

FTC Consumer Alert

Federal Trade Commission ■ Bureau of Consumer Protection ■ Division of Consumer & Business Education

Antiques How to Shop Wisely

It's been said that imitation is the sincerest form of flattery. But it's no compliment when imitations or reproductions are used to defraud consumers. When consumers buy what they're told is a genuine antique or a vintage collectible, but learn later they were knowingly sold a fake that can sell for less, it's fraud.

Buying and selling antiques and collectibles is big business. You can buy antiques at auctions, shops, shows, and online. You may even discover treasures at garage sales and flea markets. Before you make any purchase, the Federal Trade Commission (FTC), the nation's consumer protection agency, and the Professional Show Managers Association, a not-for-profit organization representing antiques and collectibles show producers, say it's a smart buyer who learns about the differences between genuine antiques, reproductions, and their fake counterparts.

“A” Is for Antique: Learning the Lingo

Before you shop for antiques, it's important to understand some terms used in the marketplace.

By law, an *antique* is an item that's at least 100 years old.

A *collectible* is just about anything that people collect. The age of a collectible is not important, except if an item is labeled a *vintage collectible*. A vintage collectible is an item that is at least 50 years old.

A *reproduction* is an item created to look like an original, but that has no value in the antiques world. For example, new furniture can be manufactured to resemble styles from the 18th century, like Queen Anne, Chippendale and Hepplewhite. The same is true of antique reproduction jewelry — the items are not old; they simply are manufactured in the style of a certain period, like the Victorian era. Depending on the quality of materials and the manufacturing process, a reproduction can be expensive, but not nearly as expensive as an original. It also may be difficult for a non-expert to distinguish between a well-manufactured reproduction and an original.

You also may see or hear the term *repro*. *Repro* is not short for reproduction. Some people use the term *repro* to describe a new item that has been purposefully created with the intent to deceive and sell at its genuine counterpart antique price. Essentially, a *repro* is a fake. For example, an unscrupulous dealer may knowingly try to sell you a *repro* Tiffany lamp as an original. Items from a variety of categories can be faked, including porcelains, glassware, jewelry, silver, paintings, prints, textiles, wood carvings, brass, and copper.

Price guides are books filled with technical information on specific antiques, brief histories, references, short descriptions, photos, and average retail prices. The prices listed can't take certain variables into account — like the condition of a particular item or its popularity in a particular location (for example, an antique platform rocking chair may be more popular in one part of the country than another). Price guides can be general or specialized: some cover a broad range of antiques, from furniture to ceramics. Others specialize in items like American pottery and porcelain, Oriental decorative arts, furniture from the Arts and Crafts movement, or pressed glass. Price guides are updated routinely. Make sure you consult the latest editions.

Auction catalogs, published by auction houses, suggest how much selling price varies from asking price. Get a catalog before a sale, and ask to receive the “prices realized” list, which details what items actually sold for. Items are worth what people are willing to pay for them. Prices can rise quickly and dramatically if bidding gets heated.

Shopping & Buying Tips

Just as you do your homework before making other important purchases, it's a good idea to research antiques before you buy them. This may include visiting antique shops, malls, and auctions; talking with collectors and reputable dealers; and reading price guides, auction catalogs, books, and magazines on the items you're interested in buying. The more you know, the less likely you are to buy something that isn't what you thought, or to pay more than you should.

When shopping, ask questions:

- How long have you been a dealer?
- Do you belong to any professional organizations, like dealer associations, appraiser associations, or organizations related to specific types of merchandise?
- Do you specialize in certain items? Dealers who specialize can teach you a lot about telling the difference between real antiques, reproductions, and fakes.
- Do you carry reproductions? If dealers have reproductions mixed in with antiques, the reproductions should be labeled clearly. If they're not, be careful: Some reproductions are so well done that even experts can have trouble recognizing them for what they are.
- How do you know the item is genuine and not a fake or reproduction?
- How did you determine the price for the item?
- What criteria did you use to identify the item?
- Will you guarantee the authenticity of the item in writing? If the dealer isn't willing to give you a guarantee, don't disqualify the purchase. Many dealers buy items without absolute certainty about their authenticity, but the price should reflect that.
- What is your return policy? A reputable dealer should agree, in writing, to take back anything that was misrepresented.

When you decide to buy an item, get a written receipt that includes the seller's name, address, and phone number; the date; a complete description of the item, including age, origin, any repairs or replacements, the price you paid, and how you paid; and, if the seller claims the item is authentic, a written guarantee.

A Word about Buying Online

If you decide to buy online, here are a few additional points to consider.

- Ask the seller to send you close-up photographs of the item you're considering buying.
- Ask if the item can be purchased and shipped to you on an "approval" basis. This allows you to inspect the item and perhaps have a local expert take a look at it, too. Some online sellers will let you buy items this way, often with a condition: if you decide you don't want the item, you can get a refund if you return the item within a certain time and in the same condition as you received it. If you decide to buy "on approval," get the terms in writing.
- Another option is to ask the seller about using an escrow service. The primary purpose of online escrow services is to protect buyers and sellers from fraud. Escrow services accept and hold payment from a buyer — often a wire transfer, check, money order, or credit card — until he receives and approves the merchandise. Then, the escrow service forwards the payment to the seller. The buyer pays the fee for an online escrow service — generally a percentage of the cost of the item.
- Ask the seller how the item will be packed and shipped, and the shipping costs.

For More Information

If you have a problem with an antiques dealer, first try to resolve the dispute with the dealer. If the item was purchased at an antiques show, mall or auction house, report the seller to the management. Make sure you act quickly. Some companies may not accept responsibility if you fail to complain within a certain time. If you can't get satisfaction, consider contacting your local consumer protection agency for information and help.

You also can file a complaint with the Federal Trade Commission. Although the FTC does not intervene in individual disputes, the information you provide may indicate a pattern of possible law violations requiring action by the Commission. The FTC works for the consumer to prevent fraudulent, deceptive, and unfair business practices in the marketplace and to provide information to help consumers spot, stop, and avoid them. To file a complaint or to get free information on consumer issues, visit ftc.gov or call toll-free, 1-877-FTC-HELP (1-877-382-4357); TTY: 1-866-653-4261. The FTC enters Internet, telemarketing, identity theft, and other fraud-related complaints into Consumer Sentinel, a secure online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

Prepared in cooperation with the Professional Show Managers Association (PSMA)

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