



## **PRESS RELEASE**

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### **“Tom Lantos Block Burmese JADE Act of 2008” Takes Effect**

#### **U.S. Customs & Border Protection Provides Detailed Implementation Plan for Act**

#### **30-Day Grace Period Is Established; Ends October 26, 2008**

**New York City — October 3, 2008** — The U.S. Customs & Border Protection has issued Phase 1 of its Implementation Plan to enforce the “Tom Lantos Block Burmese JADE Act of 2008.” Phase 1 includes detailed requirements to import and export non-Burmese rubies and jadeite into and out of the United States. No jadeite and rubies of Burma origin can be imported into the United States. This importation ban encompasses all Burmese origin jadeite and rubies, notwithstanding “substantial transformation” in Thailand or elsewhere. Burma is also known as Myanmar.

A 30-day grace period has been established whereby importers and exporters that may not meet all mandatory requirements can still import and export non-Burmese goods until Sunday, October 26, 2008.

Customs has issued new Harmonized Tariff System codes for use for all non-Burmese rubies and jadeite and jewelry containing these gemstones imported

into the U.S. Shipments of rubies and jadeite from non-Burmese sources must use these codes when entering the U.S. In addition, importers are required to:

1. Maintain full records related to purchase, manufacture and shipment of non-Burmese goods for five years;
2. Provide these records to Customs, if asked.

Exporters are also required to maintain and file specific records. Exporters are required to declare upon entry that the jadeite or rubies have been subject to a system of verifiable controls from mine to first export that demonstrate that the gemstones were not extracted from Burma and that the exporters have records to prove it. This applies also to jewelry containing non-Burmese rubies and jadeite.

Phase 2 of the implementation plan will be developed over the next few months. The purpose of Phase 2 is to determine if further steps are needed to support additional verification of export controls and to streamline the process. Importers and exporters can send questions to Customs at [jade.act@cbp.dhs.gov](mailto:jade.act@cbp.dhs.gov). Customs will be posting frequently asked questions on their website, [www.cbp.gov](http://www.cbp.gov). Custom's full Implementation Plan, Phase 1 will be available on JVC's website, [www.ivclegal.org](http://www.ivclegal.org).

The importation ban does not apply to Burmese jadeite or rubies that are imported for personal use, meaning for personal wear by the importer. Further, the bill does not address U.S. sales of any inventory of Burmese jadeite or rubies currently in the U.S. U.S. jewelers can to sell existing inventories of Burmese jadeite and rubies already in the US.

Said Cecilia Gardner, JVC president, CEO and general counsel, “The ‘Tom Lantos Block Burmese JADE Act of 2008’ has serious and long-term impact on U.S. jewelry manufacturers who import jadeite and rubies. Effective immediately, all importers and exporters of non-Burmese rubies and jadeite must follow Phase 1 of the Burmese JADE Act Enforcement Plan and use Custom’s new Harmonized codes, although there is a generous grace period. JVC will continue to monitor developments with the agencies working to develop import instructions for non-Burmese ruby and jadeite to inform the trade on further implementation details.”

Visit JVC’s website, [www.jvclegal.org](http://www.jvclegal.org), for late-breaking news on the “Tom Lantos Block Burmese JADE Act of 2008,” along with other important legal compliance information and JVC products and services.

Jewelers Vigilance Committee, founded in 1917, is a not-for-profit legal trade association fulfilling its mission to maintain the jewelry industry’s highest ethical standards. JVC offers dispute mediation and arbitration services for trade and consumers, compliance monitoring and precious metals testing, among many other services. JVC, long considered the industry’s guardian of ethics and integrity, is a resource for the entire jewelry industry and its customers as well as an industry representative before government agencies, media and adjunct fields. For more information visit: [www.jvclegal.org](http://www.jvclegal.org).

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