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Vaughan, Sharyn

From: Black, Jane
Sent: Friday, 9 March 2018 4:40 PM
To: McDonald, Melinda
Cc: Vaughan, Sharyn; Mayall, Deb; Godfrey, Emma; Scott, Christine
Subject: D18-33210 Enf - Admin Other - Birubi DRAFT Media release [SEC=UNCLASSIFIED]
Attachments: D18-33210 Enf - Admin Other - Birubi DRAFT Media release.DOCX

Security Classification: UNCLASSIFIED

Hi Melinda,

If you are heading off soon here is draft media release.

I will send through the exec brief later today.

Thanks,

Jane



MEDIA RELEASE

XX March 2018

ACCC takes action against Birubi for alleged false, misleading or deceptive conduct

The ACCC has instituted proceedings in the Federal Court against Birubi Art Pty Ltd (Birubi), a national wholesaler of products in the form of Aboriginal cultural objects and Australiana souvenirs. The ACCC alleges Birubi breached the Australian Consumer Law (ACL) by misrepresenting the country of origin of some of its products and the involvement of Aboriginal Australians in the manufacturing of the products.

The ACCC alleges that, between 1 July 2014 and 14 November 2017, Birubi made representations on its products that impliedly represented the products were made in Australia and that an Aboriginal person was involved in the manufacturing of the product.

However, the products were made in Indonesia by an Indonesian company.

The products include Aboriginal cultural objects such as boomerangs, bullroarers, didgeridoos, and message stones. The products contained a combination of words and artwork that gave rise these allegations, including 'hand painted' 'handcrafted' 'Aboriginal Art' and 'Australia'.

"A boomerang that is made in Indonesia should not be passed off as made in Australia by an Aboriginal Australian. This not only harms consumers, but it demeans Aboriginal culture and denies economic opportunity to Aboriginal Australians whose cultural objects are being misused." ACCC Commissioner Delia Rickard said.

"We allege over 18,000 of these products were sold to shops in key tourist spots throughout Australia. With the Commonwealth Games in Australia this year it's important to ensure products purporting to be Aboriginal artefacts or using Aboriginal art are authentic."

The ACCC is seeking declarations, pecuniary penalties, injunctions, disclosure and 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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