



Notification Number: 1999/233/F

## Decree concerning gem stones and pearls.

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Issue of comments by : Commission,Germany,Italy,Netherlands

### Message

REP PERMANENTE ROYAUME UNI

REP PERMANENTE IRLANDE

REP PERMANENTE GRECE

MINISTRY OF INDUSTRY, ENERGY & TECHNOLOGY  
ATT. MR. Z.P. MAVROUKAS

HELLINIKOS ORG. TYPOPISOES  
ATT. MR. MELAGRAKIS

SGS DOCUMENTATION SERVICES N.V.

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,  
ATT. MRS. B. O'GRADY

INST INDUST RESEARCH.  
ATT. MR. O. BYRNE

KOMMERSKOLLEGIUM  
ATT. MS. KERSTIN CARLSSON

MINISTRY OF TRADE AND INDUSTRY  
ATT. MS. NIEMINEN

EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY

EUROPEAN FREE TRADE ASSOCIATION  
ATT. MS. BAKKE-D'ALOYA

TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (99) D/51132/2  
DIRECTIVE 98/34/EC  
TRANSLATION OF TELEX 001



NOTIFICATION 99/0233/F

- 3B1 : 9901132.EN

**1. Structured Information Line**

TLX 002 IND- 99 0233 F-- EN ----- 990510 --- ---

**2. Member State**

France

**3. Department Responsible**

Délégué Interministériel aux Normes, 22 rue monge - 75 500  
PARIS

SGCI "Carré Austerlitz" 2 Bd Diderot - 75572 PARIS Cedex 12

**3. Originating Department**

Ministère de l'Economie, des Finances et de l'Industrie  
Direction Générale de la Concurrence, de la Consommation et  
de la Répression des Fraudes  
59 boulevard Vincent Auriol, 75703 Paris CEDEX 13

**4. Notification Number**

99/0233/F

**5. Title**

Decree concerning gem stones and pearls.

**6. Products Concerned**

Gem stones, organic substances of a vegetable or animal  
origin and pearls, whatever their origin, provenance or the  
use for which they are intended.

**7. Notification Under Another Act**

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**8. Main Content**

The appended notified decree, which amends the previous  
decree of 29 November 1968 on the same subject, has been  
drawn up in application of the consumer code and is intended  
to guarantee the accuracy of information given to the  
consumer in the retailing of jewellery, whether it be of  
natural or artificial origin.

The provisions of the notified decree define the designations  
applicable to the different categories of stones, organic  
substances and pearls according to the treatments they have  
undergone (the order mentioned in article 3 will also be  
notified shortly):

- gem stones, organic substances and fine pearls which have  
only undergone cutting and polishing are thus classified as



natural.

- The designation of products which have undergone, in addition to these operations, heat treatment, impregnation with a colourless agent or bleaching shall be the name of the product alone.
- The word "treated" shall be added to the name of the product in the case of treatment by irradiation, laser, colouring or by surface diffusion.

The text regulates the use of the descriptions "reconstituted, composite, synthetic, artificial, and imitation" for stones. It also indicates the different designations which must be used to describe cultured pearls and imitation pearls.

The text lays down that all this information must be provided to the consumer in the form of labelling on the product itself and mentioned on the sales and advertising documentation.

## 9. Brief Statement of Grounds

The draft text reflects the need to update the regulations laid down in the above-mentioned decree of 1968, which is currently in force, in order to take account of the developments in lapidary techniques in the last thirty years and new international professional and commercial practices.

In fact, in 1968 the existing regulations were intended to protect the names of natural stones, cultured pearls and fine

pearls in the face of the development of synthetic products. Since that date, there have appeared on the French, European and world markets, products which do not correspond to the above-mentioned categories. These include gem stones, organic substances and pearls which have undergone, as well as cutting and polishing, treatments which are intended to increase the value of the product without denaturing (heat treatment, impregnation with a colourless agent and bleaching).

On the other hand, the application of other treatments (irradiation, laser, colouring by surface diffusion in particular) significantly modifies the original qualities of the products which must therefore be described as "treated". The draft decree, for the purposes of accurate information for the consumer and a greater guarantee of honesty in transactions, defines these different categories.

This draft text, prepared in strict conjunction with the professionals involved, jewellers and retailers, members of the National Worker's Federation for Diamonds, Fine and



Precious Stones and Fine and Cultured Pearls, respects the international practices in the field of the designation of gem stones and pearls established by the International Confederation of Jewellers and Silver/Goldsmiths.

**10. Reference Documents - Basic Texts**

Consumer Code : articles L. 214-1 and L214-2, Customs Code : article 38.

**11. Invocation of the Emergency Procedure**

No.

**12. Grounds for the Emergency**

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**13. Confidentiality**

No.

**14. Fiscal measures**

No.

C. TROJAN  
COMEUR  
NNNN