

Final Statement

Complaint submitted by notifier against Noritake (Australia)
Pty Ltd

13 June 2025

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Executive summary

1. On 16 July 2024, the Australian National Contact Point for Responsible Business Conduct (**AusNCP**) received a complaint from the notifier (identity anonymised), against Noritake (Australia) Pty Ltd (**Noritake Australia**).¹
2. The complaint alleged that a blog article published on the Noritake Australia website was misleading consumers regarding the materials used in its bone china products (the **Blog**). Specifically, the complaint claimed that Noritake Australia inaccurately represented the composition of its bone china dinnerware and serving ware. The complaint alleged that this misleading information on Noritake Australia's website breached the responsible business conduct standards in the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (**OECD Guidelines**), including Chapters II General Policies, III Disclosure, IV Human Rights and VIII Consumer Interests.
3. The central issue in this complaint was that the Noritake Australia website included the Blog – which indicated that Noritake Co., Limited's (**Noritake Japan**) bone china products were made with cow bone, when it may be the case that Noritake Japan's bone china products are made with the bones of other animals.
4. In response to the complaint, Noritake Japan, on behalf of its Australian subsidiary Noritake Australia, explained that:
 - 4.1. the information contained in the Blog was historical, out-of-date information; and
 - 4.2. Noritake Japan does not provide any assurances to consumers about the specific animal origins of its bone china products, since Noritake Japan now uses a third-party supplier for its bone ash material.
5. Noritake Japan explained that in the past, it produced bone ash material in its own factories and as such was able to warrant the specific animal origins of its product. However, since changing its business practice to use a third-party supplier, Noritake Japan is no longer able to make such warranties, as Noritake Japan is not aware of the animal bones used by the third-party supplier to make their bone ash material.
6. During the Initial Assessment process, updates were made to the Noritake Australia website to ensure that the website only included references to bone ash generally and did not specifically identify cow bone ash as a material used by Noritake Japan in their bone china products. Following a request from the Independent Examiner, Noritake Japan also agreed to remove the Blog from the Noritake Australia website. Noritake Japan has also elected to remove its website blog section in full.

1 The Independent Examiner, having considered paragraph 34 of the [Australian National Contact Point complaint procedures](#), has decided to identify the enterprise in this Final Statement given the particular nature of the complaint, the business that the enterprise is in, and its multinational consumer reach. These factors are important to understanding the context of this Final Statement and the Independent Examiner's findings. It also accords with the transparency objectives of the OECD Guidelines.

7. The OECD Guidelines address consumer interests and how enterprises should interact with their consumers in Chapter VIII. The concerns raised by the complaint are relevant because they relate to the OECD Guidelines' expectation that multinational enterprises (MNEs) such as Noritake Australia, provide accurate, verifiable and clear information that is sufficient to enable consumers to make informed decisions.
8. The Independent Examiner's view is that, whilst the complaint covers issues raised in the OECD Guidelines, the complaint will not be accepted for further examination. Having considered the six admissibility criteria outlined in the OECD Guidelines' procedural guidance² the Independent Examiner has decided that, in this case, further examination is not necessary to progress the objectives of the OECD Guidelines because:
 - 8.1. the extent and impact of the alleged misleading information raised in the complaint does not appear to be significant in these circumstances;
 - 8.2. Noritake Australia has updated its current Australian website pages to remove any alleged misleading content;
 - 8.3. Noritake Australia has removed the Blog from the website, and as such, the instance of alleged misleading information is no longer publicly accessible; and
 - 8.4. further examination of the issue would not contribute to the purposes and effectiveness of the OECD Guidelines.
9. The AusNCP notes that this outcome is not a determination on the merits of the claims presented, nor is it an assessment of whether the enterprise's actions are consistent with the OECD Guidelines.
10. This statement is available on the AusNCP website at www.ausncp.gov.au.

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² OECD, *OECD Guidelines*, 'Commentaries on the Implementation Procedures', p 70, [33].

Final Statement

Parties

11. The notifier is a concerned individual with knowledge of Noritake Co., Limited's (**Noritake Japan**) manufacturing processes.
12. The enterprise is Noritake (Australia) Pty Ltd (**Noritake Australia**). Established in 1958, Noritake Australia is a subsidiary of the Japanese parent company Noritake Japan, which specialises in the retail and wholesale of premium dinnerware and housewares, including bone china products.³
13. The complaint is connected to Australia because Noritake Australia is based in Australia and sells directly to Australian consumers.
14. This Final Statement identifies Noritake Australia as the responding enterprise. The Independent Examiner, having considered paragraph 34 of the [Australian National Contact Point complaint procedures](#), has decided to identify Noritake Australia, to provide specific context to this complaint, including consideration of the business that the enterprise is in, and its multinational consumer reach. These factors are important to understanding this Final Statement and the Independent Examiner's findings. It is also in accordance with the transparency objectives of the OECD Guidelines.
15. The Independent Examiner notes however, that as this matter has not proceeded to a formal examination process, the Final Statement does not make any conclusions about whether Noritake Australia has acted consistently with the OECD Guidelines.

Complaint and outcomes sought

16. On 16 July 2024, the AusNCP received a complaint from the notifier alleging that Noritake Australia had made misleading comments on a blog on their website discussing the difference between fine bone china and porcelain china (the **Blog**).⁴
17. Bone china is a form of pottery made through the mixture of animal bone ash with other materials such as clay. The animals that are known to have been used to make bone ash include buffalo, camel, cow, horse and pig.⁵
18. The complaint alleged that Noritake Australia provided inaccurate information in the Blog about the animal source of its bone china, and that Noritake Australia misled consumers because the Blog indicated that only cow bone material was used in the bone china.

³ Noritake Australia, [About Noritake - Noritake Australia Pty Ltd](#), n.d., accessed 29 January 2025.

⁴ The Independent Examiner notes that the Blog is no longer accessible on the Noritake Australia website. The Blog and the 'Blog Posts' section of the Noritake Australia website were removed by the enterprise on 9 May 2025.

⁵ J. Azwan, M. K. Baharom, and H. M. Tahir, 'Halal and non-halal ceramic products: Exploring the distinction between bone china and fine china in Malaysia', *International Journal of Academic Research in Business and Social Sciences*, 2023, 13(10): 992–1007, <https://doi.org/10.6007/IJARBSS/v13-i8/18160>.

19. The complaint alleged that Noritake Australia breached the following obligations under the OECD Guidelines:

“Consumer Rights Violations:

1. *Failure to provide accurate and clear information to consumers (Chapter VIII, chapeau; 2, 4, 5):*
 - *The misleading information about bone china misrepresents the product, failing to provide accurate and clear information to consumers, particularly affecting those seeking authentic and high-quality products.*
2. *Engagement in deceptive, misleading, or fraudulent behavior (Chapter VIII, chapeau; 3, 4, 7):*
 - *The blog's claims constitute deceptive and misleading behavior, deceiving consumers about the nature and quality of the products.*

Human Rights Violations:

[3.] Rights of indigenous peoples and other individuals belonging to specific groups or populations that require particular attention (Specific population - Muslim Community):

- *The misrepresentation could mislead Muslim consumers who avoid certain animal products for religious reasons, thereby affecting their consumer, religious, and cultural rights.*

Supply Chain and Business Partners Violations:

[4.] Failure to conduct due diligence (Chapter II, A10, A11, A12, A13; Chapter III, 3d; Chapter IV, 2, 3, 5, 4):

- *Noritake has not conducted adequate due diligence to ensure their marketing practices are accurate and ethical, which affects consumer trust and transparency.”⁶*

20. In support of the complaint, the notifier produced correspondence between Noritake Japan and its third-party supplier of bone ash that raised doubt as to whether only cow bone ash was used in the production of Noritake Japan’s bone china products.

⁶ Notifier (anonymous), complaint against Noritake (Australia) Pty Ltd, submitted on 16 July 2024 to the Australian National Contact Point (AusNCP) for Responsible Business Conduct.

Enterprise response

21. In response to the complaint, Noritake Japan indicated that it had previously responded to a similar complaint handled by the Japanese National Contact Point (**Japanese NCP**).⁷ In that process, Noritake Japan explained to the Japanese NCP that it has not sought Halal status for its bone china products because it does not seek to guarantee the animal source of its bone china range. In February 2024, the Japanese NCP declined to accept the complaint for a further examination. The Independent Examiner notes that the Halal status of the bone ash used in Noritake Australia's bone china products was not raised as an issue by the notifier in their complaint to AusNCP. What is relevant is the consistent response by Noritake Japan that it does not hold its products out to meet a certain religious standard because it cannot guarantee the specific animal origins of its bone china range.
22. In response to this complaint, Noritake Japan acknowledged that there were some inconsistencies between the product descriptions on its Noritake Australia website, compared to Noritake Japan's head office website. Noritake Japan did not dispute the notifier's claim that Noritake Japan was not aware of the specific animal origins of the bone ash. Noritake Japan explained that as a small subsidiary, Noritake Australia's website had not been updated in line with its head office website in Japan. It pointed to the information available on its head office website, which states:

"Its pure transparency, gloss and elegant milky white color are characteristics of bone china that come from the combination of the bone ash. Bone china was first discovered in England in the late 18th century and in 1932, Noritake was the first to make a bone china dinner set in Japan".⁸

23. Noritake Japan explained that it does not seek to specify the animal origins of the bone ash used in its bone china products.
24. During the Initial Assessment phase of this complaint, the Noritake Australia website FAQs section was updated to state the following:

"The main difference between bone china and fine china is that bone china mixes bone ash into the ceramic material. By mixing the bone ash in the ceramic material, it gives your china a warm soft looking colour and translucency. Noritake bone china has excess of 30% bone ash which is what Noritake believes the standard should be to be considered high quality bone china".⁹

25. During the Initial Assessment phase of this complaint, Noritake Japan facilitated the removal of the Blog and the 'Blog Posts' section from the Noritake Australia website. Noritake Japan confirmed that the Blog at the centre of this complaint, dated 2014, over 10 years ago, no longer reflects the company's current practices. Noritake Japan explained that it historically manufactured its own bone ash, but this practice has changed, and the company now relies on a third-party supplier. During the Initial Assessment phase, Noritake Japan provided a certificate from its bone ash supplier which identified the chemical composition of the bone ash material

⁷ Japanese NCP, [Initial Assessment on a Specific Instance involving Noritake Company Limited and Noritake Lanka Porcelain Limited](#), 5 February 2024, accessed 29 January 2025.

⁸ Noritake Japan, [Product Line up | NORITAKE CO., LIMITED](#), n.d., accessed 29 January 2025.

⁹ Noritake Australia, [FAQ - Noritake Australia Pty Ltd](#), n.d., accessed 29 January 2025.

used in Noritake Japan's bone china products. The chemical composition identified on this certificate was, in Noritake Japan's view consistent with the expected chemical composition of bone ash – that is, the bone ash comprised calcium phosphate, a naturally occurring source. However, the certificate does not indicate which animal this bone ash is extracted from. Accordingly, Noritake Japan seeks to ensure that any current reference to bone ash on its websites is not specific in relation to the particular animal origin.

26. Noritake Japan also acknowledged that as a smaller subsidiary with limited staff, there may have been delays in updating the Noritake Australia website to align with the Noritake Japan head office website in Japan. However, the company has now taken steps to ensure consistency between its websites regarding the product descriptions, by removing references to the animal origin of its bone ash from the Noritake Australia website. Noritake Japan has also removed the Blog and the 'Blog Posts' section of the Noritake Australia website.

AusNCP proceedings

Initial Assessment

27. Following receipt of the complaint on 16 July 2024, the AusNCP made the necessary notifications and had initial meetings with each of the parties to the complaint. The Japanese NCP was also notified of the complaint to ensure a coordinated approach to progressing the matter, given that some of the similar issues were recently examined by the Japanese NCP.
28. As part of the Initial Assessment process, the Independent Examiner sought submissions from each of the parties to support their claims. There was a substantial delay in the provision of relevant materials from Noritake Australia (which was later understood to be because the necessary information was held by Noritake Japan, the head office located in Japan). This situation led the Independent Examiner to contact the Japanese NCP for a meeting on 22 August 2024, and again on 10 October 2024, to request their support in contacting Noritake Japan. Noritake Australia separately sought to involve relevant personnel from Noritake Japan, as they were unable to progress this without the assistance from their head office.
29. By 15 November 2024, Noritake Australia was able to provide updates on their investigations into the matter. On 2 December 2024, Noritake Australia supplied the contact details for their Japanese counterparts at Noritake Japan, which helped to further streamline the process. The Independent Examiner recognises that Noritake Australia made efforts to avoid further delays.
30. Once communication with Noritake Japan was established, Noritake Japan took steps to address enquiries made by the Independent Examiner about this complaint. Specifically, on 18 December 2024, the Independent Examiner met with Noritake Japan to discuss the complaint and to request that the Noritake Australia website be updated to remove any inaccurate references to the animal source of their bone ash products. On 24 December 2024, Noritake Japan confirmed that the Noritake Australia website had been updated. At this time, the Blog remained unedited and was still publicly available in the archived 'Blog Posts' section of the Noritake Australia website. On 9 May 2024, the Independent Examiner asked Noritake Japan if they would be agreeable to

removing the Blog. That same day, Noritake Japan removed the Blog and the entire 'Blog Posts' section of the Noritake Australia website.

31. Throughout the process regular updates were provided by the AusNCP Secretariat to the notifier, keeping them informed about the status and progress of the complaint.
32. Throughout this process, communications were maintained with the Japanese NCP to ensure a collaborative, streamlined approach.

Application of the OECD Guidelines

OECD Guidelines relevant chapters

33. The OECD Guidelines provide a framework for responsible business conduct, including provisions related to consumer rights.
34. Relevantly Chapter VIII 'Consumer Interests' of the OECD Guidelines provides that multinational enterprises (**MNE**) should:

“ ...

2. Provide accurate, verifiable and clear information that is sufficient to enable consumers to make informed decisions, including information on the prices and, where appropriate, content, safe use, environmental attributes, maintenance, storage, disposal of goods and services

...

4. Not make representations or omissions, nor engage in any other practices that are deceptive, misleading, fraudulent unfair or that otherwise subvert consumer choice in ways that harm consumers or competition.

5. Support efforts to promote consumer education in areas that relate to their business activities, with the aim of, inter alia, improving the ability of consumers to: i) make informed decisions involving complex goods, services and markets, ii) better understand the economic, environmental and social impact of their decisions and iii) support sustainable consumption.”¹⁰

35. Together, these paragraphs place an expectation on MNEs to provide accurate, verifiable and clear information about products, including avoiding deceptive or misleading claims. Misleading advertising and withholding important product information are discouraged under the OECD Guidelines.
36. The *OECD Due Diligence Guidance for Responsible Business Conduct 2018 (OECD Due Diligence Guidance)*¹¹ builds on the broader OECD Guidelines by providing more detailed advice on how MNEs can systematically address risks, including those relating to consumer interests, through due diligence processes.

10 Organisation for Economic Cooperation and Development (OECD), 2023, *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct*, OECD Publishing, p 43, [2], [4], [5] (OECD Guidelines).

11 OECD, *OECD Due Diligence Guidance for Responsible Business Conduct*, OECD Publishing, 2018.

37. The OECD Due Diligence Guidance emphasises the importance of communication and transparency with consumers and other stakeholders, and reinforces the consumer interests' expectations outlined in the OECD Guidelines by providing a clear framework for businesses to systematically assess, prevent, and mitigate risks related to consumer protection. It emphasises the need for MNEs to carry out risk-based due diligence to identify, prevent and mitigate actual and potential adverse impacts related to consumer interests in their own operations, supply chains and other business relationships, including from product development to post-sale support, with robust mechanisms in place to handle grievances and ensure access to remedy.
38. With respect to religious freedoms, the OECD Guidelines establish a clear framework for respecting human rights at Chapter IV. These provisions expect that MNEs respect all internationally recognised human rights. This includes the right to freedom of thought, conscience and religion and to manifest this religion or belief in practice, in accordance with the *Universal Declaration of Human Rights*¹² and the *UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*.¹³
39. The OECD Guidelines expect MNEs to carry out human rights due diligence to identify and mitigate actual and potential human rights impacts. Again, this would include implementing this process relating to the right to freedom of thought, conscience and religion as an internationally recognised human right. MNEs are also expected to pay special attention to any particular adverse impacts on individuals who may be at heightened risk of marginalisation, vulnerability or other circumstances, individually or as members of certain groups.
40. The Independent Examiner's view is that the facts of this complaint do not sufficiently engage the OECD Guidelines in relation to human rights in Chapter VI. While the issue of misleading product information may be relevant to consumer rights, there is no evidence to suggest that Noritake Australia explicitly marketed their products as adhering to particular religious standards, such as Halal certification. Additionally, the complaint does not indicate that the rights of individuals to practice their religion freely have been interfered with. The issues raised in this complaint concern consumer interests' considerations, not religious freedoms.

Assessment criteria

41. The OECD Guideline's procedural guidance¹⁴ instructs NCPs assessing a complaint to take into account six admissibility criteria:
1. the identity of the party concerned and its interest in the matter;
 2. whether the issue is material and substantiated;
 3. whether the enterprise is covered by the OECD Guidelines;
 4. whether there seems to be a link between the enterprise's activities and the issue raised in the complaint;

12 United Nations, *Universal Declaration of Human Rights*, proclaimed by General Assembly resolution 217(III) of 10 December 1948.

13 United Nations, *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*, proclaimed by General Assembly resolution 36/55 of 25 November 1981.

14 OECD, *OECD Guidelines*, 'Commentaries on the Implementation Procedures', p 70, [33].

5. the extent to which applicable law and/or parallel proceedings limit the NCP's ability to contribute to the resolution of the issue and/or the implementation of the OECD Guidelines;
 6. whether examination of the issue would contribute to the purposes and effectiveness of the OECD Guidelines.
42. These admissibility criteria are sometimes interrelated and necessitate examination as a whole. The Final Statement should be conducted in a manner which promotes accessibility, predictability, transparency, impartiality, and compatibility with the OECD Guidelines. In line with the AusNCP's complaint procedures, the Independent Examiner has assessed the complaint against the six admissibility criteria set out in the OECD Guidelines.

Criterion 1: Identity of the party concerned and its interest in the matter

43. The notifier claims to represent affected consumers who have been misled by Noritake Australia's marketing. The notifier has not provided any statements or evidence from consumers who have been directly affected by the allegedly misleading Blog, which was accessible on the Noritake Australia website until its removal on 9 May 2025. The notifier does not claim to be adversely impacted by the misleading Blog. While the Independent Examiner accepts that the notifier has some information about Noritake Japan's business practices, the Independent Examiner is not satisfied that the notifier is representative of any adversely affected individuals' interests.

Criterion 2: Material and substantiated

44. The issue raised is material and substantiated, as misrepresenting product information directly impacts consumer decision-making and raises questions of consumer interests outlined in Chapter VIII of the OECD Guidelines. It is not contested that outdated information appeared on Noritake Australia's website (until it was removed on 9 May 2025), however given the former location of this information in an older blog article, it is questionable whether it could have been considered as misleading to consumers.
45. The Independent Examiner does not consider that the issues raised in relation to Chapter IV of the OECD Guidelines, with respect to religious freedoms, is material and substantiated on the specific and limited facts of this case. It is, in the Independent Examiner's view, not a material and substantiated argument that a reference to cow bone ash in the Blog, which is now no longer publicly available on the Noritake Australia website, without further evidence of how this might have impacted people to freely carry out their religious practices, can be considered as reaching the threshold of an adverse impact on the right to freedom of thought, conscience and religion.

Criterion 3: Enterprise covered by the OECD Guidelines

46. The enterprise, established in 1958, is Noritake (Australia) Pty Ltd, an Australian registered company with ASIC.¹⁵ The enterprise is a subsidiary of the Japanese parent company Noritake Co., Limited. The enterprise is covered by the OECD Guidelines because it is an Australian

¹⁵ A.C.N. 000 243 925 and A.B.N. 90 000 243 925.

registered company through which a multinational enterprise conducts its operations in Australia. Noritake Australia sells directly to Australian businesses and consumers.

Criterion 4: Link between enterprise's activities and issues raised in complaint

47. The complaint is directly linked to the enterprise's activities, specifically the information available to consumers on Noritake Australia's website. The alleged misrepresentation about the composition of Noritake Japan's bone china is within the enterprise's control and is central to the complaint. Therefore, there is a clear connection between Noritake Australia's actions and the consumer interest concerns raised in the complaint.

Criterion 5: Applicable law and/or parallel proceedings

48. In terms of applicable laws, the Independent Examiner has not identified any relevant laws or procedures that limit the ability to contribute to the resolution of the issue in the complaint and/or the implementation of the OECD Guidelines.
49. In terms of parallel proceedings, which includes non-judicial processes such as complaints before another NCP,¹⁶ issues similar to the ones discussed in this Final Statement were addressed by the Japanese NCP in February 2024, in response to a complaint against Noritake Company Limited and Noritake Lanka Porcelain Limited.¹⁷ The Independent Examiner notes that the specific allegations made in the complaint submitted to the Japanese NCP are different to the issues in question for this complaint. The Independent Examiner understands that, in February 2024, the Japanese NCP decided that the complaint submitted to them did not warrant further examination. There is no information before the Independent Examiner to indicate any other legal action has been commenced against Noritake Japan for the same issues in Australia or globally.

Criterion 6: Contribution to the purposes and effectiveness of the OECD Guidelines

50. While the complaint raises valid concerns about the accuracy of information provided on Noritake Australia's website, Noritake Australia and Noritake Japan have now taken steps to ensure the misleading information is no longer publicly available, by removing the Blog and the blog section of the Noritake Australia website.
51. Noritake Japan does not contest that the bone ash material it uses may come from different animal sources. Noritake Japan has explained that it does not know which animal bones are used to produce the bone ash, as Noritake Japan now uses a third-party supplier. For this reason, Noritake Japan's current approach in marketing its bone china products is to: on the Noritake Australia website, refer to 'bone ash' generally, and on the Noritake Japan website, refer to a 'combination of bone ash'.
52. The notifier in this case has not suffered any specific harm as a result of the Blog or as a result of any allegedly misleading information about bone ash on Noritake Australia's website.

¹⁶ OECD, *OECD Guidelines*, 'Commentaries on the Implementation Procedures', p 70, [35].

¹⁷ Japanese NCP, *Initial Assessment on a Specific Instance involving Noritake Company Limited and Noritake Lanka Porcelain Limited*, 5 February 2024, accessed 29 January 2025.

53. For the above reasons, it is apparent that consideration of the issues in the complaint would not contribute to the purposes and effectiveness of the OECD Guidelines.

Conclusion

54. While the complaint raises valid concerns regarding information on Noritake Australia's website, Noritake Japan has since taken corrective actions by updating its product descriptions on the Noritake Australia website to accurately reflect the materials used, and by removing the Blog and 'Blog Posts' section of the website. In the Independent Examiner's view, further considering the impact of information contained in the Blog from 10 years ago, which is no longer publicly accessible, will not further contribute to the purpose and effectiveness of OECD Guidelines. The Independent Examiner considers that the Initial Assessment process has been helpful in bringing to Noritake Japan and Noritake Australia's attention the potential for misunderstanding by consumers of the composition of its products.
55. While the relatively minor presence of allegedly misleading information – which in this case, was found in an out-of-date Blog, no longer available on the Noritake Australia website – may not warrant further formal assessment, the Independent Examiner recognises the importance of accurate and transparent communication between MNEs and consumers. The OECD Guidelines expect that MNEs provide accurate, verifiable and clear information to consumers. The importance of MNEs maintaining accurate and up-to-date information online is an important consideration in an environment where supply chains evolve, and subsidiaries may each operate their own website. MNEs have a responsibility to ensure that the information provided across all their digital platforms is consistent, up-to-date and considers different concerns consumers may have in different contexts. This is especially crucial for consumers who rely on these websites to make informed decisions about products and services. Inaccurate or inconsistent messaging can undermine consumer trust and create confusion, highlighting the need for MNEs to implement robust systems that ensure information is regularly reviewed, updated, and aligned across all subsidiaries and platforms, offering transparency and clarity for the consumer.
56. In this case, the Independent Examiner notes that the misleading information appears in a Blog article dated over 10 years ago, which from 9 May 2025, is no longer available on Noritake Australia's website. Given the specific circumstances of this case, and the actions taken by Noritake Japan and Noritake Australia during the Initial Assessment stage, the Independent Examiner has decided not to accept this complaint for further examination.
57. The Independent Examiner acknowledges the efforts taken by the notifier to bring this matter to the attention of the AusNCP Secretariat, and notes that the information sharing that has occurred as part of the Initial Assessment process has allowed for Noritake Japan and Noritake Australia to develop a greater awareness of the expectations of the OECD Guidelines and take proactive steps to provide more accurate, verifiable and clear information to consumers.
58. The Independent Examiner finally notes that this decision does not reach a conclusion on whether the actions of Noritake Australia align with the OECD Guidelines as the Independent Examiner has declined to accept this complaint for further consideration.

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Annexes

Annex A: Schedule of events

Submission	Date
• Complaint submitted by notifier to the AusNCP	16 July 2024
• Receipt of complaint acknowledged by the AusNCP	16 July 2024
• Meeting between Independent Examiner and notifier	30 July 2024
• Enterprise notified about the complaint by the AusNCP	31 July 2024
• Governance and Advisory Board notified about complaint by the AusNCP	1 August 2024
• Japanese NCP and OECD Responsible Business Conduct Centre notified about complaint by the AusNCP	2 August 2024
• Enterprise acknowledged receipt of complaint	9 August 2024
• Complaint listed on AusNCP website	9 August 2024
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• Enterprise provides evidence to AusNCP	12 August 2024
• Meeting between Independent Examiner and enterprise	15 August 2024
• Meeting between AusNCP and Japanese NCP	22 August 2024
• Correspondence from AusNCP to enterprise requesting information to substantiate enterprise's claims	22 August 2024
• Correspondence from AusNCP to notifier requesting information to substantiate claims	4 September 2024
• Notifier provides materials to substantiate claims	18 September 2024
• Letter from Independent Examiner and substance of notifier's submissions sent to enterprise	10 October 2024
• Correspondence from AusNCP to Japanese NCP seeking assistance contacting Noritake Japan	10 October 2024
• Correspondence from enterprise that they are seeking assistance from Noritake Japan headquarters	11 October 2024
• Correspondence from AusNCP to notifier providing update	11 October 2024
• Correspondence from AusNCP to enterprise and notifier that the Independent Examiner is now proceeding to conduct their Initial Assessment	15 November 2024
• Correspondence from enterprise to AusNCP providing an update that they are investigating into the nature of the complaint	15 November 2024
• Correspondence from enterprise to AusNCP providing further update about their investigations into the complaint	27 November 2024
• Correspondence from AusNCP to enterprise requesting, amongst other things, discussion with Noritake Japan	29 November 2024
• Correspondence from enterprise to AusNCP providing contact details for Noritake Japan colleagues	2 December 2024
• Correspondence from AusNCP to notifier providing update	9 December 2024

• Correspondence from AusNCP to Noritake Japan requesting meeting to discuss complaint	10 December 2024
• AusNCP meeting with Noritake Japan	18 December 2024
• Correspondence from AusNCP to Noritake Japan requesting Noritake Australia website be updated	19 December 2024
• Correspondence from AusNCP to notifier providing update	23 December 2024
• Correspondence from Noritake Japan informing AusNCP that the Noritake Australia website has been updated	24 December 2024
• Draft Final Statement provided to Governance and Advisory Board for comment	11 March 2025
• Draft Final Statement provided to parties for comment by 17 April 2025	4 April 2025
• Draft Final Statement provided to Japanese NCP	4 April 2025
• Notifier submission with feedback on the draft Final Statement	25 April 2025
• Japanese NCP feedback on the draft Final Statement	25 April 2025
• Correspondence from Noritake Japan regarding the draft Final Statement	7 May 2025
• Correspondence from AusNCP to Noritake Japan requesting that the Blog be removed from the Noritake Australia website	9 May 2025
• Correspondence from Noritake Japan confirming that the Blog has been removed from the Noritake Australia website	9 May 2025
• Embargoed copy of the Final Statement provided to parties.	30 May 2025
• Embargoed copy of the Final Statement provided to Governance and Advisory Board.	30 May 2025
• Embargoed copy of the Final Statement provided to the Japanese NCP.	30 May 2025
• Final Statement published on www.ausncp.gov.au and reported to the OECD.	13 June 2025

Annex B: Publications

J. Azwan, M. K. Baharom, and H. M. Tahir, 'Halal and non-halal ceramic products: Exploring the distinction between bone china and fine china in Malaysia', *International Journal of Academic Research in Business and Social Sciences*, 2023, 13(10): 992–1007, <https://doi.org/10.6007/IJARBS/v13-i8/18160>

Japanese NCP, *Initial Assessment on a Specific Instance involving Noritake Company Limited and Noritake Lanka Porcelain Limited*, 5 February 2024, accessed 29 January 2025

Noritake (Australia) Pty Ltd, submission to the AusNCP, 12 August 2024

Noritake (Australia) Pty Ltd, [About Noritake - Noritake Australia Pty Ltd](#); [Difference between bone china and fine china - Noritake Australia Pty Ltd](#) (this specific webpage is no longer available as of 9 May 2025); [FAQ - Noritake Australia Pty Ltd](#); [You searched for bone china - Noritake Australia Pty Ltd](#), n.d., accessed 29 January 2025

Noritake Japan, [Product Line up | NORITAKE CO., LIMITED](#), n.d., accessed 29 January 2025

Notifier (anonymous) (16 July 2024), complaint against Noritake (Australia) Pty Ltd, submitted to the Australian National Contact Point (AusNCP) for Responsible Business Conduct

Notifier, submissions to the AusNCP, 18 September 2024

OECD, [OECD Due Diligence Guidance for Responsible Business Conduct](#), OECD Publishing, 2018

United Nations, [Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief](#), proclaimed by General Assembly resolution 36/55 of 25 November 1981

Annex C: Institutional arrangements

- The Australian Government is committed to promoting the use of the OECD Guidelines for Multinational Enterprises (OECD Guidelines) and implementing them effectively and consistently. Through business cooperation and support, the OECD Guidelines can positively influence business conduct and ultimately economic, environmental and social progress.
- The OECD Guidelines are recommendations on responsible business conduct addressed by governments, including Australia, to multinational enterprises. They provide voluntary principles and standards for responsible business conduct consistent with applicable laws and internationally recognised standards. Companies operating in Australia and Australian companies operating overseas are expected to act in accordance with the principles set out in the OECD Guidelines and to perform to the standards they recommend. In countries where domestic laws and regulations conflict with the principles and standards of the OECD Guidelines, enterprises should seek ways to fully honour such principles and standards, which does not place them in violation of domestic law.
- The OECD Guidelines represent international standards of behaviour, which in some areas, may impose higher standards than Australian law. Importantly however, while Australia is an adhering country to the OECD Guidelines and the OECD Guidelines have been endorsed within the OECD international forum, they are not a substitute for, nor do they override, Australian or international law.
- The OECD Guidelines can be seen as:
 - A useful aid to business in developing their own code of conduct. They are not aimed at replacing or preventing companies from developing their own codes.
 - Complementary to other business, national and international initiatives on corporate responsibility, including domestic and international law in specific areas such as human rights and bribery. For example, the human rights chapter in the OECD Guidelines as well as other key concepts align with the [United Nations Guiding Principles on Business and Human Rights](#).
 - Providing an informal structure for resolving issues that may arise in relation to implementation of the OECD Guidelines in complaints.

Annex D: Governance

- Governments adhering to the OECD Guidelines have flexibility in organising their National Contact Points for Responsible Business Conduct (NCPs). NCPs are expected to meet core effectiveness criteria, by operating in a manner that is visible, accessible, transparent, accountable, impartial and equitable, predictable, and compatible with the OECD Guidelines. NCPs are also expected to seek the active support of social partners, other stakeholders and relevant government agencies.
- Accordingly, the OECD Guidelines stipulate that:
 - NCPs will be composed, organised and sufficiently resourced to provide an effective basis for dealing with the broad range of issues covered by the OECD Guidelines, have access to expertise on all relevant aspects of the NCP mandate, and operate in an impartial manner and maintain an adequate level of accountability to the adhering government
 - NCPs can use different forms of organisation to meet the effectiveness criteria and maintain stakeholder confidence.
 - Governments are encouraged to include representatives of the business community, worker organisations, civil society and other non-governmental organisations in advisory or oversight bodies to assist the NCP in its tasks and contribute to the effectiveness of the OECD Guidelines.
- The [AusNCP Governance and Advisory Board](#) (AusNCP Board) includes representatives from Australian Government agencies, business, civil society and unions. The AusNCP Board provides independent expert advice and assistance to the AusNCP and the Independent Examiners on complaints handling. Board members use their networks, events and publications to promote responsible business conduct standards under the OECD Guidelines and the AusNCP services. The AusNCP Board is consulted on all AusNCP statements.
- The AusNCP Board helps to ensure that the AusNCP meets the effectiveness criteria of the OECD Guidelines. AusNCP Board Members may be called on to conduct procedural reviews of AusNCP complaints and may be consulted on various operational and administrative matters as needed.
- From September 2019, all new cases are managed by Independent Examiners, who are supported by the AusNCP Secretariat and the AusNCP Board.