

Canadian Guidelines for Gemstones

Canadian Guidelines with Respect to the Sale and Marketing of Coloured Gemstones & Pearls

Revised Edition 2013

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Preamble

The Canadian Gemstone Guidelines (*Canadian Guidelines with Respect to the Sale and Marketing of Diamonds, Gemstones and Pearls*) were revised in 2013 by a special Jewellers Vigilance Canada Inc. (JVC) Committee in consultation with industry members and with reference to other internationally recognized standards. JVC's Gemstone Guidelines Committee members are Warren Boyd FGA, FCGmA, BSC of Geology, Odile Civitello GG, FGA, CAP and Duncan Parker FCGmA, FGA, CAP, CGA.

All methods of making representations, including printed or broadcast advertisements, written or oral representations, audio-visual promotions, Internet, Social Media and illustrations are within the general scope of these Guidelines.

Industry members should note that the misleading representations and deceptive marketing practices provisions of the *Competition Act* comprise only a portion of the relevant law in Canada. Most provinces and other federal departments and agencies also administer legislation dealing with advertising and marketing practices. These Guidelines do not provide information on these various legislations. See Appendix I for a link to the Competition Bureau's web site.

History

These Guidelines were originally developed in 1994 by a Jewellers Vigilance Canada (JVC) committee in cooperation with the Canadian Jewellers Association, the Canadian Gemmological Association, the Quebec Professional Gemmologists Association, the Canadian Advertising Foundation and the federal government represented by Industry Canada to provide for voluntary compliance rather than a regulatory compliance program.

The Diamond Guidelines were adopted by Consumer & Corporate Affairs Canada in 1986 and were revised when they were incorporated with the Coloured Gemstones and Pearls Guidelines adopted by Industry Canada in 1994.

These present Guidelines (Revised Edition 2013) are presented in three sections: Diamonds, Coloured Gemstones and Pearls.

Application

In general, these Guidelines apply to anyone promoting, directly or indirectly, the supply, use, description, identification, sale of or trading in any gem, carving, jewel, item of jewellery or work of art containing diamond, gemstone, pearl and related materials.

Misuses of Terminology

The definitions and misuses of terminology outlined in these Guidelines were developed in consideration of the *Competition Act* that contains prohibitions against false and misleading representations. Adherence to the nomenclature contained in this document will assist jewellery industry members in their obligation to ensure compliance with the legislation and to provide consistent and meaningful information to consumers. The Guidelines are for assistance only.

It is contrary to the purpose of these Guidelines to:

A. make a representation that does not conform in all respects to these Guidelines in the selling, advertising, or distribution of any substance defined in these Guidelines. Representation includes illustrations, descriptions,

expressions, words, figures, depictions or symbols shown in a manner that may reasonably be regarded as relating to the substance. Selling includes offering for sale, exposing for sale, displaying in such a manner as to lead to a reasonable belief that the product so displayed is intended for sale. Advertising includes directly or indirectly promoting the sale or use of a product.

B. make any misleading or deceptive statement, representation or illustration relating to origin, formation, production, condition or quality of any substance defined in these Guidelines.

C. declare the identity of differing diamonds, gemstones and/or pearls in an article in any order except in descending order by weight;

D. identify, refer to or describe an article containing more than one substance by referring to only one substance.

LANGUAGE

It is contrary to the purpose of these Guidelines to use any word, existing or created from any language, to misrepresent the authenticity of a diamond, gemstone and/or pearl. (Unacceptable examples: *Herkimer diamond* for quartz; *faux emerald*; *Mont Blanc ruby* for a rose quartz; *faux pearl*)

GEOGRAPHIC ORIGIN

It is contrary to the purpose of these Guidelines to make a statement as to the geographic origin of a gemstone (diamond, coloured gemstone and/or pearl) unless its origin can be substantiated. Names of geographical areas shall only be used when they denote the area where the gemstone was mined or harvested (place of origin). When places of origin for gemstones are presented but not substantiated they shall be considered a matter of opinion. Place of origin does not imply level of quality and names of cutting, processing and/or exporting countries and/or centres shall not be used to imply geographical origin. For Canadian diamond claims please refer to the *Voluntary Code of Conduct for Authenticating Canadian Diamond Claims* at www.canadiandiamondcodeofconduct.ca.

CARE & MAINTENANCE

It is contrary to the purpose of these Guidelines not to advise all consumers purchasing diamonds, gemstones and/or pearls as to their care, cleaning and maintenance.

WARRANTIES & GUARANTEES

Specific legislation regarding warranties/guarantees is laid out in the *Competition Act*, section 74.01 (1) (b) (c) (see *APPENDIX 1* for link to Competition Bureau) as well as provincial/territorial legislation. Industry should be aware that in the selling, advertising, offering for sale or distribution of any substance, that every statement or reference as to identity or quality or value of a substance constitutes a warranty/guarantee by the vendor. This principle applies in every instance and includes circumstances where the vendor quotes, makes reference to, or provides access to copies of the independent opinion of a third party, even if the vendor claims to be in dispute with the quoted opinion.

SEALED PACKAGING AND WARRANTIES

It is contrary to the purpose of these guidelines to limit a consumer the opportunity to make or obtain an independent examination of any substance by delivering it in a sealed container under a warranty that becomes void if the seal is broken.

APPRAISAL

An appraisal is an expert unbiased opinion as to identity, composition, qualities and values usually embodied in a document which is the official record of the item. All appraisals should be prepared in accordance with the *Jewellery Appraisal Guidelines – Minimum Acceptable Standards, Revised Edition 2010* (Link available at www.jewellersvigilance.ca or see *Appendix 3*). ***It is contrary to the purpose of these guidelines to use an appraisal value as a selling tool.***

DISCLOSURE

Purchasers of diamonds, gemstones and/or pearls (both consumers and trade) should be advised that some are treated by methods that duplicate natural processes, are often undetectable by standard gemmological techniques and may or may not be stable and permanent. The vendor must always provide to the purchaser information regarding any treatment that may have been applied to the substance offered for sale.

Section D

Diamond Guidelines

Note: These Guidelines do not address the sale and marketing of rough diamonds.

Internationally recognized standards include those used by the American Gem Society (AGS), the World Jewellery Confederation (CIBJO), the Gemological Institute of America (GIA), the Diamond High Council (HRD), Scandinavian Diamond Nomenclature (SCAN.DN) (as applicable).

D1 DIAMOND

Definition:

A naturally occurring crystalline carbon mineral in the isometric (cubic) crystal system with a hardness of 10 on Mohs scale, specific gravity of approximately 3.52 and a refractive index of approximately 2.42 and can be found in many colours.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

A. identify, refer to or describe as a *diamond*, any substance that has been either partly or wholly created through human intervention no matter what basic material or methods are used, unless the word synthetic, laboratory grown, created, composite, assembled, artificial, imitation, or simulated (as appropriate) immediately precedes the word *diamond*. Neither word shall be given greater prominence or emphasis than the other, nor may they be separated in any way, such as with an asterisk or other symbol that makes reference to a footnote explanation;

B. use the word *diamond* together with any geographic, historic or adjectival qualifier to describe, identify or refer to any substance that is not a diamond. (Unacceptable examples: quartz as *Herkimer diamond*, hematite as *Black Alaskan diamond*);

C. use any word or phrase that incorporates, is a variation of, sounds similar to, or could be mistaken for the word *diamond*, including the use of such a word or phrase as all or part of a registered trademark, unless the word(s) *synthetic diamond, laboratory grown diamond, created diamond, composite diamond, assembled diamond, artificial diamond, imitation diamond* or *simulated diamond* immediately precedes or follows the word or phrase. No word(s) shall be given greater prominence or emphasis than the other(s), nor may they be separated. (Unacceptable examples: *diamonite, diamonique*. Acceptable examples: *diamondine imitation diamond, [trademark name] simulated diamond*)

D2 NATURAL

Definition:

A substance that has been formed completely by nature without human intervention during the formation process.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the term *natural* if the substance has been created in whole or in part through human intervention during the formation process.

D3 TREATMENT/ ENHANCEMENT

Definition:

Any process other than cutting, polishing, cleaning or inscribing that alters the colour and/or clarity and/or durability of a diamond.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to refer to a diamond without the use of the term *treated* or *enhanced* if the diamond has been altered by any treatment other than cutting, polishing, cleaning or inscribing. (Examples of treatments or enhancement: laser drilling, colour alteration, tinting, coating, irradiating, heating, the use of any type of bombardment or by the introduction or the infusion of any foreign substance)

When a diamond is treated or enhanced the word *treated* or *enhanced* must immediately precede the word *diamond* and no word shall be given greater prominence or emphasis than the other, nor may they be separated. (Acceptable example: *clarity enhanced diamond*)

Alternately, terms naming the treatment method or process (with or without any trademark or patent name) shall immediately precede the word *diamond* instead of the word treated or enhanced. The name of the treatment process shall be given equal prominence and emphasis to the word *diamond*, and they may not be separated. (Acceptable examples: *[Company/Brand name] fracture filled diamonds, laser drilled diamond, high pressure, high temperature (HPHT) treated diamonds*)

D4 SYNTHETIC/LABORATORY GROWN/CREATED

Definition:

A substance that has been produced completely or partially through human intervention. Its physical, chemical and optical properties correspond to its naturally occurring counterpart.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the words *real*, *cultured*, *genuine*, or *natural* to describe a synthetic, laboratory grown, or created diamond. The word *synthetic*, *laboratory grown*, or *created* can only be used when the substance's physical, chemical and optical properties correspond to those of a diamond. For such substances, the word *synthetic*, *laboratory grown*, or *created* must be placed immediately preceding the word *diamond* and neither word(s) shall be given greater prominence or emphasis than the other(s), nor may they be separated. (Acceptable examples: *laboratory grown diamond, laboratory created diamond, [company name] synthetic diamond, [manufacturer's name] created diamond*. Unacceptable example: *cultured diamond*)

D5 COMPOSITE/ASSEMBLED

Definition:

A manufactured substance resulting from the assembling of two or more parts, at least one of which is diamond.

Misuses of Terminology:

For composite or assembled substances, the word *composite* or *assembled* must immediately precede the word *diamond*, and neither word shall be given greater prominence or emphasis than the other, nor may the words be separated. The component parts of a composite or assembled diamond must be disclosed. (Acceptable example: *composite of diamond and cubic zirconia*)

D6 ARTIFICIAL/ IMITATION/ SIMULATED

Definition:

A substance that has a superficial similarity to and appearance of a diamond without possessing its chemical composition, physical properties, optical properties and/or crystal structure.

Misuses of Terminology:

For artificial, imitation, or simulated substances, the word *artificial*, *imitation*, or *simulated* must immediately precede the word *diamond* and neither word shall be given greater prominence or emphasis than the other, nor may the words be separated. (Acceptable example: *artificial diamond*, [company name] *imitation diamond*, [trademark name] *simulated diamond*)

D7 UNITS OF MEASUREMENT

Definition:

Note 1: The rules in this section “Units of Measurement” apply with equal import to diamonds, simulated diamonds and synthetic diamonds.

Note 2: See *APPENDIX 2* of these Guidelines for a listing of the acceptable measurement tolerances, proposed and current.

- a. The weight of a diamond is expressed as carat or carats (symbol ct or cts) to at least two decimal places or by a fraction. One metric carat equals 200 milligrams (0.20 grams).
- b. The dimensions of a diamond are expressed in millimetres (mm) to at least two decimal places.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. misrepresent the weight or dimensions of any diamond or group of diamonds;
- B. represent the weight of a diamond or group of diamonds by a fraction unless the weight

meets or exceeds the equivalent decimal carat weight. (Example: a diamond described as half carat must weigh at least 0.50 ct);

C. represent a weight declaration of any diamond or group of diamonds in any unit other than the carat without also expressing the weight in carats as appropriate. Additional units of measurement as prescribed by the Weights and Measures Act and Regulations may be used providing they are not of greater prominence than the carat declaration;

D. use the plural *carats* or *cts* in reference to any weight that is not greater than 1.00 ct. (Unacceptable example: *0.17 carats*);

E. represent the weight of all diamonds contained in an article unless the representation is immediately followed by the words *total weight* in full so as to indicate clearly that the weight shown is that of all the diamonds in the article and not that of the centre, or the largest, or of a single diamond;

F. represent the total weight of all diamonds and other gems contained in an article unless the representation is accompanied with equal emphasis and prominence by the total separate weight (s) of each variety or species of gem. (Unacceptable example: *gem and diamond cluster ring, total gem weight 1.00 ct*);

G. represent the weight of any diamond where such weight is less than 1.00 carat without preceding the decimal point with a zero of equal size and prominence to the other numerals. (Acceptable example: *0.25 ct*. Unacceptable example: *.25 ct*);

H. use the term *carat* or the symbol *ct* in a context where it could be presumed to refer to either karat weight or precious metal quality. (Unacceptable example: *10 cts diamond bracelet*. Acceptable example: *diamonds of 5.00 cts total weight in 10K gold bracelet*);

I. represent the dimensions of any diamond or group(s) of diamonds in terms of any unit other than metric (i.e. millimetres);

J. state the weight of any diamond(s) weighing less than 0.0025ct total

K. reference grain or grainer as a unit of measurement at the retail level for consumers. (Note: grain or grainer is acceptable and regularly used in the diamond production industry but is generally used for rough diamonds).

D8 COLOUR

Definition:

An indication of the presence or absence or degree of hue of a diamond determined by visual comparison to diamonds of known colour grade determined under normalized light (in the vicinity of 5500 Kelvin).

D8.1 FANCY COLOUR

Definition:

Diamonds that have a rare and distinct colour.

Note: Diamonds are found in almost every colour of the spectrum, but the majority of diamonds will have hues of yellow or brown. Brown and yellow diamonds that exhibit a greater saturation of colour than the GIA colour grade Z within the D-Z colour scale are known as fancy colours. Since most diamonds have a hue of yellow or brown, any colours outside of those hues may be called fancy colours.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to represent the colour of a diamond in any terms other than those found in an internationally recognized diamond grading system. Such terms can only be applied to diamonds in which the colour conforms to the standards of that system.

D9 CLARITY

Definition:

An indication of a qualitative grade of a diamond based on an analysis of the size, number, position and nature of internal characteristics and external characteristics visible at ten-power magnification (exclusive of colour).

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. represent the clarity of a diamond in any terms other than those based on corrected ten-power magnification and found in an internationally recognized system. Such terms can only be applied to diamonds in which the clarity of the diamond conforms to the standards of that system;
- B. use the term flawless/loupe-clean as an indication of quality or desirability of clarity for any diamond unless it conforms to the standards of the above mentioned international systems;
- C. describe as a diamond any diamond, other than a fancy coloured diamond, that has a clarity grade lower than I-3 unless the phrase "below recognized clarity grading standards" precedes or follows the word diamond and no word(s) or phrase(s) shall be given greater prominence and emphasis than the other(s), nor may they be separated.

D10 CUT

Definition:

Cut may refer to quality/make of cut or style/shape of cut, as delineated below:

D10.1 QUALITY/MAKE

Definition:

The quality of work in the cutting and/or polishing of a diamond. It takes into account all three factors of proportion, symmetry and polish (facet surface condition) and their effect on light return in the form of fire/dispersion (rainbow colours), brilliance (brightness) and scintillation (sparkle).

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. use any symbols, words or other indications of quality or desirability of cut found in an internationally recognized diamond cut grading system unless the quality/make of the diamond conforms to the standards of that system;
- B. use the terms *properly cut*, *proper cut well-made*, *good make*, *well proportioned*, *well finished*, *well polished* or representation of similar meaning to describe any diamond that is asymmetrical and/or poorly proportioned and/or poorly polished, detracting from the brilliance of the diamond.
- C. make a representation that a diamond possesses any special characteristics of brilliancy and/or dispersion resulting from any consideration other than the quality/make as defined in this section (D10.1);
- D. make any representation regarding quality/make without due consideration of each and every one of: proportions, polish and symmetry.
- E. use the word *perfect* or any variation of the word to describe, identify or refer to any attribute of any diamond. (Unacceptable examples: *a perfect gem*, *perfectly polished*, *perfect make*)

D10.2 STYLE/SHAPE

Definition:

The distinctive or characteristic design shape and/or arrangement and number of facets into which a diamond is cut and/or polished. (Some common examples include: *marquise shape brilliant*, *pear shape brilliant*, *baguette*, *triangular brilliant*, *round brilliant*, or any trademark cuts.)

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. specify a *style/shape* to which the diamond does not conform;
- B. indicate *style/shape* rather than *quality* of cut in reference to the four C's of colour, clarity, cut and carat weight;
- C. use the name of a *style/shape* alone to describe, identify or refer to a diamond. (Unacceptable examples: *brilliant*, *baguette*. Acceptable examples: *brilliant cut diamond*, *baguette cut diamond*).
- D. specify an outline shape to which the diamond does not conform;
- E. represent the name of the shape of a diamond as its style of cut. (Unacceptable examples: *square cut diamond*, *round cut diamond*. Acceptable examples: *square princess cut diamond* or *round brilliant cut diamond*).

D11 FLUORESCENCE

Definition:

A luminescent optical property that can affect the appearance of a diamond. It has a descriptive value and should be expressed as one of the following as seen under long wave UV (365nm) light:

None
Slight
Medium
Strong
Very Strong

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to make any representation regarding a property that the diamond referred to does not exhibit.

D12 AUTHENTIC/ REAL/ GENUINE

It is contrary to the purpose of these Guidelines to use the word *authentic*, *real*, *genuine* or a similar term, to describe, identify or refer to any substance made entirely or partially through human intervention. (Unacceptable example: *genuine synthetic diamond*, *authentic [brand name] synthetic diamond*)

D13 REPRODUCTION/ REPLICA

It is contrary to the purpose of these Guidelines to use *reproduction*, *replica* or a similar term to describe, identify or refer to a synthetic or artificial/imitation/simulated substance unless it is a replica of a famous-named diamond that is reproduced in size, shape and appearance. The component material(s) should be specified. No word(s) shall be given greater prominence or emphasis than the other(s), nor may they be separated. (Acceptable example: *glass replica of the Hope Diamond*)

Section CG Coloured Gemstones

Note: For the purposes of these Guidelines the term coloured gemstone refer to all gemstones that are not diamonds or pearls.

CG1 COLOURED GEMSTONE

Definition:

A naturally occurring mineral or organic substance that has generally been cut and/or polished and possesses beauty, rarity, durability and value. (Note: For the purpose of these Guidelines, (coloured) gemstone(s) will be used when referring to gem(s) or gemstone(s)).

Misuses of Terminology:

NOTE: The term *semi-precious* should not be used in any context.

It is contrary to the purpose of these Guidelines to, without qualification (appropriate disclosure), identify, refer to or describe as a gemstone species or variety:

- A. any substance that has been synthesized, either partly or wholly through human intervention, no matter which basic material or methods are used;
- B. any substance composed of two or more parts that are assembled, cemented or otherwise joined by any artificial method;
- C. substances that have been altered by coating, filling, dyeing, coloured oiling, diffusion or any other treatment;
- D. any substance that has undergone treatment or enhancement that is unstable or impermanent in normal wear and maintenance;
- E. any substance that, as a result of treatment, takes on the appearance of a more valuable untreated gemstone. (Unacceptable examples: diffusion-treated corundum referred to as *ruby*, opal triplet referred to as *opal*);
- F. any substance that is not of the species or variety described. (Unacceptable examples: citrine as *topaz*, serpentine as *jade*);
- G. any geographic, historic or other qualifier that refers to a gemstone that is not of the species and variety described. (Unacceptable example: *chrome diopside as Russian emerald*);
- H. any gemstone in association with an asterisk or other device that makes reference to a separate explanation of the fact that the article is a treated, synthetic, composite/assembled or artificial/imitation/simulated stone;
- I. the names of minerals or gemstones as descriptive attributes of colour. (Unacceptable examples: *topaz quartz, ruby spinel*).

CG2 TREATMENT/ ENHANCEMENT

Definition:

Any process other than cutting and polishing that alters the colour, clarity, phenomena and/or durability of a gemstone.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to refer to a gemstone without the use of the term *treated* or *enhanced* if the gem has been altered by irradiation, diffusion, coating, filling, dyeing, stabilizing, coloured oiling or by any treatment that is detectable, unstable or impermanent in normal wear and maintenance or in re-cutting or re-polishing. For such gemstones the word *treated* or *enhanced* or the type of treatment method or process (with or without any trademark or patent name) must immediately precede the correct gemstone name and no word shall be given greater prominence or emphasis than the other, nor may they be separated. (Acceptable examples: *colour enhanced lapis lazuli, glass filled [composite] ruby, surface diffused topaz*)

Note:

Purchasers of gemstones (both consumers and trade) should be advised that many gemstones are treated by methods that duplicate natural processes, are often undetectable by standard gemmological techniques and are stable and permanent. The vendor must be prepared to provide to the purchaser, information regarding any treatment that may have been applied to the substance offered for sale.

An acceptable method of disclosure is to use enhancement disclosure codes as detailed in the CIBJO Gemstone Blue Book and/or the AGTA/ICA Gemstone Enhancement Manual.

The colourless oiling of emeralds and the heat treatment of rubies and sapphires are widespread and not routinely disclosed.

CG3 NATURAL

Definition:

A substance that has been formed completely by nature without human intervention during the formation process.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the term *natural* if the substance has been created through human intervention during the formation process.

CG4 SYNTHETIC/LABORATORY GROWN/LABORATORY CREATED

Definition:

A substance that has been created completely or partially through human intervention. Its physical, chemical and optical properties essentially correspond to its naturally occurring counterpart.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the words synthetic, laboratory grown, or laboratory created unless the substance's physical, chemical and optical properties correspond to its naturally occurring counterpart. The term *cultured* can only be used in reference to pearls. For such substances, the word *synthetic, laboratory grown, or created* must be placed immediately preceding the gemstone name and neither word(s) shall be given greater prominence or emphasis than the other(s), nor may they be separated. (Acceptable example: [company name] *synthetic emerald*. Unacceptable example: *cultured ruby*.)

CG5 ORGANIC

Definition:

A product of animal or plant origin. (Examples: *coral, amber, ammolite [also see Section P]*)

CG6 COMPOSITE/ ASSEMBLED/ LAMINATED

Definition:

A manufactured substance resulting from the assembly of two or more parts, at least one of which is a gemstone.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to refer to composite, assembled or laminated substances unless the word *composite, assembled, laminated, doublet or triplet* immediately precedes or follows the word *gemstone*, and neither word shall be given greater prominence or emphasis than the other, nor may the words be separated. (Acceptable examples: *assembled sapphire and synthetic ruby, opal triplet*)

CG7 ARTIFICIAL/ IMITATION/ SIMULATED

Definition:

A substance that has a superficial similarity to the effect and appearance of a gemstone without possessing its chemical composition, physical and/or optical properties and/or crystal structure.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines:

- A. to use the word gemstone to describe any substance that is artificial, imitation or simulated;
- B. to use a gemstone name to describe any substance that is artificial, imitation or simulated unless the words *artificial*, *imitation* or *simulated* precede the gemstone name and neither word shall be given greater prominence or emphasis than the other, nor may the words be separated. (Acceptable example: *simulated ruby*)

CG8 RECONSTRUCTED/ RECONSTITUTED

Definition:

An artificial substance manufactured by melting, bonding or fusing particles or fragments of the named material to form a coherent whole. The term *reconstituted* is synonymous with the terms *reconstructed* and *bonded*.

Misuses of Terminology:

The word *reconstructed* or *reconstituted* must immediately precede the correct name of the gemstone that has been reconstructed, and neither word shall be given greater prominence or emphasis than the other, nor may the words be separated. (Acceptable example: *reconstituted turquoise*)

CG9 UNITS OF MEASUREMENT

Note 1: The rules in this section "Units of Measurement" apply with equal import to all gemstones, simulated gemstones and synthetic gemstones.

Note 2: See *APPENDIX 2* of these Guidelines for a listing of the acceptable measurement tolerances.

- a) the weight of a gemstone is expressed in carats (symbol ct) to at least two decimal places or by a fraction;
- b) the dimensions of a gemstone are expressed in millimetres (mm) to at least two decimal places.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. misrepresent the weight or dimensions of any gemstone or group of gemstones;
- B. represent the weight of any gemstone or group of gemstones by a fraction unless the weight meets or exceeds the equivalent decimal weight. (Example: a ruby described as a half carat must weigh at least 0.50 carat);

- C. represent the weight of any gemstone or group of gemstones in any unit other than the carat without also expressing the weight in carats as appropriate. Additional units of measurement as prescribed by the *Weights and Measures Act and Regulations* may be used, providing they are not of greater prominence than the carat declaration;
- D. use the plural *carats* or *cts* in reference to any weight that is not equal to or greater than 1.01 cts. (Unacceptable example: *0.17 carats*); Note: *In the French language the plural carats is “ct”*.
- E. represent the weight of gemstones contained in an article unless the representation is immediately followed by the words *total weight* in full so as to indicate clearly that the weight shown is that of all gemstones of the same variety in the article and not that of the centre, the largest or a single gemstone;
- F. represent the total weight of all gemstones contained in an article unless the representation is accompanied with equal emphasis and conspicuousness by the total separate weight(s) of each variety or species of gemstone. (Unacceptable example: *ruby and diamond cluster ring, total gemstone weight 1.00 ct*. Acceptable example: *0.75 ct ruby and 0.25 carat total weight[ctw] diamonds.*);
- G. represent the weight of any gemstone where such weight is less than 1.00 carat, without a zero preceding the decimal point in equal size and prominence to the other numerals in such a weight statement. (Acceptable example: *0.25 ct*. Unacceptable example: *.25 ct*);
- H. use the term *carat* or the symbol *ct* in a context where it could be presumed to refer to precious metal quality. (Unacceptable example: *10 ct emerald bracelet*. Acceptable examples: *emeralds of 5.00 cts total weight in 10K gold bracelet*);
- I. represent the dimensions of any gemstone or group(s) of gemstones in terms of any unit other than metric (millimetres or centimetres);
- J. state the weight of any gemstone(s) weighing less than 0.01 ct total.

CG10

COLOUR

Definition:

The combination of hue, intensity (or saturation) and tone (or brightness) without reference to other optical phenomena.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. make any false or misleading representations regarding quality or desirability of colour;
- B. to grade the colour of a gemstone using terminology from a recognized coloured gemstone grading system unless that coloured gemstone grading system is referenced;
- C. use a geographical location when referring to the colour of a gemstone if the gemstone

described does not originate from the locality specified. (Unacceptable example: *Kashmir [colour] sapphire* in reference to a gemstone that does not originate from Kashmir)

CG11 CLARITY

Definition:

An indication of a gemstone's qualitative grade based on analysis of the size, number, position and nature of internal characteristics and external characteristics (exclusive of colour and phenomena).

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. use any symbols, words or other indications of quality or clarity found in an internationally recognized gemstone grading system unless the clarity of the gemstone conforms to the standards of that system;
- B. use the term *flawless/loupe-clean* to describe any gemstone that displays blemishes, inclusions or clarity faults of any kind when examined using corrected ten power magnification;
- C. use clarity grading terminology for any composite/assembled/laminated or artificial/imitation/simulated substance.

CG12 CUT

Definition:

Cut may refer to quality/make of cut or to style/shape of cut, as delineated below:

CG12.1 QUALITY/MAKE

Definition:

The quality of work in the cutting and/or polishing of a gemstone. It takes into account orientation, polish, proportions and finish.

CG12.2 STYLE/SHAPE

Definition:

Style is arrangement and configuration of surfaces on a cut and/or polished gemstone. (Examples: *square step cut, square princess cut, oval cabochon*) The shape is the outline profile of the gemstone as viewed from the top. (Examples: *round, oval, pear, square*)

Misuses of Terminology for G12, G12.1, G12.2:

It is contrary to the purpose of these Guidelines to:

A. use any word or phrase in reference to the quality/make/shape/style which the gemstone being described does not possess;

B. use the name of a style of cut to indicate the shape of a gemstone. The name of a style of cut alone does not describe style/shape. (Unacceptable example: *step cut*. Acceptable example: *square step cut peridot*)

C. use the name of a shape of cut alone, in the absence of a correct gemstone name, to describe, identify or refer to a gemstone. (Unacceptable example: using *pear shape* alone to describe a pear shaped garnet)

CG13 PROPORTION

Definition:

The comparative relationship between various dimensions and angles of a cut/polished gemstone. In transparent faceted gemstones, proportion has a greater influence on quality/make than any other factor, but is not a complete indication of quality/make without consideration of orientation, style of cut, shape and finish.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to make any false or misleading representations regarding proportion. (Unacceptable example: *perfectly proportioned*)

CG14 FINISH

Definition:

The quality of a gemstone's polish, symmetry and cut.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use phrases such as *well-polished* or *well-finished* to describe a gemstone whose finish does not warrant such description.

CG15 PHENOMENON

Definition:

An optical characteristic other than simple body colour in a gemstone. (Examples: *chatoyancy, asterism, play-of-colour, colour change, adularescence*)

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. make any representation regarding a phenomenon that the gemstone referred to does not exhibit;
- B. use the phenomenon name alone without the species/variety of the gemstone as a prefix or suffix. (Unacceptable example: *cat's eye*. Acceptable example: *chrysoberyl cat's eye*)

CG16 PERFECT

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the word *perfect* or any variation of the word to describe, identify or refer to any attribute of any gemstone. (Unacceptable examples: *perfect gem, perfectly polished, perfect make*)

CG17 AUTHENTIC / REAL /GENUINE

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the word *authentic, real, genuine* or a similar term, to describe, identify or refer to any substance made entirely or partially through human intervention. (Unacceptable example: *genuine synthetic emerald*)

CG18 REPRODUCTION / REPLICA

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use *reproduction, replica* or a similar term to describe, identify or refer to a synthetic or artificial/imitation/simulated substance unless it is a replica of a famous named gemstone that is reproduced in size, shape and appearance. The component material(s) must be specified. No word(s) shall be given greater prominence or emphasis than the other(s), nor may they be separated. (Acceptable example: *glass replica of the Rosser Reeves ruby*)

Section P

Pearl Guidelines

P1 NATURAL PEARL

Definition:

An organic formation of layers of the same material as that lining the interior surface of a mollusc's shell, secreted naturally by the mollusc when provoked by the intrusion of a foreign element into the interior of the mollusc. It has been formed completely by nature without human intervention before or during the formation process, and is unaltered by people except for cutting and/or drilling and/or polishing.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the term *natural*:

- A. for any substance that does not conform to the definition of natural pearl as stated above;
- B. if the pearl has undergone any treatment or enhancement whatsoever other than cutting and/or drilling and/or polishing;
- C. if the substance has been partially or wholly manufactured or produced through human intervention other than drilling and/or cutting, and/or polishing. (Unacceptable example: *natural cultured pearl*)
- D. for any substance composed of two or more parts that are assembled, cemented or joined by any other artificial methods.

P2 CULTURED PEARL

Definition:

A nacreous gem created when a section of mantle tissue and often a nucleus, usually a sphere of mother-of-pearl, is introduced within or adjacent to living tissues of a mollusc through human intervention and is coated with nacreous layers by the mollusc. The term *cultured* shall only be used in reference to cultured pearls whichever method is used for their formation.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the term *cultured* unless the pearl conforms in all respects to the definition specified above. For such pearls, the word *cultured* must be placed immediately preceding the name of the pearl variety (if appropriate) and immediately followed by the word *pearl*. Neither word shall be given greater prominence or emphasis than the other, nor may they be separated unless by a variety name. (Acceptable example: *cultured South Sea pearl*)

P3 PEARL VARIETIES

P3.1 CYST PEARL

Definition:

A pearl that has been formed within the living tissue of a mollusc and was not in contact with the mollusc's shell.

P3.2 BLACK PEARL

Definition:

A nacreous cyst pearl having a natural body colour of black to grey.

P3.3 BLISTER PEARL

Definition:

A naturally occurring convex nacreous growth formed on the interior surface of the shell of a mollusc.

P3.4 CONCH PEARL

Definition:

A non-nacreous cyst pearl formed by the giant or queen conch (*Strombus Gigas*).

P3.5 FRESHWATER PEARL

Definition:

A nacreous cyst pearl formed in freshwater molluscs.

P3.6 KESHI

Definition:

A cyst pearl, usually baroque, that forms accidentally as a by-product of the culturing process.

P3.7 MOTHER-OF-PEARL

Definition:

The iridescent material formed on the inner surface of a pearl bearing mollusc shell used for decorative or ornamental purposes.

P3.8 ORIENTAL PEARL

Definition:

An old term used to describe a nacreous natural cyst pearl formed exclusively in saltwater molluscs.

P3.9 SALTWATER PEARL

Definition:

A cyst pearl formed by a saltwater mollusc (may be natural or cultured).

P3.10 SEED PEARL

Definition:

A nacreous cyst pearl that is less than two millimeters in diameter.

Misuses of Terminology for P3:

It is contrary to the purpose of these Guidelines to use:

A. the unqualified word *pearl* or the name of any variety of pearl to describe, identify or refer to any substance that is not a pearl of the variety described;

B. the unqualified word *pearl* or the name of any composite, assembled, artificial, imitation or simulated pearl to describe, identify or refer to any substance that does not conform to the definitions in these Guidelines;

C. the word *pearl*, or the name of any pearl or cultured pearl variety to describe, identify or refer to any substance created through human intervention unless the word *cultured*, *composite*, *assembled*, *artificial*, *imitation* or *simulated* (as appropriate) immediately precedes the pearl name. Neither word(s) shall be given greater prominence or emphasis than the other(s), nor may they be separated;

D. the word *pearl* or the name of any pearl or cultured pearl variety, in association with an asterisk or other device which makes reference to a footnote explanation of the fact that the substance is a treated, cultured, composite, assembled, artificial, imitation or simulated pearl;

E. the word *Oriental* to describe the quality or appearance of any substance. (Unacceptable example: *Oriental quality pearl*);

F. the word *pearl* together with any geographic, historic or adjectival qualifier to describe, identify or refer to any substance that is not a pearl of the variety described and/or from the location described. (Unacceptable example: *Tahitian pearl* to describe black pearls not produced in Tahiti)

P4 **GEOGRAPHIC ORIGIN**

It is contrary to the purpose of these Guidelines to:

A. make a statement as to the geographic origin of a natural pearl or a cultured pearl product unless its origin can be substantiated;

B. make a statement as to the geographic origin of an artificial, imitation, or simulated pearl. (Unacceptable example: *South Sea simulated pearl*. Acceptable example: *simulated pearl*).

P5 **COMPOSITE /ASSEMBLED**

Definition:

A product resulting from the assembling of a portion of natural pearl or cultured pearl, and one or more other substances. (Example: *mabe pearl*)

P5.1 **MABE**

Definition:

An assembly incorporating a cultured blister pearl that has been cut from its shell. The original nucleus upon which it grew is removed, filled with a manufactured material, and backed by a layer of mother-of-pearl. The assembly is held together by an adhesive.

P6 **ARTIFICIAL / IMITATION / SIMULATED**

Definition:

Any substance that has a superficial similarity to the effect, colour and appearance of a natural pearl or cultured pearl and may or may not possess its physical or chemical properties.

Misuses of Terminology:

The word *artificial*, *imitation*, or *simulated* must be placed immediately preceding the pearl variety (if appropriate) and immediately followed by the word *pearl*. Neither word(s) shall be given greater prominence or emphasis than the other(s), nor may the words be separated. (Acceptable examples: *imitation pearl*, *simulated black pearl*)

P7 **NACRE**

Definition:

The organic layered material that comprises the bulk of most natural pearls, the surface of a cultured pearl and the lining of the shell of most pearl-bearing molluscs. Nacre yields the characteristic appearance of pearl and mother-of-pearl. It is composed of microscopic platelets of aragonite (a calcium carbonate) deposited parallel to the surface and bound together in a fine network of material called conchiolin.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the word *nacre* or *nacreous* or any similar word to describe, identify or refer to any article that does not have a surface covered by nacre.

P8 LUSTRE

Definition:

The degree of reflection of light from the surface layers or near surface layers of a natural pearl or cultured pearl.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use any word or phrase in reference to the lustre of a natural pearl or cultured pearl that indicates a level of quality it does not possess.

P9 ORIENT

Definition:

An optical phenomenon caused by the interference of light that yields iridescent rainbow colours seen in some natural pearls and cultured pearls.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use any word or phrase in reference to orient that a natural pearl or cultured pearl does not possess.

P10 OVERTONE

Definition:

Secondary colouration that is distinct from the body colour. It may be localized.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use any word or phrase in reference to an overtone that a natural pearl or cultured pearl does not possess.

P11 COLOUR

Definition:

The general body colour of a natural pearl or cultured pearl. (Examples: pink, white, cream, yellow, grey, black)

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use any word or phrase in reference to a colour that a natural pearl or cultured pearl does not possess.

P12 SPOTTING/BLEMISHING

Definition:

Surface or subsurface irregularities.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use any word or phrase in reference to the spotting or blemishing of a natural pearl or cultured pearl to indicate a level of quality it does not possess.

P13 UNITS OF MEASUREMENT

Note 1: The rules in this section "Units of Measurement" apply with equal import to all natural pearls or cultured pearls

Note 2: See *APPENDIX 2* of these Guidelines for a listing of the acceptable measurement tolerances.

The dimensions of pearls are expressed as follows:

- a) Millimetres (mm) are the units of measurement for individual pearls;
- b) Centimetres (cm) or inches (in.) are the units of measurement for lengths of pearl strands.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to:

- A. misrepresent any measurement of any pearl or group of pearls;
- B. represent the diameter of pearls using any term other than millimetres (mm);
- C. represent the measurement of irregularly shaped pearls unless their minimum dimensions are included;
- D. misrepresent the thickness of the nacre on a pearl.

P14 SHAPE

Definition:

The overall shape of a cyst pearl or the outline shape of a blister pearl as viewed from the top. (Examples: round, off-round, oval, pear, baroque).

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use any word or phrase in reference to the shape of natural pearls or cultured pearls to which they do not conform.

P15 DRILLED

Definition:

Having a manufactured hole suitable for the purposes of stringing or setting into an article of jewellery. If the hole does not extend completely through and out the other side it is called *half-drilled* regardless of the depth of penetration of the hole.

P16 CUT

Definition:

Having a surface that has been sawn, ground or faceted.

Uses of Terminology:

For natural pearls or cultured pearls that have been cut in or more of these ways, the words *sawn*, *ground* or *faceted* must immediately precede the word *natural pearl* or *cultured pearl*. Neither word(s) shall be given greater prominence or emphasis than the other(s) nor may they be separated.

P17 TREATMENT / ENHANCEMENT

Definition:

Any process other than drilling, bleaching, polishing, cutting, cleaning and/or faceting that alters the colour, lustre and/or durability of a natural pearl or cultured pearl.

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to refer to a natural pearl or cultured pearl without the use of the term *treated* or *enhanced* if the natural pearl or cultured pearl has been altered by coating, dyeing, or irradiating or by any treatment that is unstable or impermanent in normal wear and maintenance. The word *treated* or *enhanced* must immediately precede the name of the pearl variety (if appropriate) and immediately followed by the word *pearl* and no word(s) shall be given greater prominence or emphasis than the other(s), nor may they be separated;

Alternatively, the treatment method or process (with or without any trademark or patent name) shall immediately precede the correct pearl name instead of the word *treated* or *enhanced*. The name of the treatment process shall be given equal prominence and emphasis to the correct pearl name, and they may not be separated. (Acceptable examples: *dyed cultured pearl*, *irradiated black cultured pearl*)

Note:

Purchasers of natural pearls and cultured pearls (both consumers and trade) should be advised that most pearls have been bleached by exposure to sunlight or bleaching agents.

Some pearls have been tinted with dye, and that such treatments are usually permanent, stable and are often undetectable by standard gemmological techniques. The vendor should be prepared to provide to the purchaser information regarding any treatment that is unstable or impermanent that may have been applied to the natural pearls or cultured pearls.

P18 FLAWLESS

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the word *flawless* or any word or quality grade of similar meaning as a description of any natural pearl or cultured pearl that is not entirely free of blemishes or surface irregularities.

P19 PERFECT

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the word *perfect* or any variation of the word to describe, identify or refer to any attribute of any natural pearl or cultured pearl. (Unacceptable examples: *perfect pearl, perfectly drilled, perfectly round*).

P20 AUTHENTIC / REAL / GENUINE

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use *authentic, real, genuine* or a similar term, to describe, identify or refer to any natural pearl or cultured pearl or substance made entirely or partially through human intervention. (Unacceptable examples: *genuine cultured pearl, real mabe*)

P21 REPRODUCTION / REPLICA

Misuses of Terminology:

It is contrary to the purpose of these Guidelines to use the words *pearl, natural pearl* or *cultured pearl* to describe, identify or refer to a reproduction or replica. The component material(s) of the reproduction or replica should be specified. No word(s) shall be given greater prominence or emphasis than the other(s) nor may they be separated. (Acceptable example: *plastic reproduction of La Peregrina*)

APPENDIX 1

Jewellers Vigilance Canada Inc. - <http://www.jewellersvigilance.ca/>
Competition Bureau- <http://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/home>

APPENDIX 2

Weights and Measures Legislation

These tables are used by government inspectors to verify compliance with the Weights and Measures Regulations.

Changes have been proposed and are highlighted in blue. All other values are already law and are not part of the amendment proposal.

Adherence to these tables does not necessarily ensure complete compliance with the Weights and Measures Legislation. Please verify applicable "Limits of Error" at the Measurement Canada website www.mc.ic.gc.ca.

1. Part X of Schedule II of the Regulations is revoked and the following substituted therefor:

1. Part X of Schedule II of the Regulations is revoked and the following substituted therefor:

PART X LIMITS OF ERROR FOR QUANTITIES STATED IN METRIC UNITS OF LENGTH

Item	Column I Stated Quantity	Column II Limits of Error
1	For thread and yarn: any length	4 % of stated quantity
2	For baler twine: any length	5 % of stated quantity
3	For rolls of fabric: individual rolls	2 % of stated quantity
4	entire lots based on a minimum sample of 10 %	1 % of stated quantity
5	For diamonds and gemstones: any length	0.02 millimetre
6	For pearls: 0 millimetres up to and including 50 millimetres	0.1 millimetre
7	greater than 50 millimetres	0.9 times the length, measured on the drilled axis, of the smallest pearl in the article of jewellery
8	For precious metals: 0 millimetres up to and including 50 millimetres	0.1 millimetre
9	greater than 50 millimetres up to 500 millimetres	1 % of stated quantity
10	500 millimetres up to and including 5 metres	5 millimetres
11	more than 5 metres	0.1 % of stated quantity
12	For other commodities: less than 3 metres	2 % of stated quantity
13	3 metres to 6 metres	60 millimetres
14	more than 6 metres	1 % of stated quantity

2. Part XI of Schedule II is revoked and the following substituted therefore:

**PART XI
LIMITS OF ERROR FOR QUANTITIES STATED IN
CANADIAN UNITS OF LENGTH**

Item	Column I Stated Quantity	Column II Limits of Error
1	For thread and yarn: any length	4 % of stated quantity
2	For baler twine: any length	5 % of stated quantity
3	For rolls of fabric: individual rolls	2 % of stated quantity
4	entire lots based on a minimum sample of 10 %	1 % of stated quantity
5	For diamonds and gemstones: any length	0.0008 inches
6	For pearls: 0 inches up to and including 2 inches	0.004 inches
7	greater than 2 inches	0.9 times the length, measured on the drilled axis, of the smallest pearl in the article of jewellery
8	For precious metals: 0 inches up to and including 2 inches	0.004 inches
9	greater than 2 inches up to 20 inches	1 % of stated quantity
10	20 inches up to and including 197 inches	0.197 inches
11	more than 197 inches	0.1 % of stated quantity
12	For other commodities: less than 10 feet	2 % of stated quantity
13	10 feet to 20 feet	2.4 inches
14	more than 20 feet	1 % of stated quantity

3. Part XIV of Schedule II of the Regulations is revoked and the following substituted therefor:

**PART XIV
LIMITS OF ERROR FOR QUANTITIES STATED BY NUMBER**

Item	Column I Stated Quantity	Column II Limits of Error
	number of articles	
1 2	For diamonds and gemstones: 0 to 1000 more than 1000	0 article 1 article for each 1000 articles
3 4	For pearls and precious metals articles: 0 to 500 more than 500	0 articles 1 article for each 500 articles
5 6 7 8	For other commodities: less than 50 from 50 to 100 more than 100 with an individual weight of 14 grams or less, or ½ ounce or less more than 100 with an individual weight of more than 14 grams, or more than ½ ounce	0 article 1 article 0.75 % of the stated quantity, rounded up to the next whole number 0.5 % of the stated quantity, rounded up to the next whole number

4. The title of Part XV of Schedule II of the Regulations is revoked and the following substituted therefor:

**PART XV
LIMITS OF ERROR FOR PEARLS, PRECIOUS METALS AND OTHER
COMMODITIES OF COMPARABLE VALUE THE QUANTITY OF WHICH IS STATED IN METRIC UNITS
OF MASS**

5. Part XVI of the Regulations is revoked and the following substituted therefor:

PART XVI
LIMITS OF ERROR FOR PEARLS, PRECIOUS METALS AND OTHER
COMMODITIES OF COMPARABLE VALUE THE QUANTITY OF WHICH IS
STATED IN CANADIAN UNITS OF MASS

Item	Column I Stated Quantity	Column II Limits of Error
	For pearls:	
	ounces	ounces
1	up to and including 1	0.00044
2	2	0.00066
3	4	0.0012
4	8	0.0022
5	16	0.0042
6	32	0.0078
7	80	0.0164
8	160	0.0291
9	212	0.0371
10	more than 212	0.0175 % of the stated quantity
	For precious metals and other commodities of comparable value:	
	troy ounces	grains
11	up to and including 1	0.2
12	2	0.3
13	5	0.7
14	10	1.3
15	20	2.5
16	50	5.6
17	100	9.4
18	200	16.8
19	more than 200	0.0175 % of the stated quantity

Where a quantity is not listed in Column I of this Part, the limits of error for that quantity shall be determined by linear interpolation.

6. Schedule II of the Regulations is amended by adding thereto, immediately after Part XVI, the following:

PART XVII
LIMITS OF ERROR FOR DIAMONDS AND GEMSTONES
THE QUANTITY OF WHICH IS STATED IN
METRIC OR CANADIAN UNITS OF MASS

Item	Column I Stated Quantity	Column II Limits of Error
1	all declarations	0.4 milligram (0.002 carats)

APPENDIX 3

Jewellery Appraisal Guidelines- Minimum Acceptable Standards- Revised Edition 2010

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Appendix 4