

Released under FOI

Vaughan, Sharyn

From: Godfrey, Emma
Sent: Friday, 9 March 2018 1:18 PM
To: Black, Jane
Subject: RE: Birubi DRAFT MR [SEC=UNCLASSIFIED]
Attachments: Birubi DRAFT MR.docx

A couple of changes

From: Black, Jane
Sent: Friday, 9 March 2018 12:57 PM
To: Godfrey, Emma <emma.godfrey@accc.gov.au>
Subject: Birubi DRAFT MR [SEC=UNCLASSIFIED]

our thoughts please

MEDIA RELEASE



XX Month 2017

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 ~~Aboriginal cultural objects and artefacts and Australian~~ souvenirs, including ~~Aboriginal cultural objects~~. The ACCC alleges that 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.

Commented [BJ1]: This seems to overstate things somehow

The ACCC alleges that, between date and date, 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, when the products were made in Indonesia. The products include Aboriginal cultural objects such as boomerangs, bullroarers, didgeridoos, and message stones and contained a combination of words and artwork that gave rise these allegations. Words included '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 182,000 of these products were sold to shops in key tourist spots around 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.

Media enquiries: 1300 138 917
Email: media@acc.gov.au
acc.gov.au/media