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Vaughan, Sharyn

From: Black, Jane
Sent: Monday, 12 March 2018 1:30 PM
To: McDonald, Melinda
Cc: Mayall, Deb; Scott, Christine; Godfrey, Emma; Vaughan, Sharyn
Subject: FW: Birubi MR tracked changes [SEC=UNCLASSIFIED]
Attachments: MR final version JB comments.docx

Security Classification:
UNCLASSIFIED

Thanks Melinda and Deb.

The media release is better, especially the headline.

Melinda, I had a couple of queries on some wording (see attached). Do you want to discuss while you are looking at exec brief?

Thanks,

Jane

From: McDonald, Melinda
Sent: Monday, 12 March 2018 12:47 PM
To: Black, Jane <jane.black@acc.gov.au>
Cc: Vaughan, Sharyn <sharyn.vaughan@acc.gov.au>; Godfrey, Emma <emma.godfrey@acc.gov.au>; Mayall, Deb <deb.mayall@acc.gov.au>; Scott, Christine <christine.scott@acc.gov.au>
Subject: Birubi MR tracked changes [SEC=UNCLASSIFIED]

Hi Jane, thanks again for your work on this. Please see attached some tracked changes for you to consider, following my review, and Deb's. The changes look more substantive than they actually are - you did a good job from the outset. You'll see I am trying to have our standard messaging re indigenous art claims remain at a high level, whilst balancing with detail of this specific matter.

Sorry for delay getting this back to you this am, you may have seen my technical issue overnight, and the leadership roadshow took up much of the morning. Am working on the Exec brief, and will get back to you asap too.

See what you think, and best to read with tracked changes off.

Thanks, Melinda.

MEDIA RELEASE



XX March 2018

ACCC takes action against Birubi for alleged misleading Indigenous art claims

The ACCC has instituted proceedings in the Federal Court against Birubi Art Pty Ltd (Birubi), a national wholesaler of Aboriginal art products and Australian souvenirs. The ACCC alleges Birubi breached the Australian Consumer Law (ACL) by misrepresenting the country of origin, and the nature and history of some of its products.

The ACCC alleges that, between July 2014 and November 2017, Birubi made claims on certain products that they were made in Australia, and that an Aboriginal person had hand painted or made the product.

However, these products were made in Indonesia. The products include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. ~~They contained~~ The products displayed a combination of words and artwork that gave rise to the allegations, including 'hand painted' 'handcrafted' 'Aboriginal Art' and 'Australia'.

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"The alleged conduct is of serious concern, as it not only harms consumers who are misled, but it also has the potential to undermine the integrity of Aboriginal art, and negatively impact Indigenous artists and their artwork" ACCC Commissioner Delia Rickard said.

Commented [BJ1]: Would we say "Who may be misled"?

"We allege that over **18,000** of these products were sold to shops in key tourist spots throughout Australia. In the lead up to the Commonwealth Games in Australia next month, it's particularly important to ensure products purporting to be Indigenous cultural objects or art are authentic."

The ACCC is seeking declarations, pecuniary penalties, injunctions, corrective notices, compliance program orders, and costs.

These proceedings form part of the ACCC's work addressing conduct impacting Indigenous Australians, which is an enduring priority for the ACCC.

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