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**News**  
[Archive](#)

## Andy Warhol Authentication Board changes disclosure policy

The panel has agreed to reveal, on a case-by-case basis, why it rejects works, but the process is still far from transparent

**Jason Edward Kaufman**

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### New York

The Andy Warhol Authentication Board, which, since its inception in 1995, has refused to disclose its reasons for rejecting works submitted to it for authentication on the grounds that disclosure would provide an instruction manual for forgers, has now revised its policy.

“As a rule the board does not disclose the reasons why the authenticity of a work of art is denied. However, the board reviews owners’ written requests for reasons...and provides explanations on a case-by-case basis at the discretion of the board”, state the organisation’s amended guidelines.

Last May, the four-member panel sent a letter to Joe Simon, an American screenwriter based in London, explaining why it had denied the authenticity of two works he had submitted for

authentication. At the time, the board denied that its disclosure policy had been changed, but, since then, facing the threat of a lawsuit led by Mr Simon and possibly including other individuals whose works had been rejected by the board, now acknowledges that it has revised its policy.

The board will not reveal when the change went into effect, but the reasons for the policy shift require no letter of explanation.

For more than a year, collectors, dealers and journalists have accused the board of rejecting genuine works by Warhol and refusing to disclose how it reaches its authoritative decisions. The controversy arose from the frustrations of Mr Simon who had a collage of dollar bills and a red silkscreen self-portrait turned down by the board. When the organisation refused to explain the reasons for this decision, Mr Simon took his story to The Art Newspaper, Vanity Fair, and other publications. He had his New York lawyer, Peter Stern, send a draft of a complaint to the Warhol Authentication Board, and the board then broke its non-disclosure policy by sending Mr Simon a letter that explained the reasons for their rejection of his works.

The board's reasons included the fact that the US Treasury Secretary, whose signature appears on some of the collaged bills that appear on one of Mr Simon's works, took office a year after Warhol died. Mr Simon accepts the rejection of that work's authenticity, but he insists that his other work, a silkscreen self-portrait, is a genuine work by Warhol.

The issues surrounding the authenticity of the self-portrait are complicated because they hinge on the degree to which the artist authorised and supervised assistants who executed his work. According to the board, Mr Simon's work is similar to 11 genuine 1964 self-portraits on linen that are included in the Warhol catalogue raisonné, but it maintains that Mr Simon's is part of a separate series of at least 10 self-portraits printed on cotton by a commercial printer without authorisation from Warhol. The board says the linen versions have hand-painted passages, demonstrating the artist's oversight of their production, but the cotton ones bear no traces of Warhol's hand. All parties agree that the controversial series was produced without Warhol's immediate supervision. In repayment of a favour, the artist loaned acetates of his photographic self-portrait to magazine publisher Richard Ekstract and allowed him to find printers to construct silk screens and print an unspecified number of paintings. The board maintains that this third-party process was not how Warhol worked in the 1960s, but members of Warhol's circle disagree, saying that it is typical of the way the artist challenged traditional standards of authorship.

Speaking to The Art Newspaper, Mr Simon said that he finds the reasons offered for the rejection of the silkscreen are “inadequate”. He says the board’s reasons would have been known to Vincent Fremont, who authenticated the piece in question for Christie’s in 1987, and also to Fred Hughes, who, in 1988, authenticated the same work for the New York dealer Ronald Feldman, who handled its sale. Both Mr Fremont and the late Mr Hughes were executors of the Warhol estate and worked for the Warhol Foundation, before it set up the Authentication Board.

Mr Simon says that he still plans to sue the board. However, Mr Simon, like everyone else who submits works for authentication, was required to sign a waiver renouncing his right to take legal action. Despite this, he remains undeterred. “I am determined”, he says. “I will never stop until this is done”.

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