

# Released under FOI

**Vaughan, Sharyn**

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**From:** McDonald, Melinda  
**Sent:** Thursday, 22 March 2018 10:30 AM  
**To:** Rickard, Delia; Anderson, Michael  
**Cc:** Godfrey, Emma; Black, Jane; Vaughan, Sharyn; Ayres, Lisa Anne; Campbell, Lisa; !Media; !ExecutiveOffice; Stark, Natalie; Peter, Wendy; Fleming, Richard  
**Subject:** RE: For approval, media release: Action over alleged misleading Indigenous art claims [DLM=For-Official-Use-Only]

**Security Classification:**  
For Official Use Only

Thanks Delia, Michael, and all. Just confirming that the court docs have been filed and served on Birubi. The MR can now be issued. Thanks, Melinda.

**Melinda McDonald**  
General Manager | Enforcement Queensland and Northern Territory  
**Australian Competition & Consumer Commission**  
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The ACCC acknowledges the traditional custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

**From:** Rickard, Delia  
**Sent:** Wednesday, 21 March 2018 3:11 PM  
**To:** Anderson, Michael <[michael.anderson@acc.gov.au](mailto:michael.anderson@acc.gov.au)>  
**Cc:** McDonald, Melinda <[melinda.mcdonald@acc.gov.au](mailto:melinda.mcdonald@acc.gov.au)>; Godfrey, Emma <[emma.godfrey@acc.gov.au](mailto:emma.godfrey@acc.gov.au)>; Black, Jane <[jane.black@acc.gov.au](mailto:jane.black@acc.gov.au)>; Vaughan, Sharyn <[sharyn.vaughan@acc.gov.au](mailto:sharyn.vaughan@acc.gov.au)>; Ayres, Lisa Anne <[LisaAnne.Ayres@acc.gov.au](mailto:LisaAnne.Ayres@acc.gov.au)>; Campbell, Lisa <[lisa.campbell@acc.gov.au](mailto:lisa.campbell@acc.gov.au)>; !Media <[!Media@acc.gov.au](mailto:!Media@acc.gov.au)>; !ExecutiveOffice <[executiveoffice@acc.gov.au](mailto:executiveoffice@acc.gov.au)>; Stark, Natalie <[natalie.stark@acc.gov.au](mailto:natalie.stark@acc.gov.au)>; Peter, Wendy <[wendy.peter@acc.gov.au](mailto:wendy.peter@acc.gov.au)>; Fleming, Richard <[richard.fleming@acc.gov.au](mailto:richard.fleming@acc.gov.au)>  
**Subject:** RE: For approval, media release: Action over alleged misleading Indigenous art claims [DLM=For-Official-Use-Only]

Thanks Michael. A good release. Happy with that.

By the way, Helen Wellings was singing your praises to me about how terrific you are to deal with.

Cheers  
Delia

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** Anderson, Michael  
**Sent:** Wednesday, March 21, 2018 03:44 PM AUS Eastern Standard Time  
**To:** Rickard, Delia  
**Cc:** McDonald, Melinda; Godfrey, Emma; Black, Jane; Vaughan, Sharyn; Ayres, Lisa Anne; Campbell, Lisa; !Media; !ExecutiveOffice; Stark, Natalie; Peter, Wendy; Fleming, Richard  
**Subject:** For approval, media release: Action over alleged misleading Indigenous art claims [DLM=For-

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Good afternoon Delia, please note a media release below for your approval. Attached are some images that will accompany the release also.

For distribution – tomorrow.

Sarah to do media.

## **ACTION OVER ALLEGED MISLEADING INDIGENOUS ART CLAIMS**

The ACCC has taken Federal Court action against Aboriginal art products and Australiana souvenirs wholesaler Birubi Art Pty Ltd (Birubi), alleging it made misleading Indigenous art claims.

The ACCC alleges that between July 2014 and November 2017, Birubi contravened the Australian Consumer Law by making false or misleading representations that some of its products were made in Australia and/or that Aboriginal people had made or hand painted them, when in fact they were made in Indonesia.

The products include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. The products displayed a combination of words and artwork including 'hand painted', 'handcrafted', 'Aboriginal Art', and 'Australia'.

"We allege that Birubi's conduct is damaging as it is likely to mislead consumers into thinking they are buying genuine handmade Aboriginal art when they are not. This has the potential to undermine the integrity of Aboriginal art and negatively impact Indigenous artists, including by undervaluing their authentic works," ACCC Commissioner Sarah Court said.

"We allege that over 18,000 of these Birubi products were sold to retail shops in key tourist spots around the country. In the lead up to the Commonwealth Games in Australia next month, with tens of thousands of tourists visiting Australia, this action by the ACCC is a timely reminder to traders to ensure that products they are selling as Indigenous cultural objects or art are authentic."

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

### **Notes to editors**

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

### **Michael Anderson**

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The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.