



COOL TOOLS

The National Gold and Silver Stamping Act and Metal Clay Artists

Have you ever noticed the tiny writing inside of a ring made of silver, gold or platinum? Chances are, you are wearing a ring right now that is marked 14K, .925 or PLAT. These are shorthand codes for 14K gold, Sterling Silver and Platinum. Those markings are there because they are required by law. It's all part of the National Gold and Silver Stamping Act overseen by the Federal Trade Commission.

You may have heard quality marking referred to as "hallmarking". This is actually the same idea, but it refers to a legal process that is required in some countries. Hallmarking is an official mark (really a series of marks) made by an assay office to mark items made of precious metals with the fineness of the metal. The maker of a commodity brings the article to the assay office where it is tested for quality and stamped with the appropriate hallmarks. Makers are not allowed to stamp their own work. Several marks are applied by the assay office: a purity mark, an assay office symbol, a maker's mark and a date stamping that is usually a letter. Look at a piece of old sterling silver from England and you will see sometimes 5 individual stampings. Each one has a meaning, and one of those actually refers to the maker and would be the maker's own unique mark, like a logo. Hallmarking is usually associated with English silver, but several countries have similar hallmarking laws.

In this country, we don't ascribe to the Hallmark system, instead we have something called the National Gold and Silver Stamping Act, often called the Metals Stamping Act and even shorter the Stamping Act. When you read the text of the law, the first thing you should notice is that it talks about "goods manufactured which are intended (for) and used in commerce." What this means is that the laws of the Stamping Act only apply to articles that are intended for sale or used in commerce which are marked. If you are making items for yourself or for gifts, or if you do not mark your work, the law does not apply to you; you can do anything you want. But, if you are selling your work or trading your work in any way and you intend to mark it for quality, then you must understand and adhere to the law.

The Metals Stamping Act is all about one thing: keeping people honest in describing and marking items of precious metals that are intended for sale or trade. If you mark anything on the work that you produce, you need to know what the legal ramifications of making such a statement are, because by making the mark in the first place, you are making a legal statement that you can be held liable for. First, you should understand the meaning of the term "quality mark". The FTC defines it as follows:

"As used in these guides, the term "quality mark" means any letter, figure, numeral, symbol, sign, word, or term, or any combination thereof, that has been stamped, embossed, inscribed, or otherwise placed on any industry product and which indicates or suggests that any such product is composed throughout of any precious metal or any precious metal alloy or has a surface or surfaces on which there has been plated or deposited any precious metal or precious metal alloy."

The laymen's explanation of the law is if you quality mark with a karat quality stamp there must also be a manufacturer's stamp that is a federally registered trademark. The manufacturer's stamp cannot be larger than the text of the quality mark.

Why would anyone want to quality mark their work? Because consumers want the assurance that they are getting the quality of metal that they expect and are paying for. When a ring is marked as 18K gold, you feel confident that it actually is. But if somebody came along and offered you a ring and told you it was 18K but you didn't see a mark,





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unless you had a gold testing kit in your hip pocket, you'd be very leery of handing out cash for something you couldn't verify. Consumers have been trained (thanks to the good work of the Metals Stamping Act and the FTC) to rely on these marks and they have come to expect it. People will suspect there is something fishy if they don't see the mark. You'll get more money for your work when you can certify the fineness of the metal with proper marking.

Here are some examples of how you would mark for mixed metal:

If you have 2 different types of metal together and they are permanently fixed to each other, each metal can be marked individually or you can place both marks on one item, but near the one it applies to. For example, you have a fine silver pendant with a sterling silver jump ring embedded in it, you would mark the fine silver pendant .999 anywhere on it and then you would mark .925 on or near the sterling portion AND you would sign your name (that doesn't mean it has to be an actual signature, it can just be your printed name). It's like putting labels on a drawing; place the label on the item it pertains to, or as close as you can get to it so it is obvious what it applies to.

If you have an item with 2 different metals and they are not permanently fixed to each other, you can mark each one separately or mark just one of them. For instance, if you have a fine silver pendant that you made and you signed it and marked it .999, you could attach a sterling jump ring to it and not have to worry about marking the jump ring. You are only making a claim on the pendant since you marked it. Since you didn't mark the jump ring, you are not making a claim.

You can also just mark the piece for the lowest quality metal used and it would be legal. For instance, if you have a piece with fine silver and sterling permanently fixed to each other, you can't mark it .999 because it has metal in it that is not .999. Sterling is only .925, so you can mark the whole piece .925 and that would be legal.

If you had a fine silver pendant with Aura 22 on it, you could not mark it 22K because it is not made completely from 22K gold. The pendant is .999 with 22K gold overlay. You could only mark it .999. No marking for this type of gold coating is legal.

If you made something out of gold clay and then set that piece into fine silver so it was permanently fixed in place, you could mark the item 24K and .999. If it was a ring, you could mark the inside of the shank 24K and .999, add your name, and that is legal.

So, if something is permanently fixed to something else, each different metal has to be marked or it has to be marked the lower of the two metals. If the two parts are loose (that is, they can be taken apart from each other), they can be marked individually or just one can be marked.

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