

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.¹ That FRN did not change the section regarding platinum products, but instead requested additional comments on possible revisions to that section.² 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

¹ 61 FR 27178 *et seq.* (May 30, 1996).

² 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").³ The comment period, as extended, ended on September 25, 1992.⁴ 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, 1996.⁵ 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.⁶ 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.

³ 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.

⁴ 57 FR 34532 (Aug. 5, 1992).

⁵ 61 FR 27224 (May 30, 1996).

⁶ 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."⁷

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."⁸ 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.⁹

(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.¹⁰ (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

⁷ 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.

⁸ 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.

⁹ VPS Section 3.5(1).

¹⁰ 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.¹¹ (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.¹² (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).¹³ 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

¹¹ VPS Section 3.5(3).

¹² VPS Section 3.5(4).

¹³ 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.¹⁴ 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, PT999.¹⁵ 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."¹⁶ 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.¹⁷ 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.¹⁸

Based on the international standards reflected in the ISO standard¹⁹ 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

¹⁷ 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).

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

¹⁹ 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."²⁰ 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.²¹ 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.²²

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.²³ First, in the revised Guides,

²⁰ 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).

²¹ 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).

²² 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.

²³ VPS Section 3.5(2).

¹⁴ 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.

¹⁵ 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).

¹⁶ Taylor (002). Other comments also advocated the use of these four markings: Hoover (479); Worthington (503); Wolls (507); Jones (569); Hartsfield (572); Urban (574); Burruss (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.²⁴ Three comments addressed this issue and indicated that the "Irid.-Plat." marking may be confusing to consumers.²⁵ 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.²⁶

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.²⁷ As

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.²⁸ 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.²⁹

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."³⁰ 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.

²⁸ 61 FR 27224 notes 5-6 (May 30, 1996).

²⁹ See 61 FR 27224.

³⁰ 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.³¹ Nineteen comments support 900 parts per thousand pure platinum as the minimum standard for a platinum marking;³² one comment recommends a minimum of 800 parts per thousand pure platinum;³³ eight comments advocate a 585 minimum;³⁴ and four comments support a minimum of 500 parts per thousand pure platinum for a platinum marking.³⁵ One commenter indicated that it is currently preparing to market jewelry containing 585 parts per thousand pure platinum.³⁶

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.³⁷

³¹ 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).

³² 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).

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

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

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

³⁶ Shersher (374).

³⁷ Taylor (002).

²⁴ 61 FR 27225.

²⁵ 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).

²⁶ Canada (802), p. 3.

²⁷ 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

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."³⁸ 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.³⁹

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."⁴⁰

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.⁴¹ In fact, many of these commenters submitted the form letter comment but

simply replaced 850 with 900.⁴² 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.⁴³ 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."⁴⁴ 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."⁴⁵

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

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

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.⁴⁷ 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."⁴⁸

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.⁴⁹ 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

³⁸ PGI (718), p. 1.

³⁹ 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.

⁴⁰ 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.

⁴¹ 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").

⁴² 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).

⁴³ 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").

⁴⁴ 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).

⁴⁵ Austin (413); accord Root (414).

⁴⁶ PGI (272), pp. 3-4.

⁴⁷ 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.

⁴⁸ ISO 9202: 1991(E).

⁴⁹ 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 MJSA comment that indicated that 3 of the 17 members responding to their questionnaire supported such a marking and 14 opposed it. MJSA (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.'''⁵⁰

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.⁵¹ 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

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.⁵² 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.⁵³ 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

⁵² 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.")

⁵³ 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.⁵⁴ 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,⁵⁵ no comments were received regarding the proposal. The Commission is aware that there is an ISO standard for palladium products.⁵⁶ 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.⁵⁷

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.⁵⁸ 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.⁵⁹ Based on these comments, the Commission has determined that

⁵⁴ 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."

⁵⁵ 61 FR 27227.

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

⁵⁷ 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.

⁵⁸ 61 FR 27227 (question 8).

⁵⁹ 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.

⁵⁰ 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.

⁵¹ 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.

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."⁶⁰ 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.⁶¹ One comment responded that all platinum products, including chains, should have a minimum of 900 parts per thousand pure platinum.⁶² 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.⁶³ 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.⁶⁴ One comment addressed an FTC matter that did not relate to the Guides in any respect.⁶⁵ 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:¹⁰

(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. |

⁶⁰ 61 FR 27227 (question 9).

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

⁶² LaPrad (341).

⁶³ Canada (802), p. 5.

⁶⁴ 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); Kremtentz (798) (describing gold standards and diamond disclosures).

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

¹⁰ 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. |
| Davids | 476 | Davids. |
| 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. |
| Halton | 245 | Mary Halton 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. |
| Kokkelaers | 340 | Kokkelaers. |
| 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 products¹ 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

¹ 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