

THE ART NEWSPAPER 

Letter to the editor: where are the 35 'fake' Warhols later reassessed as authentic?

The Daily Telegraph's chief art critic, Richard Dorment, wants to track down works

By Richard Dorment
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In the article "Lawsuit raises questions about Warhol authentication process" (The Art Newspaper, June, p6), your correspondent cites an article in the New York Review of Books ("What is a Warhol: the Buried Evidence" of 20 June) in which I trace the history of 44 paintings made without Andy Warhol's knowledge by his off-site printer Rupert Jasen Smith.

In 1991 the estate of Andy Warhol confiscated these paintings from Smith's executors on the grounds that they were "not the work of Andy Warhol". In that same letter to Smith's executor Fred Dorfman, dated 25 September 1991, the estate explained that it was confiscating the pictures "because of the similarity of the paintings to authentic works by Andy Warhol, their releases [sic] might threaten the integrity of the art market and Andy Warhol's reputation".



Warhol in his studio in 1964. Works made behind his back are at the centre of the controversy

Twelve years later, as Warhol's prices began to rise, the Andy Warhol Art Authentication Board's consultant, Vincent Fremont, looked at the paintings again. In 2003 Fremont, who was also the Andy Warhol Foundation's chief sales agent for paintings, suggested these same works should be submitted to the board for reappraisal. Board minutes from June of that year show the paintings were, once again, deemed not to be works by Warhol because they "were created under false pretences [and] the circumstances under which these were made [were] inherently dishonest". Board member Neil Printz also noted that "some signatures are bad".

Despite these conclusions the notes for that June 2003 meeting end with an extraordinary postscript: the issue of the authenticity of these paintings was to be "discussed again in October 2003 meeting". It was at that subsequent meeting that many of these same paintings were deemed to be authentic after all.

At the time of writing, however, I was unable to say how many of the 44 paintings had been authenticated by the Andy Warhol Art Authentication Board. A document that has emerged since now makes this possible. This was part of a cache of material assembled by collector Joe Simon-Whelan to support his lawsuit against the foundation. After Simon-Whelan abandoned his case, citing a lack of funds, the material he collected was made available to the public at the United States Courthouse in Pearl Street. The newly-recovered document has not been published before now.



It shows that the authentication board passed judgment on all 44 paintings. Of these, 35 received an "A" grade, indicating that in the board's opinion they were genuine while nine received a "C" grade, meaning that the board could not make a decision at that time. An "A" grade is in effect a certificate of authentication.

The upgrade in status of the 35 pictures enabled the foundation to sell them as genuine Warhols. When asked under oath in 2010 during the pre-trial hearings for Simon-Whelan's lawsuit whether he had ever sold work owned by the foundation that its own authentication board had authenticated, Fremont replied, "there's only been the one occasion, which would be the Fred Dorfman paintings". By the "Fred Dorfman paintings" he meant the works made by Rupert Jasen Smith that Dorfman handed over to the foundation in 1991.

But the story doesn't end there. In addition to the status and title of each painting, the newly recovered document tells us that in October 2003 all were stamped on the back with an "approval" number. Assuming these numbers have not been removed since, owners who acquired a work after October 2003 are therefore able to determine whether it is among the 35 fraudulently signed paintings the authentication board initially declared to be "not the work of Andy Warhol" before changing its mind. A full list of the pictures with the title and approval number of each is below.

We do not know whether every collector, dealer or institution who bought one of these pictures was informed of its full history either at the time of the sale or subsequently. But since Christie's is now selling off the remaining works owned by the foundation, the auction house may wish to ensure that this information is available to prospective purchasers.

The writer is the chief art critic, The Daily Telegraph

The list

The 44 paintings confiscated as fakes in 1991 from the off-site printers Rupert Smith Enterprises and submitted by the Andy Warhol Foundation (AWF) to the Andy Warhol Art Authentication Board were reviewed and assigned numbers in 2003. A number preceded by the letter "A" indicates that the painting in question was authenticated; "C" indicates that the authentication board had not yet made up its mind.

AWF/Campbell's Soup Box (PA90.069) A138.0310
AWF/Campbell's Soup Box (Chicken Noodle) A139.0310
AWF/Campbell's Soup Box (Chicken Noodle) A140.0310
AWF/Campbell's Soup Box (Chicken Noodle) A141.0310
AWF/Campbell's Soup Box (Chicken Noodle) A142.0310
AWF/Campbell's Soup Box (Chicken Noodle) A143.0310
AWF/Campbell's Soup Box (Onion) A144.0310
AWF/Campbell's Soup Box (Chicken Rice) A145.0310
AWF/Campbell's Soup Box (Onion Mushroom) A146.0310
AWF/Campbell's Soup Box (Noodle Soup) A147.0310
AWF/Campbell's Soup Box (Noodle Soup) A148.0310
AWF/Campbell's Soup (Black & White) A149.0310
AWF/Last Supper (detail) A150.0310
AWF/Hamburger A151.0310
AWF/Self-Portrait (Fright Wig; orange) A152.0310
AWF/Self-Portrait (Fright Wig; pink) A153.0310
AWF/Self-Portrait (Fright Wig; pink) A154.0310
AWF/Self-Portrait (Fright Wig; pink) A155.0310
AWF/Self-Portrait (Fright Wig; green) A156.0310
AWF/Be a Somebody with a Body A157.0310



AWF/Be a Somebody with a Body (gold) A158.0310
AWF/Be a Somebody with a Body A159.0310
AWF/Dollar Sign A160.0310
AWF/Dollar Sign A161.0310
AWF/Dollar Sign A162.0310
AWF/Red Lenin A163.0310
AWF/Gem A164.0310
AWF/Gem A165.0310
AWF/Gem A166.0310
AWF/Gem (black) A167.0310
AWF/Candy Box (diamond dust) A168.0310
AWF/Christmas Ad Modells (b&w) A169.0310
AWF/Christmas Ad Modells A170.0310
AWF/Christmas Ad 3 days only A171.0310
AWF/Caution A172.0310
AWF/Torso C101.0310
AWF/Torso C102.0310
AWF/Torso C103.0310
AWF/Torso C104.0310
AWF/Lips C105.0310
AWF/Lips C106.0310
AWF/Lips C107.0310
AWF/Lamston's Heart True Love C108.0310
AWF/Lamston's Heart I Love You C109.0310