

The original documents are located in Box 58, folder “1976/10/01 S3095 Gold Labeling Act of 1976” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

8/10/1/76

APPROVED

OCT 1 - 1976

THE WHITE HOUSE
WASHINGTON
October 1, 1976

ACTION

Last Day: October 5

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *H. H. Quern*

SUBJECT:

S. 3095 - Gold Labeling Act of 1976

Attached for your consideration is S. 3095, sponsored by Senator Pastore.

The enrolled bill would amend the National Gold and Silver Stamping Act of 1906 to reduce permissible tolerance levels applicable to the manufacture of articles shipped in interstate commerce made in whole or in part of gold. The bill is intended to increase consumer protection and to foster competition by domestic producers of gold articles in international markets.

A detailed description of the bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Bill Seidman, Counsel's Office (Kilberg) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 3095 at Tab B.

*Posted
10/2/76*

*archives
10/4/76*





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3095 - Gold Labeling Act of 1976
Sponsor - Sen. Pastore (D) Rhode Island

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To reduce permissible deviations in the manufacture of articles made in whole or in part of gold.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval(Informally)
Department of the Treasury	Approval
Department of Health, Education and Welfare	Approval(Informally)
Department of State	No objection

Discussion

The enrolled bill would amend the National Gold and Silver Stamping Act of 1906 to reduce permissible tolerance levels applicable to the manufacture of articles shipped in interstate commerce made in whole or in part of gold. The bill is intended to increase consumer protection and to foster competition by domestic producers of gold articles in international markets.

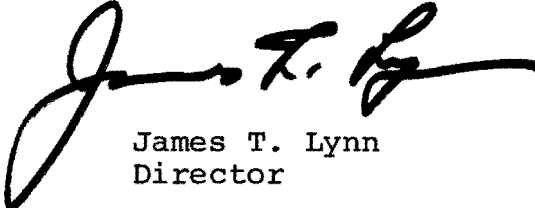
The 1906 Gold and Silver Stamping Act was passed at the urging of gold and silver jewelry manufacturers to preserve customer trust and confidence by establishing certain standards of quality and purity for their products. The Act requires that a gold article be properly labeled with a carat mark identifying its degree of fineness. However, because metallurgic technology was not very advanced at that time, permissible deviations from the carat standard were also written into law. Tolerances for gold

were set at one-half carat for gold articles containing no solder and 1 full carat for gold alloys with solder. These tolerance levels permit the placement of a 14 carat gold mark on a soldered jewelry article that is only 13 carat gold, or 7 percent less gold than the mark indicates. Similarly, a 14 carat gold article containing no solder may consist of as little as 13-1/2 carats gold, or 3.5 percent less than indicated by the mark.

With modern technology, these degrees of tolerance are no longer necessary or even desirable. Certain foreign markets have been closed to U.S. domestic producers of gold articles because American tolerances are not as close as those in countries such as France and Switzerland. In a July 30, 1975, report on this matter, the Department of Commerce noted that reducing permissible tolerances would "result in greater acceptance of U.S. gold jewelry in European countries and worldwide" and that "Exports would increase over time."

Accordingly, S. 3095 would reduce the tolerance to 3 parts per thousand (roughly equivalent to 1/14 carat) for articles without solder, and to 7 parts per thousand (roughly equivalent to 1/7 carat) for articles with solder.

To permit sufficient time to adjust to these changes, the effective date of S. 3095 would be 5 years after its enactment.



James T. Lynn
Director

Enclosures



THE GENERAL COUNSEL OF THE TREASURY
WASHINGTON, D.C. 20220

SEP 27 1976

Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Attention: Assistant Director for Legislative
Reference

Sir:

Reference is made to your request for the views of this Department on the enrolled enactment of S. 3095, "To increase the protection of consumers by reducing permissible deviations in the manufacture of articles made in whole or in part of gold."

The enrolled enactment would amend section 2 of the National Gold and Silver Marking Act (also referred to as the "National Stamping Act"), approved June 13, 1906 (34 Stat. 260, 15 U.S.C. 294-300). In effect the enrolled enactment would provide for a new standard of fineness for articles made in whole or part of gold or its alloys, imported to or exported from the United States or transported within the United States. It would require, in general, that the fineness of such articles shall not be less, by more than three parts per thousand, than the fineness indicated by the mark on the articles themselves or on any label or container attached to the articles.

By requiring a tighter standard, the enrolled enactment seeks to provide greater consumer protection and to make United States manufactured jewelry more acceptable abroad. In order to permit a transition to the new standard, the bill allows for a five-year changeover period during which manufacturers will be permitted to sell their existing inventory. Adherence to the new standard of fineness will improve the competitiveness of American manufactured jewelry in countries which impose higher marking standards. Furthermore, approval of the enrolled enactment would not be inconsistent with the Treasury Department's gold policy.

In view of the foregoing, the Department recommends that the President approve the enrolled enactment of S. 3095.

Sincerely yours,



General Counsel

Richard R. Albrecht



DEPARTMENT OF STATE

Washington, D.C. 20520

SEP 27 1976

Dear Mr. Lynn:

The Secretary has asked me to reply to your communication (Office of Management and Budget Memorandum dated September 22, signed by Mr. Frey) requesting our views on S. 3095, an enrolled bill revising the carat standard governing the manufacture of gold articles.

The Department of State has no objection to the enactment of the proposed legislation from the standpoint of United States foreign economic relations. We note that the revised standard would apply without discrimination to imported and like products of United States origin. Such nondiscriminatory treatment is in accord with United States trade agreement commitments which provide that imported products be treated no less favorably than like products of national origin in respect of laws, regulations or requirements affecting their internal sale, distribution or use.

Sincerely,

A handwritten signature in cursive script, reading "Kempton B. Jenkins".

Kempton B. Jenkins
Acting Assistant Secretary
for Congressional Relations

The Honorable
James T. Lynn, Director,
Office of Management and Budget.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 29

Time: 445pm

FOR ACTION: Paul Leach
Bill Seidman
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

R

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 530pm

SUBJECT:

S.3095-Gold Labeling Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

SEP 28 1976



To: J. Johnson
9-29-76
4:30 p.m.

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3095 - Gold Labeling Act of 1976
Sponsor - Sen. Pastore (D) Rhode Island

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To reduce permissible deviations in the manufacture of articles made in whole or in part of gold.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	Approval(Informally)
Department of the Treasury	Approval
Department of Health, Education and Welfare	Approval(Informally)
Department of State	No objection

Discussion

The enrolled bill would amend the National Gold and Silver Stamping Act of 1906 to reduce permissible tolerance levels applicable to the manufacture of articles shipped in interstate commerce made in whole or in part of gold. The bill is intended to increase consumer protection and to foster competition by domestic producers of gold articles in international markets.

The 1906 Gold and Silver Stamping Act was passed at the urging of gold and silver jewelry manufacturers to preserve customer trust and confidence by establishing certain standards of quality and purity for their products. The Act requires that a gold article be properly labeled with a carat mark identifying its degree of fineness. However, because metallurgic technology was not very advanced at that time, permissible deviations from the carat standard were also written into law. Tolerances for gold

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 29

Time: 445pm

FOR ACTION: Paul Leach
Bill Seidman
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 530pm

SUBJECT:

S.3095-Gold Labeling Act of 1976

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

x For Your Comments

___ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

OK - reluctantly - since I would think this is the kind of "trade practice" which business -- and not government -- can best regulate for itself.

Paul

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 29

Time: 445pm

FOR ACTION: Paul Leach
Bill Seidman
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 530pm

SUBJECT:

S.3095-Gold Labeling Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

m. Seidman Kilberg 9/30/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

THE WHITE HOUSE

WASHINGTON

September 30, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M.L.F.*
SUBJECT: S.3095 - Gold Labeling Act of 1976

The Office of Legislative Affairs concurs with the agencies that the subject bill be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 29

Time: 445pm

FOR ACTION: Paul Leach
Bill Seidman
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 530pm

SUBJECT:

S.3095-Gold Labeling Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

APPROVE RBP

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President



**GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

SEP 29 1976

Honorable James T. Lynn
Director, Office of Management and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

This is in reply to your request for the views of this Department concerning S. 3095, an enrolled enactment

"To increase the protection of consumers by reducing permissible deviations in the manufacture of articles made in whole or in part of gold, "

to be cited as the "Gold Labeling Act of 1976".

Section 2 of the Act of June 13, 1906 establishes standards for the marking of products made in whole or in part of gold. Under the Act as presently written, if the article contains solder or an alloy of gold of inferior fineness, the entire article may contain up to one carat less gold than marked, otherwise it may contain one-half carat less gold than marked. S. 3095 would reduce the permissible deviation to seven parts per thousand for articles containing solder or an alloy of inferior fineness and three parts per thousand for other articles. The existing provision that watch cases and flatware may not deviate by more than three parts per thousand would remain unchanged.

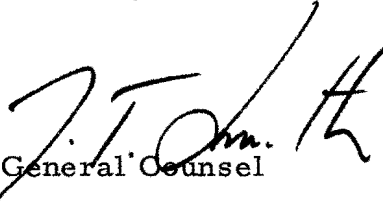
The Department of Commerce recommends approval by the President of S. 3095.

The large deviations permitted under existing law make it impossible for consumers to know the gold content of purchases. Moreover, since many foreign countries require much smaller tolerances, domestic articles marked in accordance with existing law may be legally excluded from such countries. Enactment of S. 3095 would, therefore, serve to eliminate a major obstacle to wider acceptance in both domestic and foreign markets of gold jewelry made in the United States.



Enactment of this legislation would involve no expenditure of funds by this Department.

Sincerely,


General Counsel

THE WHITE HOUSE

WASHINGTON

September 29, 1976

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

The purpose of the enrolled bill (S. 3095) is to reduce existing gold content tolerances which are permitted by the National Gold and Silver Stamping Act of 1906. That statute currently allows for a tolerance of one-half carat for gold content articles manufactured without solder and one full carat for articles with solder. The proposal before you lessens such tolerances to three parts per thousand for articles without solder, and to seven parts per thousand for articles with solder.

Among the benefits occasioned by the enactment of this legislation will be increased protection for consumers through the mandated reduction in permissible deviations in articles which are manufactured in whole or in part of gold. Existing standards allow an item stamped "14K gold" to have an actual gold content of only 13 or 13½K, and yet be sold with the previously-referenced gold content indication. Consumers will heretofore be more certain that they are getting what they are paying for.

It is respectfully noted that the American jewelry industry has supported this legislation from its inception since implementation of the new standards will allow them to place American-manufactured gold items on the previously-closed European and Canadian markets. Correspondingly, the appeal of full quality foreign gold products on the American market is likely to be reduced.

The President
Page 2

In light of the foregoing, the measure (S. 3095) before you is worthy of your approval and I recommend that you sign it.

Respectfully yours,

A handwritten signature in cursive script that reads "Virginia Knauer". The signature is written in black ink and is positioned above the typed name.

Virginia H. Knauer
Special Assistant to the President
for Consumer Affairs

THE GOLD LABELING ACT OF 1976

MAY 11, 1976.—Ordered to be printed

Mr. PASTORE, from the Committee on Commerce,
submitted the following

REPORT

[To accompany S. 3095]

The Committee on Commerce, to which was referred the bill (S. 3095) to increase the protection of consumers by reducing permissible deviations in the manufacture of articles made in whole or in part of gold, having considered the same, reports favorably thereon with an amendment in the nature of a substitute, and recommends that the bill as amended do pass.

PURPOSE AND SUMMARY

The bill is designed to increase consumer protection and foster competition by domestic manufacturers of gold articles in international markets, by reducing the tolerances permitted by the National Gold and Silver Stamping Act of 1906. The 1906 Act requires that any article of merchandise made in whole or in part of gold or silver, which is shipped in interstate commerce, must be properly marked as to its actual fineness. A tolerance is permitted for articles manufactured of gold. This tolerance is one-half carat for articles without solder and one full carat for articles with solder. The proposed legislation would reduce these tolerances to three parts per thousand for articles without solder, and to seven parts per thousand for articles with solder. Three parts per thousand is equivalent to approximately one-fourteenth carat and seven parts per thousand is equivalent to approximately one-seventh carat.

In order to enable manufacturers to accommodate this change, the requirements would not become effective for 5 years.

BACKGROUND

Near the turn of the century, the manufacturers of gold and silver products sought legislation to enable consumers to purchase manu-

factured articles with some measure of certainty. The 1906 Act requires that articles of gold and silver which are identified by a carat mark or fineness guaranty meet certain standards. The tolerances permitted for gold are one-half carat for gold articles without solder and one full carat for gold alloys with solder. For example, a 14-carat gold mark can be placed on a soldered jewelry article that is only 13 carats gold—7 percent less gold than the mark indicates. If the article stamped 14 carat has no solder, it can contain as little as 13½ carats gold—3.5 percent less than the mark indicates.

As technology has advanced, it has become apparent that the liberal gold tolerances permitted by the National Gold and Silver Stamping Act are no longer necessary from a technical viewpoint. An additional concern has been that certain foreign markets have been closed to domestic manufacturers of gold articles. Countries such as France and Switzerland have close controls on gold articles entering the country and permit considerably smaller tolerances than permitted under the 1906 Act. As the Department of Commerce noted in a memorandum of July 30, 1975, entitled "Exportation of U.S. Manufactured Carat Gold Jewelry."

Amending the National Gold and Silver Stamping Act to permit a smaller deviation from the carat standard and to provide for enforceable penalties against violators would result in greater acceptance of U.S. gold jewelry in European countries and worldwide. Exports would increase over time.

S. 3095, the Gold Labeling Act, was introduced by Senator John Pastore on March 9, 1976. On March 24, 1976, the Committee on Commerce held a hearing on the legislation at which time eight persons affiliated with the jewelry industry testified as to the feasibility of and need for the legislation.

On May 4, 1976, the Committee on Commerce, meeting in open executive session, ordered S. 3095 reported with an amendment in the nature of a substitute.

SECTION-BY-SECTION ANALYSIS

SECTION 1

The first section provides that the act may be cited as the "Gold Labeling Act of 1976."

SECTION 2

Section 2 amends section 2 of the Act of June 13, 1906, by adding a new subsection (b).

Subsection (b) (1) provides that the actual fineness of gold or of the alloy of gold which is used in any article which is (A) made, in whole or in part, of gold or any of its alloys, (B) offered for sale, imported, exported, transported, mailed, or otherwise distributed in interstate or foreign commerce, or in commerce which affects such commerce, and (C) sold by any manufacturer importer more than 5 years after the date of enactment of this subsection, shall not be less by more than three one-thousandths parts, than the fineness indicated by the mark which is stamped, branded, engraved, or printed upon (i) such article; (ii) any tag, card, or label attached to such article; or (iii) any

box, package, cover, or wrapper in which such article is encased or enclosed.

Paragraph (2) of subsection (b) provides that any article described in paragraph (1) which contains solder and an alloy of gold of inferior fineness which is used to braze or unite the parts of such article, all the gold, alloys of gold, and solder shall be assayed as one piece, and the actual fineness of the article, considered in its entirety, shall not be less, by more than seven one-thousandths parts, of the fineness indicated by the mark referred to in paragraph (1).

ESTIMATED COSTS

In accordance with section 252(a) of the Legislative Reorganization Act of 1970 (2 U.S.C. 190(j)), the committee estimates that there would be no additional costs incurred by the Government by enactment of S. 3095. The committee is not aware of any cost estimate by any Federal agency which is at variance with the committee's estimate.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows—existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman:

ACT OF JUNE 13, 1906, AS AMENDED (15 U.S.C. 294-300)

SEC. 2. **[That in]** (a) *Except as provided in subsection (b), in the case of articles of merchandise made in whole or in part of gold or of any of its alloys so imported into or exported from the United States, or so deposited in the United States mails for transmission, or so delivered for transportation to any common carrier, or so transported or caused to be transported as specified in section (1) of this Act, the actual fineness of such gold or alloy shall not be less by more than one-half of one carat than the fineness indicated by the mark stamped, branded, engraved, or printed upon any part of such article, or upon any tag, card, or label attached thereto, or upon any box, package, cover, or wrapper in which such article is incased or inclosed; except that in the case of watchcases and flatware, so made of gold or of any of its alloys, the actual fineness of such gold or alloy shall not be less by more than three one-thousandth parts than the fineness indicated by the mark stamped, branded, engraved, or printed upon such article, or upon any tag, card, or label attached thereto, or upon any box, package, cover, or wrapper in which such article is incased or inclosed: *Provided*, That in any test for the ascertainment of the fineness of any article mentioned in this section, according to the foregoing standards, the part of the article taken for the test, analysis, or assay shall be such part or portion as does not contain or have attached thereto any solder or alloy of inferior fineness used for brazing or uniting the parts of said article: *Provided further*, That in the case of any article mentioned in this section, in addition to the foregoing tests and standards, the actual*

fineness of the entire quantity of gold or of its alloys contained in such article, including all solder and alloy of inferior fineness used for brazing or uniting the parts of such article (all such gold, alloys, and solder being assayed as one piece), shall not be less by more than one carat than the fineness indicated by the mark stamped, branded, engraved, or imprinted upon such article, or upon any tag, card, or label attached thereto, or upon any box, package, cover, or wrapper in which such article is incased or inclosed, it being intended that the standards of fineness and the tests or methods for ascertaining the same provided in this section for articles mentioned therein shall be concurrent and not alternative.

“(b) (1) Except as provided in paragraph (2), the actual fineness of the gold, or of the alloy of gold, which is used in any article which is—

“(A) made, in whole or in part, of gold or any of its alloys,

“(B) offered for sale, imported, exported, transported, mailed, or otherwise distributed in interstate or foreign commerce or in commerce which affects such commerce, and

“(C) sold by any manufacturer or importer more than 5 years after the date of enactment of this subsection, shall not be less, by more than three one-thousandths parts, than the fineness indicated by the mark which is stamped, branded, engraved, or printed upon (i) such article; (ii) any tag, card, or label attached to such article; or (iii) any box, package, cover, or wrapper in which such article is encased or enclosed.

“(2) If an article which is described in paragraph (1) contains solder and an alloy of gold of inferior fineness, which is used to braze or unite the parts of such article, all such gold, alloys of gold, and solder shall be assayed as one piece, and the actual fineness of such article, considered in its entirety, shall not be less, by more than seven one-thousandths parts, than the fineness indicated by the mark referred to in paragraph (1).

AGENCY COMMENTS

Although agency comments were requested, no agency comments were received by the committee with respect to S. 3095, as of the date of reporting the bill.

TEXT OF S. 3095, AS REPORTED

That this Act may be cited as the “Gold Labeling Act of 1976.”

SEC. 2. Section 2 of the Act of June 13, 1906 (34 Stat. 260; 15 U.S.C. 295), is amended—

(1) by striking out “That in” and inserting in lieu thereof “(a) Except as provided in subsection (b), in”; and

(2) by adding at the end thereof the following new subsection:

“(b) (1) Except as provided in paragraph (2), the actual fineness of the gold, or of the alloy of gold, which is used in any article which is—

“(A) made, in whole or in part, of gold or any of its alloys,

“(B) offered for sale, imported, exported, transported, mailed, or otherwise distributed in interstate or foreign commerce or in commerce which affects such commerce, and

“(C) sold by any manufacturer or importer more than 5 years after the date of enactment of this subsection, shall not be less, by more than three one-thousandths parts, than the fineness indicated by the mark which is stamped, branded, engraved, or printed upon (i) such article; (ii) any tag, card, or label attached to such article; or (iii) any box, package, cover, or wrapper in which such article is encased or enclosed.

“(2) If an article which is described in paragraph (1) contains solder and an alloy of gold of inferior fineness, which is used to braze or unite the parts of such article, all such gold, alloys of gold, and solder shall be assayed as one piece, and the actual fineness of such article, considered in its entirety, shall not be less, by more than seven one-thousandths parts, than the fineness indicated by the mark referred to in paragraph (1).

○

S. 3095

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

To increase the protection of consumers by reducing permissible deviations in the manufacture of articles made in whole or in part of gold.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Gold Labeling Act of 1976".

SEC. 2. Section 2 of the Act of June 13, 1906 (34 Stat. 260; 15 U.S.C. 295), is amended—

(1) by striking out "one-half of one carat" and inserting in lieu thereof "three one-thousandth parts";

(2) by striking out "; except" and all that follows through "incased or inclosed" immediately before the first proviso;

(3) by striking out "in the case of any article mentioned in this section" in the second proviso;

(4) by striking out "in such article" in the second proviso and inserting in lieu thereof "in an article mentioned in this section"; and

(5) by striking out "than one carat" in the second proviso and inserting in lieu thereof "than three one-thousandth parts, in the case of a watchcase or flatware, or than seven one-thousandth parts, in the case of any other such article,".

SEC. 3. The amendments made by section 2 of this Act shall take effect five years after the date of enactment of this Act and shall not apply with respect to any article of merchandise which is sold by any manufacturer or importer before the effective date of such amendments.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*