



Oscar Howe, Yanktonai Sioux, *Sioux Council*, 1950

STATE

According to South Dakota statutes (SDCL ch. 37-7), individuals and businesses are prohibited from distributing, selling, or offering for sale any article similar to American Indian art or craft which was not manufactured by an American Indian. The only exception is if the individual or business places a clear and legible label on the article and posts a sign immediately above the items for sale that explicitly states the products are not genuine American Indian art or craft.

Furthermore, it is illegal for any person to distribute, sell, or offer for sale any article of American Indian art or craft which is mislabeled or misbranded as to the place of manufacture. For example, it would be a violation of South Dakota State law if the label or brand was not clearly and legibly marked on the product, and if there was any false or misleading statement, design, or graphic representation on the product regarding the place of manufacture.



Mitchell Zephier, Lower Brule Sioux, *Buckle*, 1984

YOUR RIGHTS AS A CONSUMER

If you think a business or individual is selling a non-authentic art or craft item as an American Indian product, the action may be a violation of both the federal and State laws regulating the industry. **For more information or to file a complaint(s) contact:**



Indian Arts and Crafts Board U.S. Department of the Interior

1849 C Street, NW, MS 2528-MIB
Washington, DC 20240
1-888-Art-Fake or 1-888-278-3253
www.iacb.doi.gov



South Dakota Office of the Attorney General

1302 East Highway 14
Suite 1
Pierre, South Dakota 57501
1-605-773-3215
www.state.sd.us/attorney

SHOP WISELY.... TIPS FOR BUYING

- When purchasing from a dealer, choose one with a good reputation
- Request a written guarantee or written verification of authenticity
- Get a receipt that includes all the vital information about your purchase, including price, maker, and maker's Tribal affiliation
- Familiarize yourself with the different materials and types of American Indian arts and crafts, as well as the indicators of a well-made, handcrafted piece
- Realize that authentic handmade pieces may be expensive ... if a price seems too good to be true, be sure to ask more questions about the item and its maker.

Publication of the Indian Arts and Crafts Board/
U.S. Department of the Interior



Indian Arts and Crafts Act

U.S. Department of the Interior

*Take Home a
Treasure from
Indian Country:
Buy Authentic
South Dakota
Indian Art*



Charles Chief Eagle,
Oglala Sioux,
Traditional Dancer, Doll, 1991

Whether you are drawn to the ledger drawings, star quilts, quillwork, or any of the various forms of the Northern Plains Tribes, there is some important information you should have about purchasing American Indian Art in South Dakota.

THE SALE OF AMERICAN INDIAN ARTS AND CRAFTS IN SOUTH DAKOTA IS REGULATED BY BOTH FEDERAL AND STATE LAWS:

FEDERAL

Under the **Indian Arts and Crafts Act** of 1990 (P.L. 101-644), as amended, it is illegal to offer or display for sale, or sell, any art or craft product in a manner that falsely suggests it is American Indian produced, an American Indian product, or the product of a particular American Indian Tribe.

All products must be marketed truthfully regarding the Indian heritage and tribal affiliation of the producers so as not to mislead the consumer. It is illegal to market an art or craft item using the name of a Tribe if a member, or certified American Indian artisan*, of that Tribe did not actually create the art or craft item.

For example, products sold using a sign claiming "Indian Jewelry-Direct from the Reservation," would be a violation of the Indian Arts and Crafts Act if the jewelry was



Peyote Fan and Rattle



produced by someone other than a member, or certified American Indian artisan, of an American Indian Tribe. Products advertised as "Sioux (or Lakota) Jewelry" would be in violation of the Act if they were produced by someone who is not a member of the Sioux Tribes.

Covering all American Indian and Indian-style traditional and contemporary arts and crafts produced after 1935, the Indian Arts and Crafts Act broadly applies to the marketing of arts and crafts by any person within the United States.

The Indian Arts and Crafts Act is administered by the Indian Arts and Crafts Board, an agency of the U.S. Department of the Interior.

** Certified Indian artisan means an individual who is certified by the governing body of an Indian Tribe as a non-member Indian artisan.*

All images are from the collection of the Sioux Indian Museum, Indian Arts and Crafts Board, U.S. Department of the Interior



Mona Williams, Cheyenne River Sioux, Quilt, 1999



Charles Chief Eagle, Oglala Sioux, Beaded Bag, 1991



David Claymore, Mniconjou Sioux, Belt, 1989