	790	Megginson Fine Jewelers.
Megginson .....	787	Megginson Fine Jewelers.
Mel .....	130	Mel's Diamond House.
Michaels .....	601	Michaels Jewelers.
Michael's .....	573	Michael's Jewelers.
Michael's .....	136	Michael's Jewelers.
Mike .....	700	Mike Hullingsurt.
Mirjam .....	768	Mirjam Butz & Brown Jewelers.
Mithril .....	692	Mithril, Ltd. Jewelers.
MJSA .....	799	Manufacturing Jewelers & Silversmiths of America.
Modern .....	538	Modern Diamond Jewelry.
Moeller .....	670	R.F. Moeller Jeweler.
Molberg's .....	633	Molberg's, Inc.
Molina .....	533	Molina.
Montanari .....	642	Montanari.
Montgomery .....	342	Ned V. Montgomery.
Moore's .....	689	Moore's Jewelers.
Moose .....	757	Frank L. Moose Jeweler, Inc.
Moretti's .....	576	Moretti's Fine Jewelry.
Morgan's .....	623	Morgan's Jewelers.
Morrissey .....	269	Morrissey Fine Jewelry.
Moses .....	647	Moses Jewelers.
Moses .....	445	Moses Jewelers.
Mossner .....	240	Mossner.
Moyer .....	619	Moyer Jewelers, Inc.
Moyer .....	145	Moyer & Co.
MSK .....	323	MSK Designs.
Mulhollen .....	135	Mulhollen Jewelry Design.
Mullen .....	57	Mullen Bros. Jewelers.
Muller .....	352	Muller Jewelers.
MWM .....	450	MWM Goldsmithing.
Mystik .....	697	Mystik Jewellery.
Nakamura .....	313	Jerry M. Nakamura & Sons.
Nathan .....	553	Nathan Design.
Nature's 10 .....	596	Nature's 10 Jewelers.
Nature's 10 .....	565	Nature's 10 Jewelers.
Nature's 10 .....	595	Nature's 10 Jewelers.
Nature's 10 .....	594	Nature's 10 Jewelers.
Nature's 10 .....	567	Nature's 10 Jewelers.
Nature's 10 .....	566	Nature's 10 Jewelers.
Nature's 10 .....	563	Nature's 10 Jewelers.
Nature's 10 .....	564	Nature's 10 Jewelers.
Nature's 10 .....	562	Nature's 10 Jewelers.
Nazarian .....	603	R.S. Nazarian Jewelry Manufacturing.
Neiman .....	22	Neiman Jewelers.
Neiman .....	775	Neiman Marcus.
Nelson .....	395	Ken Nelson.
Nengelken .....	590	Niessing.
New York .....	408	New York Jewelers and Collateral Co.
Newton .....	547	Newton Industries, Inc.
Nicholls .....	736	Paradise Jewelry.
Nordstrom .....	666	Nordstrom.
Norris .....	54	Norris Jewelers, Inc.
Northern .....	91	Northern Light Gems.
Novell .....	181	Novell Enterprises, Inc.
Novell .....	180	Novell Enterprises, Inc.
Novell .....	182	Novell Enterprises, Inc.
Numis .....	197	Numis International, Inc.
OGL .....	691	Ohio Gemological Laboratory, Inc.
Old World .....	18	Old World Jewelers.
Olde .....	112	Olde World Jewelers.
Olson .....	706	Cynthia Olson Jewelry.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Omega .....	306	Omega Casting Corporation.
Opulence .....	268	Opulence.
ORA .....	348	ORA Designers.
Orange Blossom .....	189	Orange Blossom Jewelers.
Orin .....	534	Orin Jewelers, Inc.
Orlando .....	146	Joseph C. Orlando, Inc.
Ostbye .....	366	Ostbye & Anderson Ultrablue Mfg.
Ostling .....	640	Ostling & Brooks, Ltd.
OWJ .....	359	OWJ
Pace .....	141	Pace Jewelers, Inc.
Pace .....	425	Pace.
Pacific .....	327	Pacific Gemological Laboratory, Inc.
Padilla .....	191	Padilla Jewelers.
Palmieri .....	772	D.A. Palmieri Co., Inc.
Palo Alto .....	196	Diamonds of Palo Alto.
Panther .....	500	Platinum Panther.
Paradise .....	749	Paradise.
Paradise .....	702	Paradise Associates.
Parker .....	50	Curt Parker, Inc.
Parker .....	738	Curt Parker, Inc.
Parker .....	737	Curt Parker, Inc.
Pasdera .....	37	Pasdera Custom Jewelers.
Patton .....	481	R&I Patton.
Pattons .....	419	Pattons.
Pattons .....	418	Pattons.
Pavlotzky .....	766	George L. Pavlotzky & Son, Inc.
Pearlman's .....	498	Pearlman's.
Pegasus .....	554	Pegasus Jewelry.
PeJay .....	154	PeJay Creations Ltd.
Pejois .....	381	Pejois, Inc.
Perret .....	71	Etienne Perret.
Peters .....	701	Handy & Harman.
PGI .....	272	Platinum Guild International USA Jewelry Inc.
PGI .....	718	Platinum Guild International USA Jewelry, Inc.
PGI .....	378	Platinum Guild International USA Jewelry Inc.
PGI .....	391	Platinum Guild Int'l. USA Jewelry Inc.
Phillip .....	464	Phillip Original Jewelry.
Phillippus .....	175	Phillippus.
Phillippvs .....	615	Phillippvs & Co. Inc.
Pilcher .....	212	Pilcher Jewelry Company.
Plante .....	350	Plante Jewelers.
Platinum Unlimited .....	583	Platinum Unlimited Inc.
Platinum Plus .....	636	Platinum Plus Jewelry, Inc.
Plumb .....	524	Plumb Gold Ltd.
Plumb .....	431	Plumb Gold Ltd.
Potichke .....	430	Linda Potichke Jewelry Design.
Prospector .....	712	The Prospector, Inc.
Prospector .....	713	The Prospector, Inc.
ProVockative .....	223	ProVockative Gems, Inc.
Purvis .....	267	Purvis Jewelers.
Quality .....	472	Quality Casting Inc.
Quinn's .....	555	Quinn's Goldsmith.
Rafinity .....	384	Rafinity.
Raskin .....	527	Kemp Metal Products, Inc.
Rawlings .....	732	Rawlings Jewelry.
Raymond .....	59	Raymond Lee Jewelers.
Refined .....	41	Refined Designs.
Refractal .....	694	Refractal Design, Inc.
Reising .....	421	Reising International Inc.
Republic .....	667	Republic Metals Corporation.
Restifo's .....	152	Restifo's Jewelry Laboratory.
Restifo's .....	487	Restifo's Jewelry Laboratory.
Reuschleiz .....	94	C.F. Reuschleiz, Inc.
Reznikov .....	78	Reznikov's.
Richards .....	602	Anne Richard Designs.
Richard's .....	115	Richard's Jewelry.
Rivclan .....	496	Sandy Rirdon Peweters.
Robann's .....	186	Robann's Jewelers.
Robbins .....	376	Bernie Robbins.
Robbins .....	125	Bernie Robbins Fine Jewelry.
Robins .....	169	Robins Jewelers.
Robinson .....	499	Barnett Robinson, Inc.



## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Roni .....	178	Roni Jewel
Root .....	360	C. Kirk Root Designs.
Root .....	414	C. Kirk Root Designs.
Roth .....	455	Karen Roth.
Royal .....	107	Royal Jewelers, Inc.
Royal .....	307	Royal Jewelry Mfg. Inc.
Royston .....	750	Royston Jewels.
Rubel .....	484	Fredric H. Rubel.
Rudolf .....	806	OE Design.
Rummele's .....	123	Rummele's Jewelers.
Rutledge .....	747	Neil Rutledge & Co.
RV Coin .....	166	RV Coin & Jewelry Exchange.
Sadovsky .....	480	Mark Sadovsky Jeweler.
Sammartino .....	546	Diamonds by Sammartino Sisters, Inc.
Sammor .....	349	Sammor.
Samuel .....	612	Samuel Jewels, Inc.
San Diego .....	132	Manufacturing Jewelers of San Diego.
Sandberg .....	228	Sandberg & Sikorski.
Sandberg .....	411	Sandberg & Sikorski Corporation.
Sawyer .....	23	George Sawyer Design.
Saxon .....	626	Saxon.
Schalla .....	209	Schalla Jeweler.
Schechter .....	451	Honora Industries, Inc.
Scheherazade .....	427	Scheherazade.
Schmidt .....	251	R.J. Schmidt.
Schmitt .....	142	Adam Schmitt.
Schoenke .....	300	Platinum Jewelers.
Schoenke .....	604	Platinum Jewelers.
Schwanke .....	64	Schwanke-Kasten Jewelers.
Schwartz .....	709	Charles Schwartz.
Schwarzschild .....	764	Schwarzschild Jewelers.
Servis .....	16	Servis and Taylor Jewellers.
Servis .....	282	Servis & Taylor Jewellers.
Servis .....	326	Servis & Taylor Jewellers.
Sheftall .....	140	The Sheftall Co..
Shelton .....	518	Shelton Jewelers, Ltd.
Shersher .....	374	Casting Platina Services.
Shersher .....	1	Casting Platina Services.
Shiboski .....	598	Shiboski.
Siegel .....	315	Siegel Jewelers.
SIGI .....	454	SIGI Design.
Signatures .....	321	Signatures.
Silver .....	276	Michael Jewelers.
Silver House .....	330	Silver House & Co. International, Inc.
Silvergate .....	794	Silvergate Farms.
Sipe .....	21	J.C. Sipe Jewelers.
Sipe .....	20	J.C. Sipe Jewelers.
Sipe .....	19	J.C. Sipe Jewelers.
Sissy's .....	559	Sissy's Log Cabin.
Sites .....	434	Sites Jewelers.
Skipped .....	540	Skipped number.
Skomaroske .....	575	JoAnn Skomaroske.
Smith .....	762	Winston Studio & Imports.
Smith & Bevill .....	324	Smith & Bevill Jewelers, Inc.
Smith .....	42	Robert Smith Jeweler, Inc.
Smyth .....	111	Albert S. Smyth Company, Inc.
Snyder .....	773	Snyder Jewelers.
Snyder .....	86	Wixon Jewelers.
Solomons .....	405	Solomons Jewelers.
Solover .....	367	Solover Jewelers Inc.
Sordo .....	447	Olivia Sordo.
Southeast Gem .....	745	Southeast Gemological Laboratory.
Spirer-Somes .....	15	Spirer-Somes Jewelers.
Spirit .....	655	Spirit of the Earth.
Spreckman .....	105	Hy Spreckman & Sons, Inc.
St. Clair .....	202	St. Clair Jewelers.
Stadheim's .....	426	Stadheim's.
Stanley .....	239	Stanley Jewelers Gemologist, Inc.
Starfire .....	488	Starfire Gems.
Stepan-Hill .....	740	Stepan-Hill Jewelry Designers.
Steven's .....	345	Harold Steven's Jewelers, Inc.
Stuller .....	630	Stuller.

## APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Sturgill .....	67	P.R. Sturgill.
Sturhan .....	278	Sturhan Jewelers.
Sullivan .....	703	Artcarved Bridal Jewelry.
Suna .....	801	Suna Bros., Inc.
Sunburst .....	704	Sunburst Jewelers.
Suncoast .....	803	Suncoast Gem.
Sunshine .....	783	Shrarlol Sunshine.
Sutter's .....	420	Sutter's.
Swanson .....	684	Swanson Jewelers, Inc.
Sweet .....	172	Howard H. Sweet & Son.
Symmetry .....	254	Symmetry Jewelers.
Tallmon's .....	258	Tallmon's Diamondland.
Talner .....	448	Leonard Talner Jewelers, Inc.
Tanner .....	192	O.C. Tanner.
Tavernier .....	781	Tavernier Enterprises.
Taylor .....	2	Grady G. Taylor Jewelry, Inc.
Terry .....	279	Terry & Bess.
Thomas Joseph .....	320	Thomas Joseph & Sons.
Tiffany .....	761	Tiffany & Co.
Tiga .....	66	Tiga, Inc.
TIGA .....	412	TIGA Inc.
Toback .....	645	Myron Toback, Inc.
Toby's .....	648	Toby's Gems & Treasures.
Toenniges .....	190	Toenniges Jewelers, Inc.
Tompkins .....	346	Tompkins, Inc.
Towne .....	284	Towne Jewelers.
TQ .....	400	TQ Diamonds.
Traditional .....	526	Traditional Jewelers.
Tripp .....	138	Tripp Jewelry & Sculpture.
Tripton .....	368	Tripton Fine Jewelry, Inc.
Turgeon .....	609	Turgeon Raine Jewellers, Inc.
Turi .....	446	Charles Turi Jewelry Co.
Tyrony .....	356	Tyrony Jewelers.
Underwood's .....	244	Underwood's Fine Jewelers.
Underwood's .....	477	Underwood's Fine Jewelers.
Unique .....	227	Unique Designs.
Unsigned .....	402	Unsigned Letter.
Upton .....	432	Bill Upton.
Urban .....	574	Urban Jewelers.
Valente .....	771	Valente Jewelers.
Ventro .....	625	Donaldo & Heidi Ventro.
Village Goldsmith .....	804	The Village Goldsmith, Inc.
Village .....	520	Village Coin Shop, Inc.
Vincent .....	389	S. Vincent Jeweler, Inc.
Vista's .....	53	Vista's Fine Jewelry.
Vulcan's .....	265	Vulcan's Forge.
Wachler .....	7	David Wachler & Sons Jewellers.
Wachler .....	363	David Wachler & Sons Jewellers.
Wachler .....	8	David Wachler & Sons Jewellers.
Walters .....	410	Walters & Hogsett.
Walzel .....	200	Cherryll Walzel Collections.
Ward .....	685	Krinkle Horn.
Warner .....	522	Warner Co. Jewelers.
Watkins .....	628	John Watkins.
Watkins .....	616	John Watkins.
Wayne .....	688	Wayne Jewelers & Silversmiths, Inc.
Wayne .....	76	Wayne Jewelers & Silversmiths, Inc.
Westphal .....	331	Westphal Jewelers.
White .....	351	Jeffrey H. White.
Whitney Boin .....	744	Whitney Boin Studio.
Whitney .....	748	The Whitney Way.
Williams .....	187	Williams Jewelers.
Williams .....	77	Williams Distinctive Gems.
Willowdale .....	242	Willowdale Studio.
Wilson .....	304	Wilson Fine Jewelers.
Wilson .....	570	Michael Wilson.
Wilson .....	225	Wilson Diamonds.
Wimberly .....	318	Wimberly Jewelers.
Winc .....	662	Winc Creations.
Winward .....	261	Winward Corporation.
Wolls .....	507	Fran Wolls.
Worthington .....	503	Will Worthington Jewelers.

APPENDIX—LIST OF COMMENTERS AND ABBREVIATIONS—Continued

Abbreviation	No.	Commenter
Wright .....	259	Wright & Lato, Inc.
Wright's .....	69	Wright's Jewelers.
Wyman .....	358	Wyman Jewelers, Inc.
Yanke .....	717	Yanke Designs.
York .....	756	Christine York.
Zane .....	542	Zane Design.
Zerbe .....	293	Zerbe Jewelers Inc.
Zimmer .....	230	Zimmer Brothers.
Zoltan .....	134	Zoltan David.

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**COMMODITY FUTURES TRADING COMMISSION**

**17 CFR Part 30**

**Foreign Futures and Option Transactions**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Order.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission" or "CFTC"), subject to the conditions specified below, is:

granting an exemption to designated members of the MEFF Sociedad Rectora de Productos Financieros Derivados de Renta Variable (the "Exchange" or "MEFF Renta Variable") of Spain from the application of certain of the Commission's foreign futures and option rules based on substituted compliance with certain comparable regulatory and self-regulatory requirements of a foreign regulatory authority.

This Order is issued pursuant to Commission rule 30.10, 17 CFR 30.10, which allows certain persons to petition the Commission for exemption from the application of certain of the rules set forth in Part 30, and authorizes the Commission to grant such petition if the exemption is not otherwise contrary to the public interest or to the purposes of the provisions from which exemption is sought.

**EFFECTIVE DATE:** May 8, 1997.

**FOR FURTHER INFORMATION CONTACT:** Jane C. Kang, Esq., or Robert H. Rosenfeld, Esq., Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581. Telephone: (202) 418-5430.

**SUPPLEMENTARY INFORMATION:** On July 23, 1987, the Commission adopted final rules governing the domestic offer and sale of commodity futures and option contracts traded on or subject to the rules of a foreign board of trade. 52 FR

28980 (August 5, 1987). These rules, which are codified in Part 30 of the Commission's regulations, 17 CFR Part 30, generally extend the Commission's existing customer protection regulations for products offered or sold on contract markets in the United States to foreign futures and option products<sup>1</sup> sold to United States customers by imposing requirements with respect to registration, disclosure, capital adequacy, protection of customer funds, recordkeeping and reporting, sales practice and compliance procedures that are generally comparable to those applicable to wholly domestic transactions.

In formulating a regulatory program to govern the offer and sale of foreign futures and option products to United States customers, the Commission, among other things, considers the potential extraterritorial impact of such a program and the desirability of avoiding duplicative regulation of firms engaged in international business. Based upon these considerations, the Commission, as set forth in Commission rule 30.10, determined to permit persons located outside the United States and subject to a comparable regulatory structure in the jurisdiction in which they are located to seek an exemption from certain of the requirements imposed by the Part 30 rules based upon substituted compliance with the comparable regulatory requirements imposed by the foreign jurisdiction.

In issuing orders under rule 30.10, the Commission evaluates whether the particular foreign regulatory program provides a basis for permitting

<sup>1</sup> Commission rule 30.1(a), 17 CFR 30.1(a), defines the term "foreign futures" as "any contract for the purchase or sale of any commodity for future delivery made, or to be made, on or subject to the rules of any foreign board of trade."

Commission rule 30.1(b), 17 CFR 30.1(b), defines the term "foreign option" as "any transaction or agreement which is or is held out to be of the character of, or is commonly known to the trade as, an "option," "privilege," "indemnity," "bid," "offer," "put," "call," "advance guaranty," or "decline guaranty," made on or subject to the rules of any foreign board of trade."

substituted compliance for purposes of exemptive relief pursuant to Commission rule 30.10. The specific elements examined are set forth in Appendix A to Part 30, "Interpretative Statement With Respect to the Commission's Exemptive Authority Under Section 30.10 of Its Rules" ("Appendix A"). 17 CFR Part 30, Appendix A. These elements include: (1) Registration, authorization or other form of licensing, fitness review or qualification of persons (both individuals and firms) through which customer orders are solicited and accepted; (2) minimum financial requirements for those persons who accept customer funds; (3) protection of customer funds from misapplication; (4) minimum sales practice standards, including the disclosure of the risks of futures transactions; (5) recordkeeping and reporting requirements; (6) procedures to audit for compliance with, and to take action against those persons who violate, the requirements of the program; and (7) the existence of appropriate information-sharing arrangements. The Commission may apply additional conditions to ensure that brokers licensed under other regulatory regimes are not permitted to solicit U.S. customers while effectively evading U.S. requirements, such as those relative to statutory disqualification.

Moreover, the Commission specifically stated in adopting rule 30.10 that no exemption based on substituted compliance of a general nature would be granted unless the persons to whom the exemption is to be applied: (1) Consent to jurisdiction in the United States and designate an agent for service of process in the United States with respect to transactions subject to Part 30 by filing a copy of the relevant agency agreement with the National Futures Association ("NFA"); (2) agree to make their books and records available in the United States to Commission and Department of Justice representatives; and (3) notify NFA of