

## TEFAF New York Spring 2020 Vetting Guidelines

### **Introduction**

The vetting process, one of the main pillars of TEFAF New York's success, aims to create an atmosphere in which exhibitors can sell and buyers can buy works of art with confidence.

The Vetting Committees will be composed of academics, curators, conservators, conservation scientists and independent scholars. By the time the Fair opens, they have undertaken a meticulous examination of every piece on show. Neither Exhibitors nor their representatives will be admitted to their stand during vetting of their stand in order to allow committee members to express their opinions freely and to ensure complete impartiality. Exhibits are not accepted for display unless they have been approved by the relevant committee. Observations made by the vetting committees are shared with the selection committees as requested.

### **Due Diligence**

To ensure the highest quality standards are maintained and in the interests of transparency, all exhibitors (participants to the fair organized by TEFAF) are expected to conduct their own due diligence investigations to establish the provenance and title of their exhibits prior to putting them up for sale at the fair.

The following requirements therefore apply to exhibits on display at TEFAF:

- All objects must be labelled
- All labels must contain correct and complete information
- All objects must be listed, and these typed lists must be available on the stand
- Provenance: maximum possible provenance verification and reporting must be available
- Art Loss register (ALR): every object on display must be checked against the Art Loss Register database - which includes the Interpol database.
- ICOM Red Lists: every object on display will be checked against the ICOM Red Lists
- TEFAF and its exhibitors will follow the CITES rules.

### **Art Loss Register (ALR)**

In addition to being vetted for authenticity, attribution and condition, exhibits at TEFAF are checked against the Art Loss Register (ALR) database of 500,000 items subject to a claim. The ALR includes items reported as lost or stolen, subject to a dispute or loan, or with other issues. Any object found to be subject to a claim is removed from the fair immediately.

The ALR is the world's largest privately managed database of stolen, missing and looted works of art and antiques. The ALR helps resolve art-related ownership disputes and operates as a central checkpoint for due-diligence searches and provenance research. It also assists the art trade in protecting itself against trading in stolen, looted, illegally excavated or exported property to safeguard its financial security, reputation and clients.

### **CITES**

CITES stands for Convention on International Trade in Endangered Species of Wild Fauna and Flora. CITES regulates the international trade in protected animals,

plants and parts and derivatives thereof.

Each exhibitor is responsible for his/her own CITES application. CITES permits may be required both for export from the country of origin and import into The United States.

Original CITES documents must accompany any shipment that contains products which qualify for CITES regulation at all times.

As a general rule every activity relating to the import and/or export of products qualifying for the CITES regulation requires an export, import and if applicable a (re-)export and (re-) import licence.

### **Responsibility of Exhibitors and Responsibility of Vetting Committee Members**

#### Exhibitors:

Exhibitors are responsible, among other things, for providing clear and complete labels. Moreover, exhibitors are generally responsible for the exhibits offered and as such have to observe the necessary due diligence: Exhibits need to be acquired with all the necessary due diligence.

#### Vetting Experts:

The vetting committees are responsible for deciding whether exhibitors have provided enough evidence to substantiate what is stated on labels. Sources of evidence include provenance verification and reporting, research, documentation and obviously the object itself.

#### Attributions:

TEFAF vetting committees do not make attributions. TEFAF accepts or rejects attributions based on the evidence presented by exhibitors.

### **Scientific Research & Support Team**

The TEFAF Vetting Committees include a Scientific Research Team (SRT). During the vetting process the SRT provides expertise on different analytical methods to investigate the material integrity of an artwork. The team will investigate individual objects at the request of the Vetting Committees, which hold overall responsibility for the entire vetting process. The analytical methods at the team's availability range from various forms of microscopy to elemental identification through X-ray fluorescence spectrometry. The SRT's approach is entirely non-destructive, strictly excluding the removal and analysis of samples from an artwork. In addition, the SRT is limited to portable instrumentation that can be employed quickly, directly and *in situ* at TEFAF. In view of these limitations in time and technology, the SRT provides indicative analytical support. The SRT's work does not present an in-depth material investigation of a specialised art technological laboratory. The SRT may refer the Vetting Committee, dealers or buyers to such laboratories.

Furthermore, the SRT will also pro-actively advise vetting committees.

## **Sections**

### **1. Ancient Art**

All the antiquities exhibited must be described and dated to the period and attributed according to their culture. The exhibits at TEFAF New York must have been checked by the Art Loss Register.

All exhibits covering the cultural heritage (of cultural property and other goods of archaeological, historical, cultural, rare scientific or religious importance) originating from the territory of Iraq or Syria must show a documented evidence of provenance prior to respectively 6 August 1990 and March 2011. Objects from Egypt must have written proof of provenance prior to 1983. The exhibitor must present the documentation to the vetting committee in any case. If the documentation is considered not sufficient, the piece will be withdrawn from the fair.

Provenance must mention previous owners, if possible, by name or initials and/or location (country and/or city), and state that the object was acquired with all the required due diligence. The condition of the exhibits must be described in a reasonable way.

Documents concerning the pedigree of the object have to be shown to the vetting committee. The committee will check whether or not the object was, at some point in its history, obtained contrary to national or international law. The object will not be accepted if the provenance is not sufficiently proved.

Fillings and conservation of parts, resurfacing, repairs and cleaning must be described. Also, for other antiquities a provenance must be shown.

Historical conservation and additions dating from the sixteenth to the early twentieth century must be described. If the repairs go beyond the nature, character and identity of the original, the vetting committee may refuse the object as being not in the interests of the Fair. The same applies to provenance, quality or excessive repairs. Reproductions and copies after the antique, even from the nineteenth century, are not admitted to the Fair if they were intentionally made to appear to be genuine antiquities.

All antiquities exhibitors must comply with the standards set by the International Association of Dealers in Ancient Art IADAA.

### **2. Applied Arts and Design from the Late Nineteenth Century to the Present Day**

This period embraces a multitude of different styles starting with the Aesthetic Movement in the 1860s and ending with Contemporary Decorative Arts and Design. The category includes the Arts and Crafts Movement, Art Nouveau, the Secessionists in their various countries, De Stijl and the Bauhaus, Art Deco, Modernism, the 1950s and the various styles that have come and gone in the last thirty years up to the present day.

Unique pieces, limited series production pieces and some rare mass-produced pieces that have made design history may all be exhibited. An important mass-produced object such as an original Breuer Wassily chair or a Lalique car mascot is judged and evaluated using similar criteria to those used in fine art.

The twentieth- and twenty-first-century decorative arts and design category covers sculpture, furniture, ceramics, glass, metalwork, textiles and jewellery.

Vetting criteria are similar for most objects that come into the categories referred to above: no reproductions, copies or unauthorized editions are allowed in any category.

### **3. Asian Art**

As a general rule, all Chinese, Japanese and other Asian works of art should date from before 1900, unless an individual item is of particular merit, interest or exceptional scholarly or documentary value. Chinese ceramics and works of art from the nineteenth century or later will only be accepted if of particularly high quality. Pastiches, copies and imitations of earlier periods will not be accepted.

#### Pottery and Porcelain

It is strongly recommended that a certificate of thermoluminescence testing issued by an internationally acknowledged laboratory or institution is provided for early pottery pieces. However, it should be noted that a positive thermoluminescence certificate does not guarantee unqualified admission of the object. Experience has shown that thermoluminescence tests for late Ming and Qing dynasty porcelain pieces cannot always be relied upon for authentication without additional evidence, and they are therefore no longer automatically accepted as proof of authenticity. Chinese ceramics of later periods with distinct patterns should be of those periods and not later pieces in that style.

#### Bronzes and Metalwork

All metalwork should be of good quality. Early Chinese bronzes should not be extensively restored or re-patinated. A thermoluminescence certificate should be provided where a pottery core is in evidence. It is advisable to have early bronzes X-rayed.

#### Sculpture

Sculpture in stone, wood or metal must be of good quality and not extensively restored. Later sculpture in earlier styles is not permitted. 'Marriages', for instance a torso and head from the same period but originally from different sculptures, are not permissible.

#### Later works of art

All Chinese, Japanese, Korean and other Asian works of art of later periods, including objects in precious and semi-precious stones, lacquer and other natural materials, such as bamboo, ivory, rhinoceros horn carving, gold, silver, glass and other materials, should be of good quality and not have been extensively restored.

#### Objects recovered from shipwrecks

Chinese ceramics and porcelain recovered from shipwrecks are only acceptable in exceptional cases, where the items are of high quality, rarity, scholarly interest or documentary value.

### **4. Chinese Furniture**

Ming style furniture should be of Ming date. Copies of an earlier style, no matter how old, will not be admitted. Conservation should be no more extensive than 30%. Pieces with replacements of structural members, for example legs and major decorative elements, will not be admitted unless the importance of the piece can be demonstrated such as to warrant acceptance of the imperfections. Seat form changes will not be accepted, for example, hard board seats changed to soft mat seats and vice versa. No reconstructed piece will be admitted, e.g. square tables reduced to side tables; canopy or couch beds to daybeds.

## 5. Ethnic art from Sub-Saharan Africa, Oceania, Americas, Southeast Asia and the Arctic Region

Only objects of great artistic refinement, mainly sculptures, body ornaments, weapons and ornamented utensils of quality, will be accepted. They must be of sufficient age and have been used in their country of origin in a ceremonial context or have been made for particular and important occasions. Early trade items or items commissioned from respected craftsmen can be accepted if they are of historic and artistic importance. Any addition or conservation that is not visible needs to be declared as such.

## 6. European Ceramics, Glass and Crystal

There may be no confusion; the object must be what it appears to be. Objects that were decorated/painted in a later period are not acceptable. Objects with a degree of alteration or conservation so great as to have materially changed their original nature or function are not acceptable.

Repairs/conservation must be stated. Nineteenth or twentieth-century ceramics which simply reproduce earlier examples are not allowed. Pieces with post-1850 bronze mounts are not acceptable.

A thermoluminescence test result must be provided in the case of Italian Della Robbia.

Mirrored glass is often an important component of furniture and can have a significant effect on its aesthetic and financial value, the state of the mirrors should be accurately described by indicating on the accompanying labels one of the following three alternatives:

- original glass and “silvering”
- original glass, “re-silvered”
- replacement glass.

## 7. Furniture

Furniture conservation must be done such that the appearance and character of the piece is preserved. Table and chair legs may not have been replaced. Only minor conservation is acceptable. Re-veneering is not permitted. Replacement of small missing parts of veneer or lacquer is only permitted if the repair has been done professionally. Re-gilding is only permitted in those rare cases when the object is highly important and unique of its kind. The label must clearly state which part of the gilding has been restored. Acceptance or refusal of an object with re-gilding (or mounts with re-gilding) is entirely at the discretion of the vetting committee.

Furniture with marquetry of a later date is not acceptable (for example, a Dutch burr walnut cabinet with floral marquetry decoration).

Seat furniture is not acceptable if its original nature has been materially altered, e.g. a chair that was originally cane-seated and is now upholstered, or a fauteuil that has been transformed into a bergère. Seat furniture with covered rails cannot be vetted and will be rejected. However, covered sitting rails are allowed.

Mirrors with frames that are not original are not acceptable. Old frames may contain new mirror plates. Style copies are not permitted. Original designs by famous cabinetmakers, such as Lincke or Sormani, are permitted only if these items are of good quality. Embellished furniture may not be shown.

Regarding conservation:

The technical integrity of the object must be respected:

- conservation may not modify the original construction
- there may be no major addition of modern veneer, plywood or any alien material to strengthen or modify the original construction
- finish/varnish must be in keeping with the age of the object, for example, varnish inside drawers that were not originally varnished will be questioned.

The aged appearance and aesthetic of an antique object must be respected:

- minimal cleaning of gilding
- marquetry may not be scraped to revive colours
- marquetry may not be scraped to flatten it.

The historical integrity of the object must be respected:

- documented alterations should be preserved if possible
- conservation or reconstructions should be fully documented with photographic documentation for visitors to examine.

Badly restored objects:

- synthetic varnish, glue and any product that is not easily reversible or is unstable over time may not be used.

Mirrored glass is often an important component of furniture and can have a significant effect on its aesthetic and financial value, the state of the mirrors should be accurately described by indicating on the accompanying labels one of the following three alternatives:

- original glass and “silvering”
- original glass, “re-silvered”
- replacement glass.

## 8. Jewellery (apart from ancient jewellery)

### Antique Jewellery

Historical pieces should be of indisputable authenticity and unambiguously of the period.

Materials should be described in clear terms avoiding ambiguous terms such as crystal or metal. All restoration must be mentioned on label.

The following **are** acceptable:

- Repairs or sizing to the shanks of rings, as long as they have not changed drastically the character of the ring
- Limited replacement of stones, if properly labelled and consistent with the period and character of the object
- Changes or additions to securing mechanisms such as earring studs or clips

The following **are not** acceptable:

- ‘Marriages’, e.g. composed necklaces
- Pieces that have been too drastically restored
- Complete or substantial re-enameling
- Pieces in which the original function has been altered, e.g. cufflinks altered into earrings
- Renovations that have destroyed the original character of the object;

- Loose stones, minerals or cultured pearls which are treated and not of exceptional quality
- Style copies made with the intent to deceive or that can be perceived as original and not bearing any maker's mark or hallmarks that could identify it as a style copy

All mounted diamonds and precious colored stones (rubies, sapphires and emeralds) over 2.00 carats, and natural pearls larger than 30 grains must be submitted to an internationally recognised qualified Lab for verification against their accompanying reports such as American Gemological Laboratories (AGL) in New York. A certificate is not necessary for other types of gemstones.

This does not apply to exhibitors in the section 'La Haute Joaillerie du Monde'.

#### La Haute Joaillerie du Monde

Will be vetted and should be of indisputable authenticity.

Contemporary jewelry should represent the pinnacle of the field. The work must be creative in its design, innovative in its use of materials, and impeccable in its craftsmanship.

Loose stones, minerals or pearls are not acceptable.

All mounted diamonds and precious colored stones (rubies, sapphires and emeralds) over 2.00 carats, and natural pearls larger than 30 grains must be submitted to an internationally recognised qualified Lab for verification against their accompanying reports such as American Gemological Laboratories (AGL) in New York.

#### **9. Metal Ware**

All objects must date from before 1870, with the exception of Jugendstil, Art Nouveau and Art Deco. Conservation must be stated on the label. Replacements and alterations of handles, lids and other important parts are not allowed.

Objects that are signed must have the marks of the period. Engravings and decorations on the objects must be from the period. Compositions/marriages are not allowed, even if the separate parts could be of the same period.

#### **10. Modern & Contemporary Art**

All the main movements in modern and contemporary art may be included in this section but works that are derivative or lacking in originality may be rejected by the vetting committee.

All modern works (where relevant) lacking clear WWII era provenance must be checked by the Art Loss Register. The ALR clearance must be available.

Conservation documentation should be fully available (e.g. examination, condition and treatment reports illustrating all previous damages and reintegrations/repairs). References to published catalogues raisonnés or certificates/authentications from the accepted authorities on each artist must be provided. To this end fact sheets, exhibition catalogues, certificates, articles and in some cases catalogues raisonnés should be available to prospective buyers. Materials and techniques, particularly in the case of contemporary art, must be fully detailed.

Paintings and drawings are not acceptable if the items have been so restored as to exclude evidence of serious or extensive damage, unless the conservation records

are made available with all restored damage clearly described in the examination, condition and treatment report.

#### Russian twentieth-century avant-garde artworks

The vetting committee will generally only consider Russian twentieth-century avant-garde artworks for acceptance if they have verifiable provenance or exhibition history.

#### Objects direct from the artist's studio

The information about objects direct from a studio must include the tombstone information and a provenance of "from the artist's studio" or similar.

#### Secondary market work

The information about each secondary market work must include the full ownership history (including any galleries and/or auction houses which sold the work) with dates, as well as any exhibition and/or publication history.

### **11. Photography**

This category includes photographs of all periods that are valued for their aesthetic and/or historical importance.

Exhibitors should show predominantly 'vintage prints', i.e. photographs printed at the same time or within a few years of the creation of the negative. On rare occasions photographs printed later may be considered and accepted if they are, in the opinion of the vetting committee, of sufficient importance in the context of the artist's oeuvre. Any non-vintage prints must be submitted to the vetting committee (in electronic form or as paper facsimiles) not later than two months before the stand building for the Fair.

All photographs, including those in numbered editions, must have been printed during the artist's lifetime either by or under the instruction or direction of the artist. Posthumous or estate prints will not be accepted.

The exhibitor may only exhibit photographs of undisputed and proven authenticity that the vetting committee is satisfied are genuine. Items about which there are any doubts as to authenticity will not be accepted if the committee considers their inclusion not to be in the best interests of the Fair. Documentary information, publication and exhibition histories that support attributions should be available to prospective buyers.

If a photograph has undergone conservation, the conservation history must be available to the vetting committee and prospective buyers.

Photographs that have been restored or altered in a way that changes their original character, for example prints that have been chemically intensified, are not acceptable.

Where information essential to establishing the authenticity of the work is concealed by the frame, such photographs must either be accompanied by good quality copies of this information or be easily removable from their frames for inspection by the vetting committee and prospective buyers.

If the value of a photograph is such that an export licence was required at the time of export from the country where the photograph was acquired by the dealer, a photocopy or the original document must accompany the object list.

## 12. Pre-Columbian Art

All items must originate from before European contact, that is to say from before 1500—with some variations depending on the area of provenance—unless the object in question, although later, is of great cultural quality or interest. In case of doubt a thermoluminescence test is strongly recommended for fired pottery. Gold, silver and bronze objects of great value must have a metallurgical certificate from an accredited expert or laboratory and must be of good quality. Important wood and stone objects must be accompanied by a certificate from an accredited expert or laboratory. Conservation may under no circumstances account for more than 10% of the whole, and only minor corrections to essential parts of the head, face or attributes are allowed. Normal retouching of decoration on repaired fractured surfaces is allowed; painting and repainting are not. ‘Ensaladas’—sculptures made up of parts from different origins—are not allowed. Textiles must originate from the period indicated. Heavily restored pieces, fragments and snippets are not allowed, with the exception of items of great cultural or scientific interest.

## 13. Sculpture from 1830 to 1960

All works must be in original condition, of the highest quality in which they are to be found, and in principle produced during the artist’s lifetime. Alterations, embellishments or incorrect/added signatures are not acceptable.

The overall integrity of each work will be considered not just in terms of its quality but also its importance in the artist’s oeuvre.

### For nineteenth-century editions

This was a period of unlimited editions in bronze, marble, terracotta etc. and only lifetime examples produced by the sculptor, his studio or under his control are accepted. For works that come from an entirely posthumous edition by the copyright holders; this edition must be limited and have been started less than 25 years after the death of the artist, initiated by direct descendants or copyright holders.

### For twentieth- and twenty-first-century editions

All works should be from lifetime editions. The following exceptions are accepted, but must be clearly labelled as such:

- works that extend an edition begun by the artist or his editor; these must have been cast less than 25 years after the artist’s death
- works that come from an entirely posthumous edition by the copyright holders; this edition must be limited and have been started less than 25 years after the death of the artist, initiated by direct descendants or copyright holders.

Both the above categories are subject to review by the vetting committee as to the overall integrity of each work, not just in terms of its quality but also its importance in the artist’s oeuvre.

### Maquettes, working models, unsigned works:

All documents proving an association with an artist, a school or a period must be provided. The position of the exhibit in the creative process leading to a finished work must be included in the description whatever their material of manufacture, for example original clay/wax/plaster model, artist’s plaster, foundry plaster, *édition* plaster, lifetime bronze or posthumous bronze.

## 14. Silver, Gold and Platinum

Pieces must be from the stated period. No copies of earlier periods are admitted under any circumstances, regardless of date or quality. Pieces that have been so extensively restored or altered such as to change or disguise their original nature or

function are not acceptable. Any re-gilding or re-plating, where appropriate, or any necessary repairs must be clearly stated on the exhibition label.

Any coats-of-arms or other blazons must be contemporaneous with the objects and may not have been added at a later date. Exceptions may be made at the discretion of the committee but in such instances any discrepancies between the date of the object and the arms or blazons must be clearly stated on the exhibition label.

### **15. Textiles**

All oriental carpets must have been woven before 1800 and be of sufficient artistic merit. Poor quality antique carpets are not acceptable by virtue of their age alone. Exceptions are made in the case of genuine tribal and village rugs and other weaves of sufficient merit, which may date from the nineteenth or early twentieth century. However, as a general rule, such rugs should not contain synthetic dyes. Factory carpets from the nineteenth and twentieth centuries are not acceptable. The same general rule applies to European carpets, tapestries and textiles. Exceptions are made in the case of weaving that illustrates major European nineteenth- and twentieth-century artistic movements such as Jugendstil, Art Nouveau, Arts and Crafts, the Aesthetic Movement, Bauhaus, Art Deco etc.

### **16. Traditional Indian Folk Jewellery**

Folk, ethnographic and tribal jewels and objects must be of indisputable authenticity and unambiguously of sufficient age. Please refer to the criteria of Traditional Arts Sections. Only genuine, high quality pieces used in traditional life are acceptable. They must be unaltered and in their original shape. If an object/jewel has been refinished or restored, this must be stated.

Mughal jewels and objects may date from no later than 1858. Jewels and objects of the British Period may date from no later than 1947. Textiles and objects made of terracotta, bronze, iron, wood, gold, stucco and stone dating from before 1500 must be accompanied by a laboratory report confirming the period by thermoluminescence, radiocarbon dating, microscope or X-ray examination.

These Vetting Guidelines are provisional and may therefore be subject to changes.  
March 2020