



CANADIAN JEWELLERS ASSOCIATION



DIAMOND BOURSE OF CANADA



LA CORPORATION
DES BIJOUTIERS
DU QUÉBEC

THE QUEBEC
JEWELLERS'
CORPORATION

September 29, 2009

Mr. Andrew McAlpine
Senior Competition Law Officer
Competition Bureau
50 Victoria Street
Gatineau, Quebec
K1A 0C9

Dear Mr. McAlpine,

The Canadian Jewellers Association (CJA), Jewellers Vigilance Canada (JVC), Diamond Manufacturers Association of Canada (DMAC), the Quebec Jewellers' Association (CBQ) and the Diamond Bourse of Canada (DBC) would like to take this opportunity to provide our joint, and united response relating to the *Draft Enforcement Guidelines relating to "Product of Canada" and "Made in Canada" Claims* (Guidelines) issued by the Competition Bureau in July 2009.

CJA is a national trade association dating back to 1918. CJA liaises with all levels of government to ensure fair and equitable treatment. The CJA builds trust, awareness, understanding and desirability for Canadian jewellery products. CJA is the voice of the Canadian jewellery industry, providing leadership in ethics, education and communication. The CJA promotes consumer trust and assists its members to follow best business practices. Our members consist of retailers, suppliers (manufacturers), wholesalers and goods and service provider organizations with an interest in the jewellery industry. Over 1,000 member locations situated in every region across Canada proudly display their membership decal with the CJA logo and slogan.

DMAC was incorporated effective September 14, 2005. It consists of the majority of diamond manufacturers in Canada. One of its main functions was to represent the interests of Canadian diamond manufacturers with the National Diamond Strategy being developed in Canada. The Association will also perform the regular functions of trade associations such as government relations and exchanging information and best practices

JVC was established in 1987 as an independent non-profit association with a mandate to advance ethical practices establish a level playing field for the Canadian jewellery industry and provide crime prevention education for the trade. JVC is in partnership with the RCMP as well as liaising with other law enforcement agencies across Canada. JVC also Chairs and administers the *Voluntary Code of Conduct for Authenticating Canadian Diamond Claims* (the Code) which is endorsed by the Competition Bureau.

CBQ's goals are the study, defence and development of the economic, social and moral interests of its members render the services needed to all persons exercising the trade and provide better service and enhanced protection to the public.

DBC- The Diamond Bourse of Canada (DBC) is a newly formed non-profit organization devoted to the development of the manufacturing and wholesale sectors in the diamond jewellery industry. The DBC's mandate is to create a safe trading environment for members to buy or sell rough and polished diamonds. Some of the other services that will be provided include: a Customs Bonded Warehouse on site, a fully equipped laboratory for examining diamonds, and courses on a wide variety of subjects pertaining to the diamond industry. There are many aspects of the industry where an established Bourse will be able to provide support and assistance to its membership. The DBC looks forward to expanding their services in the new location that is being established in the downtown core of Toronto.

The following are comments and a request for clarification on the *Draft Enforcement Guidelines relating to "Product of Canada" and "Made in Canada" Claims* (Guidelines) issued by the Competition Bureau in July 2009.

Overall the Guidelines do not appear to be problematic with a few exceptions detailed below.

We seek clarification on the following:

1. With regard to the national mark represented by a maple leaf surrounded by the letter "C" how will the new Enforcement Guidelines affect the use of this mark?



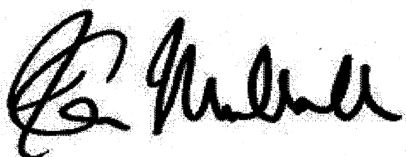
2. Will the Guidelines detail the rules regarding size, placement and proximity to the qualifying statement that will be required when a "Made in Canada" claim is made?
3. We request more clarity on the qualifying statements now required especially when using imagery.

4. Once adopted, how will the Competition Bureau enforce this policy especially with regard to the use of imagery?
5. Diamonds mined in Canada are considered Canadian as per *3.1.4 Goods Wholly Obtained or Produced in Canada*. Are Canadian diamonds that are cut and polished in Canada considered "Product of Canada" and Canadian diamonds that are cut and polished abroad considered "Made in Canada"?
6. How will these Guidelines affect companies using "Canadian" or "Canada" in their names (i.e. *Canadian Gemstone Company*) but who only import products from outside Canada?

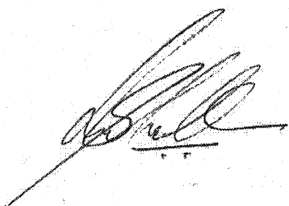
We look forward to your response and further consultation.

Thank you.

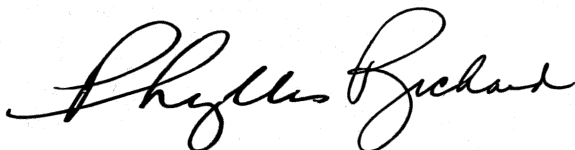
Yours very truly,



Ken Mulhall, President & CEO
Canadian Jewellers Association



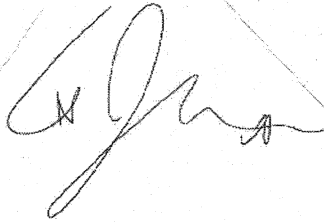
Bhushan Vora, President
Diamond Manufacturers Association of Canada



Phyllis Richard, Executive Director
Jewellers Vigilance Canada

A handwritten signature in black ink, appearing to read "Lise Petitpas". The signature is fluid and cursive, with the first name "Lise" written in a larger, more prominent script than the last name "Petitpas".

Lise Petitpas, Executive Director
The Quebec Jewellers' Corporation

A handwritten signature in black ink, appearing to read "Gregory Jacobson". The signature is cursive and somewhat stylized, with the first name "Gregory" being the most legible part.

Gregory Jacobson, Vice Chairman
Diamond Bourse of Canada