

REVIEW BOARD DECISION

July 10, 2026

REQUEST FOR REVIEW OF AN APPLICATION FOR CULTURAL PROPERTY EXPORT PERMIT

Application No.: 0495-26-01-28-001

Cheese topped with a pewter plate with butter..., circa 1615, by Clara Peeters

Held:

The Review Board finds that the Object is included in the Canadian Cultural Property Export Control List, is of outstanding significance, and is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.

The Review Board also finds that an institution or public authority in Canada might make a fair offer to purchase the Object within six months of this decision. The Review Board therefore establishes a delay period of six months ending **January 10, 2027**, during which it will not direct that an export permit be issued in respect of the Object.

BACKGROUND

1. On January 26, 2026, Christie's Canada Ltd. / Brett Sherlock (the Applicant) applied to the Canada Border Services Agency (CBSA) for a permit to export the work *Cheese topped with a pewter plate with butter, a Wan Li porcelain bowl with figs and almonds, a lidded façon de Venise glass, a stoneware Raeren jug, pretzels, bread and a knife on a ledge*, by Clara Peeters (the Object).
2. On February 9, 2026, a permit officer employed by the CBSA sent to the Applicant a written notice of refusal with respect to the Object. The refusal was based on the advice of Adam Harris Levine, Associate Curator, European Art, Art Gallery of Ontario (the Expert Examiner), who determined that the Object is of "outstanding significance" and "national importance" per the *Cultural Property Export and Import Act* (the Act).
3. On March 6, 2026, the Applicant requested a review of its application for an export permit (the Request for Review) by the Canadian Cultural Property Export Review Board (the Review Board).
4. On March 23, 2026, in response to a request by the Review Board, the Applicant filed a written statement and images of the Object in support of its Request for Review (Written Statement).
5. On May 19, 2026, a hearing was held by the Review Board.

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ANALYSIS

Legislative Framework

6. According to subsection 29(3) of the Act, when reviewing a refused application for an export permit, the Review Board shall determine whether the object:
 - a) is included in the *Canadian Cultural Property Export Control List* (Control List);
 - b) is of outstanding significance by one or more reasons set out in paragraph 11(1)(a):
 - its close association with Canadian history or national life,
 - its aesthetic qualities, or
 - its value in the study of the arts or sciences; and
 - c) meets the degree of national importance referred to in paragraph 11(1)(b): is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.
7. Where the Review Board determines that an object fails to meet one or more of the criteria set out in subsection 29(3), it shall direct a permit officer to issue an export permit forthwith (subsection 29(4)).
8. In accordance with subsection 29(5), where the Review Board determines that an object meets all the criteria in subsection 29(3):
 - a) if it is of the opinion that a fair offer to purchase the object might be made by an institution or public authority in Canada within six months after the date of its determination, the Review Board shall establish a delay period of not less than two months and not more than six months during which it will not direct that an export permit be issued in respect of the object; or
 - b) in any other case, direct a permit officer to issue an export permit forthwith.

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Is the Object included in the Control List?

9. The Review Board finds that the Object is included in the Control List under Group V, Objects of Fine Art, subsection 4(b). Subsection 4(b) applies to paintings or sculptures made outside the territory that is now Canada, and that have a fair market value in Canada of more than \$30,000.00 CAN.
10. The Applicant initially said the Object was not included in the Control List. However, during the hearing, the Applicant conceded that the Object was included on the Control List.
11. The Expert Examiner also agreed the Object is included in the Control List.

Is the Object of outstanding significance?

12. The Expert Examiner found that the Object is of outstanding significance by reason of its close association with Canadian history, its aesthetic qualities, and its value in the study of the arts. The Applicant argued that the Object is of outstanding significance by reason of its aesthetic qualities.
13. The Review Board finds that the Object is of outstanding significance by reason of its close association with Canadian history, its aesthetic qualities, and its value in the study of the arts.

Close association with Canadian history

14. The Review Board finds that the Object has a close association with Canadian history.
15. It is an outstanding example of the impact of Dutch and Belgian art collectors who travelled to Canada with collections of historic Dutch and Flemish paintings. Canada played a central role in the liberation of the Netherlands from occupation in 1945, after which many Dutch immigrants arrived in Canada forming strong

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communities. This has formed a long diplomatic bond between these geographical areas.¹

16. The Object has formed part of Canada's cultural landscape for more than eight decades. Since its arrival in Canada in 1939, it has remained continuously in Canadian ownership, remaining in a distinguished collection of the same family..
17. The Object's ownership history also reflects a broader pattern of collecting that has shaped Canadian public collections. From the late nineteenth century onward, Canadian museums and private collectors demonstrated a particular appreciation for Dutch and Flemish paintings, resulting in internationally significant holdings across the country.
18. Its uninterrupted Canadian ownership since 1939 reinforces its importance within this national collecting tradition and supports its recognition as an object of outstanding significance to Canada's cultural patrimony.

Aesthetic qualities

19. The Review Board finds this work to be outstanding in its aesthetic qualities.
20. Clara Peeters occupies a key position in the emergence of still life as an artistic genre, and her paintings provide critical evidence for understanding artistic practice, patronage, material culture, and gender in the Antwerp region during the early seventeenth century.²
21. The Object demonstrates the defining characteristics of Peeters' mature style, including meticulous observation, technical virtuosity, compositional restraint, and sophisticated manipulation of reflected light. It therefore serves as an important benchmark for the study of Flemish still-life painting and for the evolution of the

¹ See for example: Fallon, Michael Dennis. "People of the covenant: Dutch reformed immigration into Canada after World War II." PhD diss., University of Guelph, 2000; Schryer, Frans J. *The Netherlandic presence in Ontario: Pillars, class and Dutch ethnicity*. Wilfrid Laurier Univ. Press, 2006; Breugelmans, René. "Notable Dutch-Flemish Contributions to Canadian Life." *Canadian Ethnic Studies= Etudes Ethniques au Canada* 1, no. 2 (1969): 39. More broadly there are Canadian academic journals dedicated to the study of the Netherlands, such as the *Canadian Journal of Netherlandish Studies*.

² See for example, Vergara-Sharp, Alejandro. *Clara Peeters*. Getty Publications, 2025.

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ontbijt tradition (breakfast pieces) that influenced later Dutch and Flemish artists throughout the seventeenth century.

22. The Object was painted at the height of Peeters' career in the years around 1615. It is known to be one of the artist's finest works and arguably the most important painting by her in a private collection. This work has not been exhibited.
23. The Applicant states that "[h]er still-lives are rare (fewer than fifty securely attributed works are known), and while a number of examples have appeared on the market in recent years (nine in the last five years alone), none have been of the same calibre as this, in terms of quality, condition and importance." The Applicant agrees the Object is an exceptionally important work by the artist.
24. The components of the painting have been arranged in a dynamic configuration that takes advantage of the play of light and dark across the objects, underlined by the position of the knife which extends toward the viewer over the boundary of the table. The use of light also enhances the superb textural qualities of the objects, from the porous, dull surface of the cheese and bread to the high gloss of the glass flask.
25. The Review Board finds this to be an outstanding example of the 'breakfast piece' genre of painting and finds the work to be outstanding in its aesthetic qualities.

Value in the study of the arts

26. The Review Board finds that the Object has outstanding value in the study of the arts.
27. The Object has exceptional value for the study of European art because it is a highly representative and accomplished work by one of the earliest professional women painters specializing in still life.

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28. Peeters is one of the women artists in art history who has been singled out as exceptional.³ It must be emphasized not only how exceptional the paintings of Peeters' are, but also the rarity for the period in which she was painting.
29. The value in the study of the arts for this Object is outstanding both for scholars internationally and scholars in Canada.
30. The Review Board recognizes the importance of Peeters' wider role in the canon of art history as a woman painter. Numerous large-scale exhibitions have focused on re-situating her work and importance as a female artist working amongst her male contemporaries. For example, Linda Nochlin argued for revising the historical canon in the landmark 1971 essay "Why Have There Been No Great Women Artists?" When Lochlin later organized one of the first large-scale feminist art history exhibitions, Peeters was included in the project.⁴
31. The painting also contributes significantly to scholarship on the history of women artists. Because comparatively few securely attributed works by Peeters survive, each autographed painting provides important evidence for reconstructing her oeuvre, workshop practice, chronology, and artistic influence.⁵ The Object

³ Exhibitions re-examining, challenge and re-situating the work of European woman artists are too numerous to name and demonstrate the sustained research interest in this part of art history. See for example "The art of Clara Peeters, 2016" the first exhibition dedicated to a woman artist at the Museo del Prado. <https://www.museodelprado.es/en/whats-on/exhibition/the-art-of-clara-peeters/e4628dea-9ffd-4632-85c9-449367e86959>. For some recent examples of exhibitions of Peeters, see "50 works, 50 weeks" at the Los Angeles Museum of Art. In 2026 as the museum prepared for the launch of its new galleries, which proposed new approaches to display and exhibitions histories they created "50 works, 50 weeks," a work by Peeters was one the highlights of this project: See: "<https://unframed.lacma.org/2025/08/05/50-works-50-weeks-clara-peeters-still-life-cheeses-artichoke-and-> Another recent exhibition is "Woman Artists from Antwerp to Amsterdam: 1600-1750" 2026 at the National Museum of Women in the Arts, <https://nmwa.org/exhibitions/women-artists-from-antwerp-to-amsterdam-1600-1750/>

⁴ See Linda Nochlin, "Why have there been no great woman artists," 1971, and the landmark 1976 exhibition, "Woman Artists 1550-1950," at Los Angeles Museum of Art. It is important to emphasize that feminist studies continue well after Nochlin's essay. See for example, Alpers, Svetlana. "Art history and its exclusions: The example of Dutch art." In *Feminism and art history*, pp. 182-199. Routledge, 2018. For a recent publication on the work of Peeters, see Vergara-Sharp, Alejandro. *Clara Peeters*. Getty Publications, 2025.

⁵ For a discussion related to women painters in this period, see for example Honig, Elizabeth Alice. "The Art of Being 'Artistic': Dutch Women's Creative Practices in the 17th Century." *Woman's Art Journal* 22, no. 2 (2001): 31-39; and Ritchie, Morning Glory. "Hidden and Unremembered: The Misattributions of the Seventeenth-Century Works by

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supports interdisciplinary research into collecting practices, international trade, food history, luxury consumption, and the symbolic language embedded within early modern still-life painting.

32. The Applicant notes, there is a similar work in a collection in the Hague providing an opportunity for a comparative study of her working methods. The Review Board does not agree that having one similar work in a public institution limits other public institutions from acquiring similar works. As the Expert Examiner indicates, access to this painting would allow art history scholars in Canada to personally study a superb work by Peeters' hand to understand her mastery of light, texture and composition. There are no other known works in Canada by this artist.

Is the Object of such a degree of national importance that its loss to Canada would significantly diminish the national heritage?

33. The Review Board finds that the Object is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.
34. The Review Board makes this finding based on the Object's provenance, rarity, contextual associations and research value.

Provenance

35. The Review Board notes the detailed provenance of the Object is accepted by both the Applicant and the Expert Examiner.
36. While the Applicant dismisses the importance of the owner context, the Expert Examiner outlines the relevance of the provenance to Canadian culture. The owner's family immigrated to Canada and over the years donated several works to the Art Gallery of Ontario, reflecting the way in which Dutch and Belgian

Judith Leyster, Clara Peeters and Rachel Ruysch." *Seventeenth Century (The Art Bulletin, 1994)* 451, no. 64 (2022): 64.

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Canadians have played a part in shaping artistic culture of Canada. The Review Board agrees.

37. The Object's national importance is further strengthened by its uninterrupted Canadian provenance. Since its arrival in Canada in 1939, it has remained continuously in Canadian ownership, forming part of a distinguished collection while in this country. Its longstanding presence has allowed the work to become part of Canada's collecting history and has contributed to the development of the nation's engagement with Dutch and Flemish painting.

Rarity

38. As noted in the Written Statement, there are less than 50 known works by Peeters worldwide. The Object, with little exhibition history and known predominantly through literature and an old monochrome image, is considered to be one of the best works by the artist. Both the Applicant and the Expert Examiner agree regarding the small number of works still in private hands and consider that this painting, created when the artist was at the height of her career, is singular in her oeuvre in terms of quality, condition and importance. The Review Board agrees with the Applicant and Expert Examiner on the rarity of the Object.

Contextual associations

39. There is a long history of immigration from Holland and Belgium, particularly from the period prior and after the Second World War. As noted in provenance, the Object was brought to Canada in 1939. The Object has never been exhibited and as argued by the Expert Examiner, "scholars of Clara Peeters and the Northern European still life tradition have for many years referenced this exact painting by black-and-white photo alone, without knowing where it is and without a chance to study it." The Object is not an anonymous work, it is a painting long recognized, known and never seen but with an understood place in academic literature, supporting its provenance and contextual association within the legacy of Clara Peeters.
40. Many works brought from Europe to Canada prior to and after the Second World War are now found in Canadian art institutions, including the National Gallery of

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Canada, Art Gallery of Ontario, the Montreal Museum of Fine Arts and the Agnes Etherington Art Centre in Kingston, Ontario.⁶ The Object therefore complements a well-established tradition of collecting that has played a significant role in the development of Canada's artistic and cultural heritage.

Research value

41. There are no original works by Clara Peeters in Canadian collections. The work fits directly into collecting and academic research about early Dutch and Flemish art already prominent in Canadian institutions and would allow artists and art historians access to study this painting firsthand.
42. In addition, there is a history of scholarship in Canada centering on the study of seventeenth century Dutch and Flemish art.⁷ This helps to show that there is a strong research value for this Object in Canada.
43. The work possesses substantial research value for Canadian scholars, students, curators, and conservators. As one of the few paintings by Clara Peeters to have resided in Canada for more than eight decades, it offers exceptional opportunities for the study of her technique, materials, workshop practice, and contribution to the emergence of still-life painting in the Southern Netherlands. Its continued presence in Canada would support future research, exhibition, and public interpretation in a field that remains the subject of active international scholarship.
44. Further, an autographed work by Peeters therefore represents not only the achievement of a singular artist but also a formative moment in the development

⁶ The Agnes Etherington Art Centre houses the Bader collection, an exemplary collection of over 500 works that focuses on seventeenth-century Dutch and Flemish painting. See: <https://agnes.queensu.ca/explore/collections/collection/european-historical-art/the-bader-collection/>. In addition are endowed research chairs in the department of Art History at Queens – this is another example of the research interest and value in the study of arts of this period of art history in Canada.

⁷ A painting by Clara Peeters loaned from a European collection was included in an exhibition curated by the Art Gallery of Ontario; *"Making Her Mark: A History of Women Artists in Europe, 1400-1800"* : Art Gallery of Ontario, May 6-July 1, 2024. In addition there are Canadian journals dedicated to the study of the Netherlands, such as the Canadian Journal of Netherlandish Studies.

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of one of the defining genres of Northern European art. Preserving such a work within Canada would ensure that an object of exceptional rarity, scholarly significance, and art historical importance continues to enrich the nation's cultural patrimony.

Might there be a fair offer to purchase the Object within six months of the determination?

45. Paragraph 29(5)(a) of the Act requires the Review Board to determine if it is of the opinion that a fair offer to purchase the Object might be made by an institution or public authority in Canada within six months after the date of its determination. The threshold is therefore just a possibility – far less than a probability or a certainty,
46. The Review Board determined that a Canadian institution or public authority might make a fair offer to purchase this work within six months. Its existence in Canada was not known until the application for export. It is one of the finest works by an artist who is recognized as one of the most important artists working in Antwerp in the first part of the seventeenth century. It would complement the already extensive collection of Dutch and Flemish paintings that are in the holdings of Canadian public art galleries. It is also representative of previously unknown female painters who were active far before the feminist movement and have only recently been accorded interest. This work, if acquired by an institution in Canada, would be one of the most important historical works in any Canadian collection.

Will a delay period be established?

47. Since the Review Board is of the opinion that an institution or public authority in Canada might make a fair offer to purchase the Object within six months after the date of the determination, the Review Board must establish a delay period of not less than two months and not more than six months during which the Review Board will not direct that an export permit be issued in respect of the Object
48. The Review Board established a delay period of six months, ending January 10, 2027, during which it will not direct that an export permit be issued in respect of the

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Object. The Review Board has established this delay period given the significant purchase price and the fact that the delay period extends over the summer months.

DETERMINATION

49. The Review Board finds that the Object is included in the Control List, is of outstanding significance, and is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.
50. The Review Board also finds that an institution or public authority in Canada might make a fair offer to purchase the Object within six months of this decision. The Review Board therefore establishes a delay period of six months ending January 10, 2027, during which it will not direct that an export permit be issued in respect of the Object.

Decision by:
Joanne Stober, Chairperson

Stephen Borys, Member
Daniel Chouinard, Member
Tzu-I Chung, Member
Laurie Dalton, Member
Patricia Feheley, Member
Susan Mackenzie, Member