

Date: February 4, 2008

Re: Inspection and testing of black granite countertop

[Ms. T.H.]

Dear [Ms. T.H.]:

As you know, marblecleaning.org is an organization that was established exclusively to help consumers and consumers-to-be of natural stone with their problems.

Such problems are stemming either from the widespread ignorance (and consequent incompetence) on the subject of stone displayed by the majority of industry operators – whose only requirement to operate in the stone trade is to be at least 18-years old and alive – or despicable practices of arbitrary and illegal mislabeling of the different stones, or criminal activities of malicious doctoring of certain stones.

By all intents and purposes, considering the reality of the facts, the stone industry is in my opinion still virtually unregulated.

The major representative of the stone industry establishment world-wide is the Marble Institute of America (MIA), which was established over 60 years ago and counts some 1,300 plus active members. The MIA self-appointed itself as the entity that issues official industry standards.

It is my understanding that you already contacted the MIA about your current dispute, but, so far, you didn't receive any satisfaction.

While I personally dispute the self-appointed authority of the MIA at issuing industry standards in consideration of the deficiency of the "standards" themselves and their total lack of enforceability (at best, when not technically wrong, they can be considered toothless recommendation that can be successfully challenged in any court of law by any true expert), in this particular case I will use their own standards to give a logic thread to your issue. And the reasons why I even mention the MIA and their alleged industry standards are A) because you already contacted them, and B) because the merchant who sold the "black granite" that you have now in your home is a member of the institute.

On January 30, 2008, at approximately 3:00 PM I came to your home to conduct a physical inspection of your countertop and determine, to the best of my ability, the real nature of your problem. But before I begin my report I must hereby specify the following points:

1. marblecleaning.org's experts volunteer their time. The only expense that the assisted customers are expected to sustain are the live traveling expenses. No compensation is requested if not volunteered by the customer as donation to marblecleaning.org – not the expert himself.

2. Although we are set out to be the consumers' advocate, our findings are totally unbiased and exclusively based on scientific evidence and/or field testing.

First Introduction of the Problem

[Ms. T.H.] first contacted marblecleaning.org at www.marblecleaning.org – Ask Maurizio section, reporting inexplicable light discoloration on a recently purchased black granite countertop. As a way of further explanation, [Ms. T.H.] reported that the company that sold the stone to her sent out a technician, who provided to make the light discoloration “disappear” via the application of some sort of topical black finish. That “repair” turned out to be inadequate. In fact new “lighter stains” developed when a member of [Ms. T.H.] family inadvertently spilled some soda on the countertop.

At this point, if the statements of [Ms. T.H.] are confirmed by the facts, it is quite interesting that the company that sold the stone to [Ms. T.H.] knew exactly what to do to “repair” the “stains”. It is easy to interpret from such “immediate expertise” that this is something that they’ve been doing routinely.

Let it be known that the color of a stone should be exclusively natural. Let it also be known that the deepest possible hue of any stone is obtained by polishing its surface at its possible maximum degree of gloss. The result of the polishing of the surface of the stone is the only permanent color that a customer should be buying and pay for.

Let it finally be known that stone is polished exclusively mechanically, by abrasion and friction, as with a gemstone, and certainly not by applying some sort of topical sealer onto it.

It’s been further reported to me by [Ms. T.H.] that a new “repair” via the “black wax” was performed again on her countertop more recently.

The Findings or Marblecleaning.org

I personally spilled a few drops of lemon juice on an inconspicuous area of the countertop and let it sit approximately 30 seconds. After removing the lemon juice and cleaning the area, a permanent lighter discoloration was visible.

Two possibilities had to be considered and evaluated:

1. The possibility that the stone itself had been reacting with the citric acid of the lemon juice due to the possible inclusion of traces of minerals sensitive to acids. If that were the case, the damage was actually on the stone itself.
2. The possibility that the factory or other party (typically – but not always necessarily – the factory) had intentionally doctored the stone with the application of some black coating to make it appear of a color that the stone is not, namely black. It is in my opinion a criminal activity that’s been going on for many years already – and growing – without any real opposition or even investigation from the industry establishment

that I'm aware of. If that was the case, the lighter discoloration was actually exposing the true color of the stone underneath the black doctoring coating.

In either case, it is the opinion of marblecleaning.org that it is a clear infringement of the consumer protection act.

To find out the real nature of the problem, I operated on a sample of the same stone (a little square of approximately 4" x 4") by acid-treating it (again lemon juice) its entire surface. Once I removed the lemon juice and cleaned the surface, the resulting color of the stone was detectably lighter than before, while its gloss was unscathed. At this point I applied some more lemon juice and white vinegar (acetic acid) and let both sit for several seconds. Once removed and cleaned, there was no further change in the depth of color of the stone surface and its polish was still unscathed. In other words, the stone itself is not sensitive to acids.

Therefore it is my conclusion that the countertop of [Ms. T.H.] is currently covered with an unstable black coating of sorts that was intentionally applied to the stone surface to make it appear black and therefore more desirable and more expensive. (There is lesser demand for polished dark gray granite.)

It is the opinion of marblecleaning.org – supported by its legal advisor – that it is a clear case of full-fledged consumer fraud, and our suggestion to [Ms. T.H.] is to report the alleged crime to the proper authorities without further ado. Only strong legal actions could make a substantial dent in this widespread despicable activity that is detrimental to the industry in its whole.

Granite and "Granite"

It is a scientific fact that only a scant 2% of all the stones traded as granite are true geological granite or its next of kin. The remaining 98% is an array of stones with very little to no relation whatsoever to granite and to each other.

To justify the obvious illegality of this widespread misclassification, the stipulation of the MIA is that while admitting the misclassification, per se it is not to be considered a real fraud as long as the stones traded as granite perform and behave at least as true granite. In short, they have to be acid-resistant and scratch-resistant. While a strong argument could be easily made against such position on the grounds that the MIA does not make the laws of the land and that consumers have the right to know exactly what they buy (which may have serious implications that go beyond the satisfaction of mere curiosity), instead of a vague generic classification based upon the principle of keeping it simple through ignorance, I will not go into this in this arena. Therefore, if we pretend to accept for a moment such empirical way of conducting business, it is a fact that [Ms. T.H.]'s stone does not perform and behave like granite, unless, of course, she decides to accept the fact that her stone is not black as she wanted it and paid for, but a fake black that was deceptively "painted on" for the sole purpose of hiding the real color of the stone – grey – that she would have never bought. (For the sake of general information, no black "granite"

on the market is even remotely related to true geological granite. However, many good and true black "granites" are indeed excellent stones that even exceed the performance of true granite for certain aspects.)

Conclusion

Especially in consideration of the resistance that the stone distributor that sold the stone to [Ms. T.H] has reportedly displayed to accommodate her rightful demands, as indicated before, it is the strong recommendation of marblecleaning.org to pursue this matter through any possible legal channel available to the consumers.

I will personally continue to assist [Ms. T.H.] as an expert witness, free of charge, with any possible steps she will take to see her rightful complaint satisfied.

Sincerely,

A handwritten signature in black ink, appearing to read "Maurizio Bertoli". The signature is stylized with a large, sweeping initial "M" and a long horizontal line extending to the left.

Maurizio Bertoli
Co-founder and President of marblecleaning.org