

EU FOOD FRAUD NETWORK



DG SANTE

Unit G5 – Alerts, Traceability and Committees

Eric Marin

FOUR OPERATIONAL CRITERIA FOR FOOD FRAUD

No EU legal definition

1. Violation of EU Food Law

2. Intention

3. Economic gain

4. Deception of customers

**Fraudsters have no interests in
creating public health incidents!**



**draws attention of
Authorities/Media**



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CURRENT INITIATIVES

Dedicated activities have started in 2013



**The EUROPEAN FOOD FRAUD NETWORK &
EU COORDINATED CASES**



EU-WIDE COORDINATED CONTROL PLANS
on horse meat (2013), fish (2015) and honey (2015)



TRAINING FOR FOOD FRAUD

Five specific workshops per year on eCommerce and Investigation
Techniques



NEW LEGISLATION ON OFFICIAL CONTROLS (OCR)
EU Reference Centres for food authenticity, stronger sanctions
and broader scope for food fraud

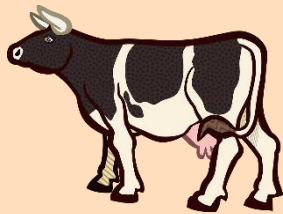


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New OCR - Broader scope



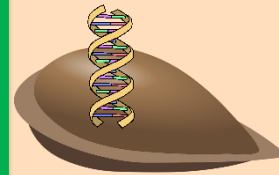
HUMANS



ANIMALS



PLANTS



GMOs



PLANT
PROTECTION
PRODUCTS (PPP)



HEALTH



WELFARE



MARKETING
STANDARDS
(only for fraud)



ENVIRONMENT



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New OCR – New Procedure for Administrative Assistance and Cooperation (AAC)

Obligation

To estimate
time for
answering

perform
official
controls

Provide an
answer

Timeline

10 days

Without delays

AAC action

Date of receipt of
the request
(open a case)

10 days to provide
estimation
(insert date in the
system)

Respond
within the
system



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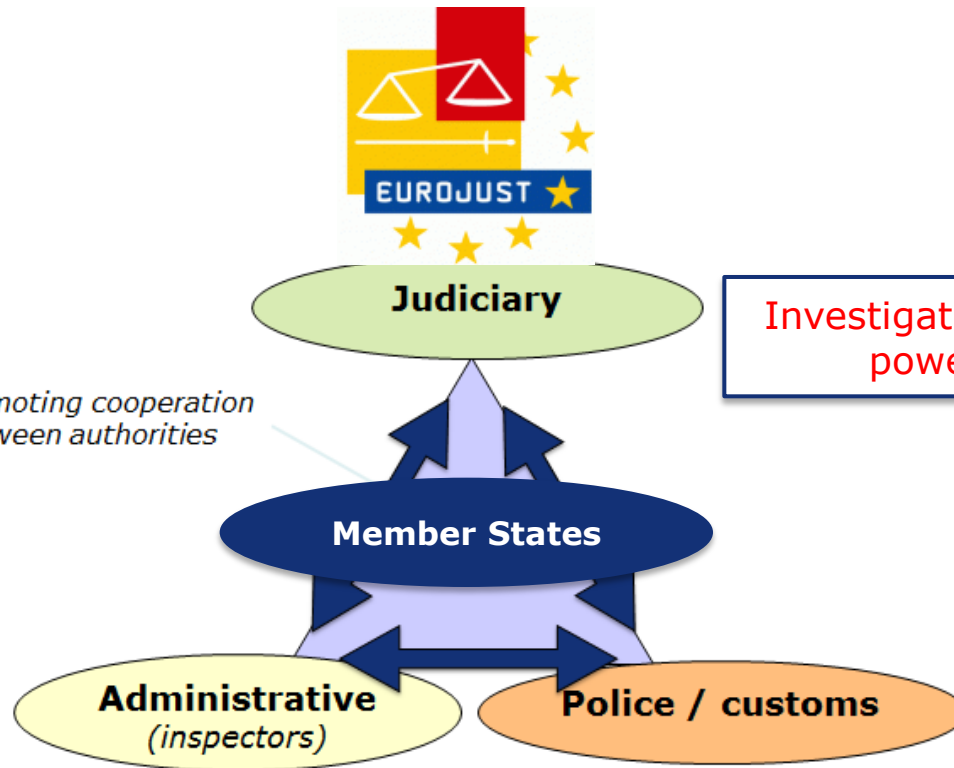
The EU FOOD FRAUD NETWORK

A COOPERATIVE APPROACH BASED ON TRUST

The EU Food
Fraud Network



*Promoting cooperation
between authorities*



EUROPOL

OLAF
EUROPEAN COMMISSION
EUROPEAN ANTI-FRAUD OFFICE



Interpol



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Why specialised services?

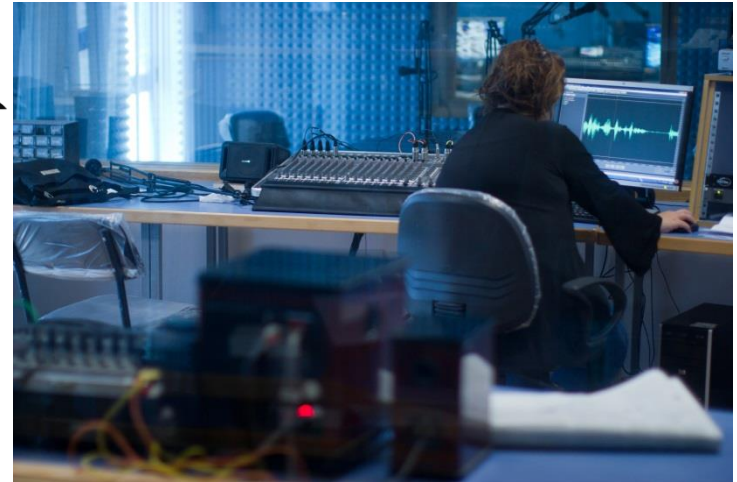


Food Inspection

+



Police Investigation



Expectations from specialised Food Fraud Services

Capabilities in:

- **Intelligence**
- **Investigation (incl. financial investigation and cyber-crime, referring where appropriate to other police specialised services)**
- **Prosecution**

Leadership:

- **to provide strategic guidance**
- **to identify emerging risk**
- **to co-ordinate investigation**
- **to negotiate on equal terms with other investigative services**
- **to promulgate a food fraud prevention strategy**

Effective links with relevant technical experts and the forensic food science network

Dedicated staff with specialist skills including:

- **knowledge of the "food sector",**
- **Investigation, collection of evidence, taking statements, prosecution, giving evidence, working with other enforcement bodies, intelligence gathering analysis and sharing**



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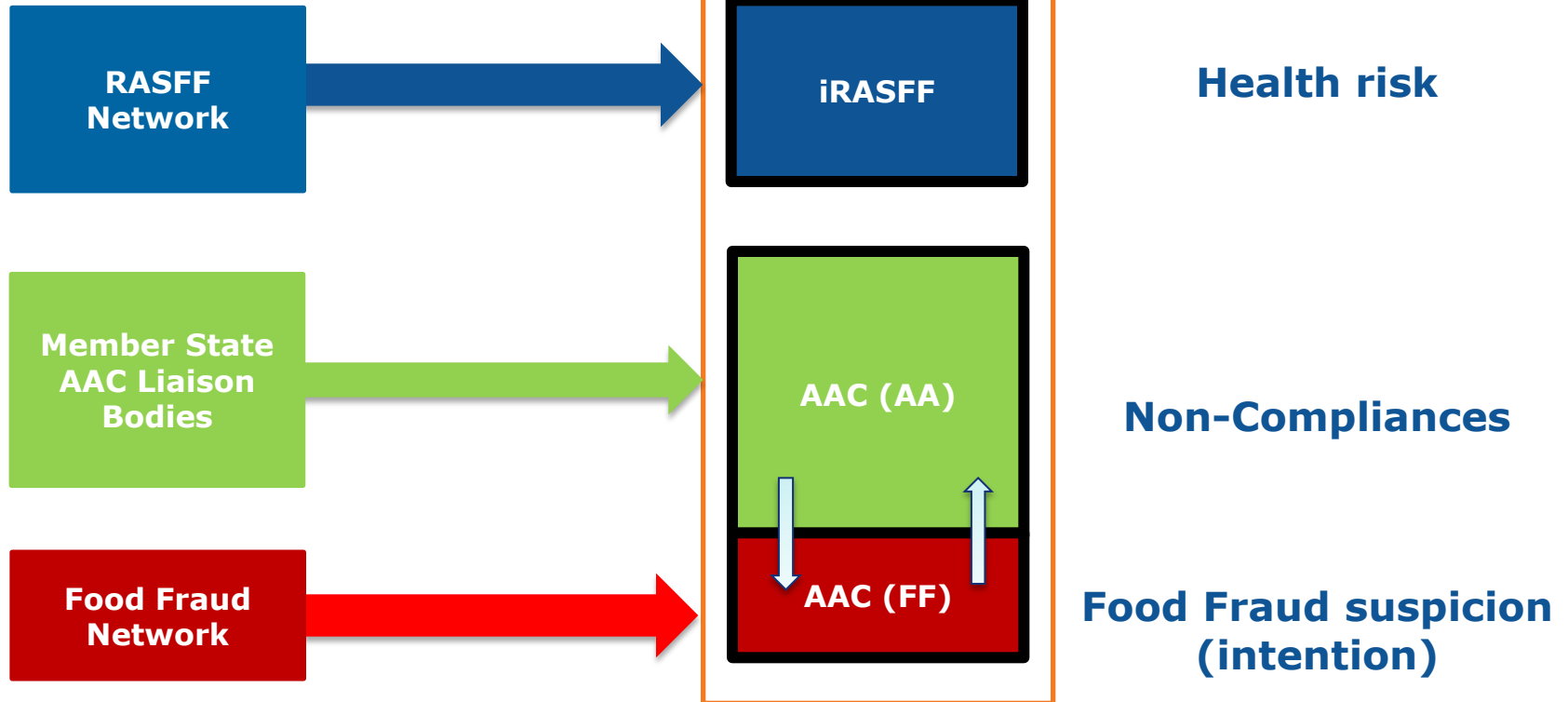
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RASFF/AAC CURRENT FLOW

3 Networks

2 Platforms

Context

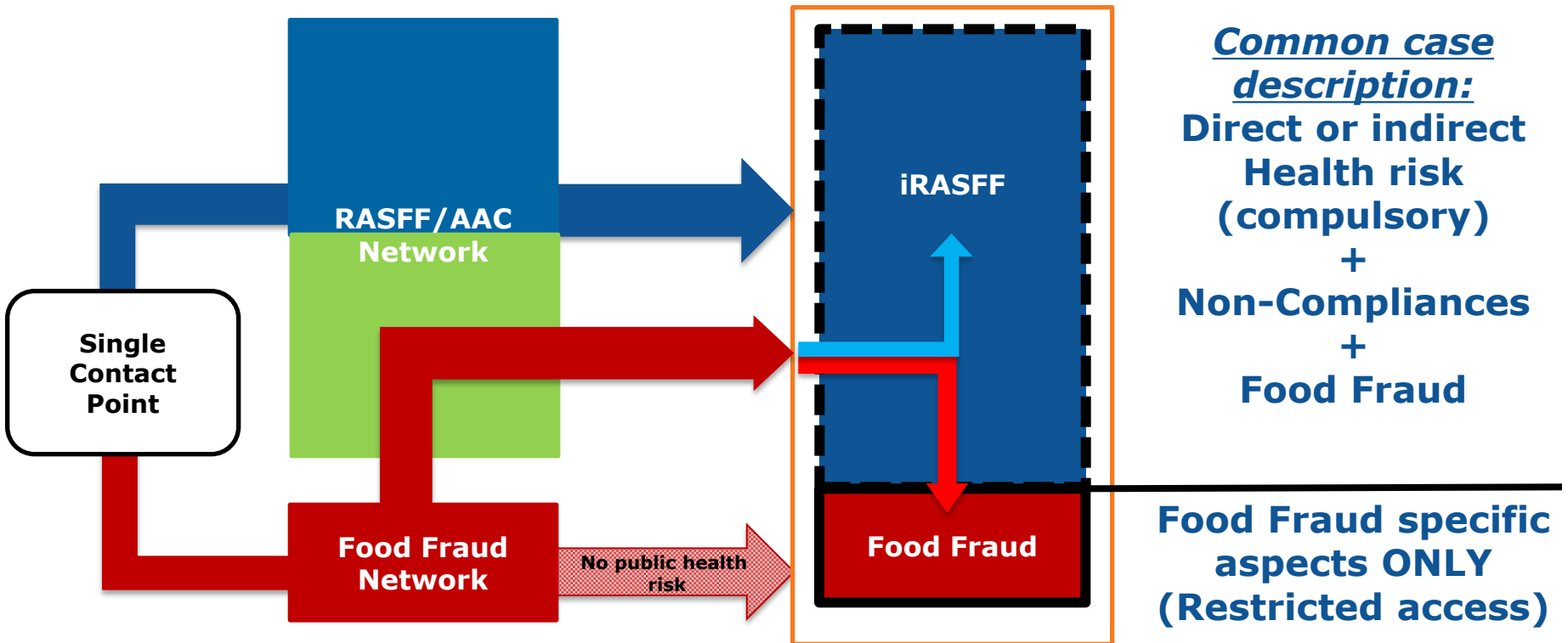




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RASFF/AAC FUTURE FLOW

2 Networks 1 Platform (2 modules) Context



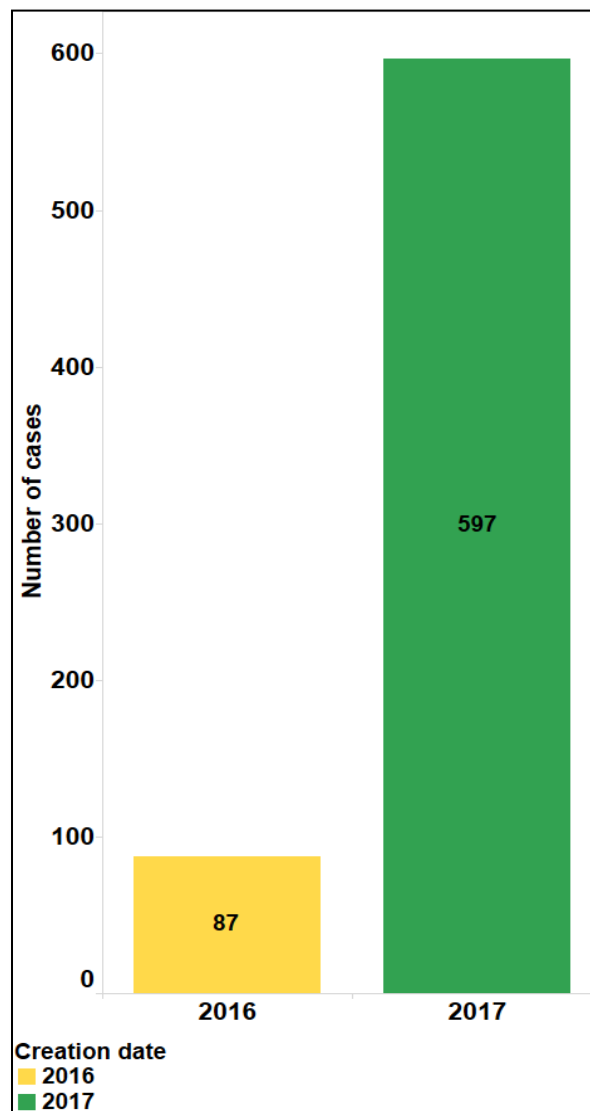
Users see cases according to the context

Health and
Food Safety

Example cases notified in the systems

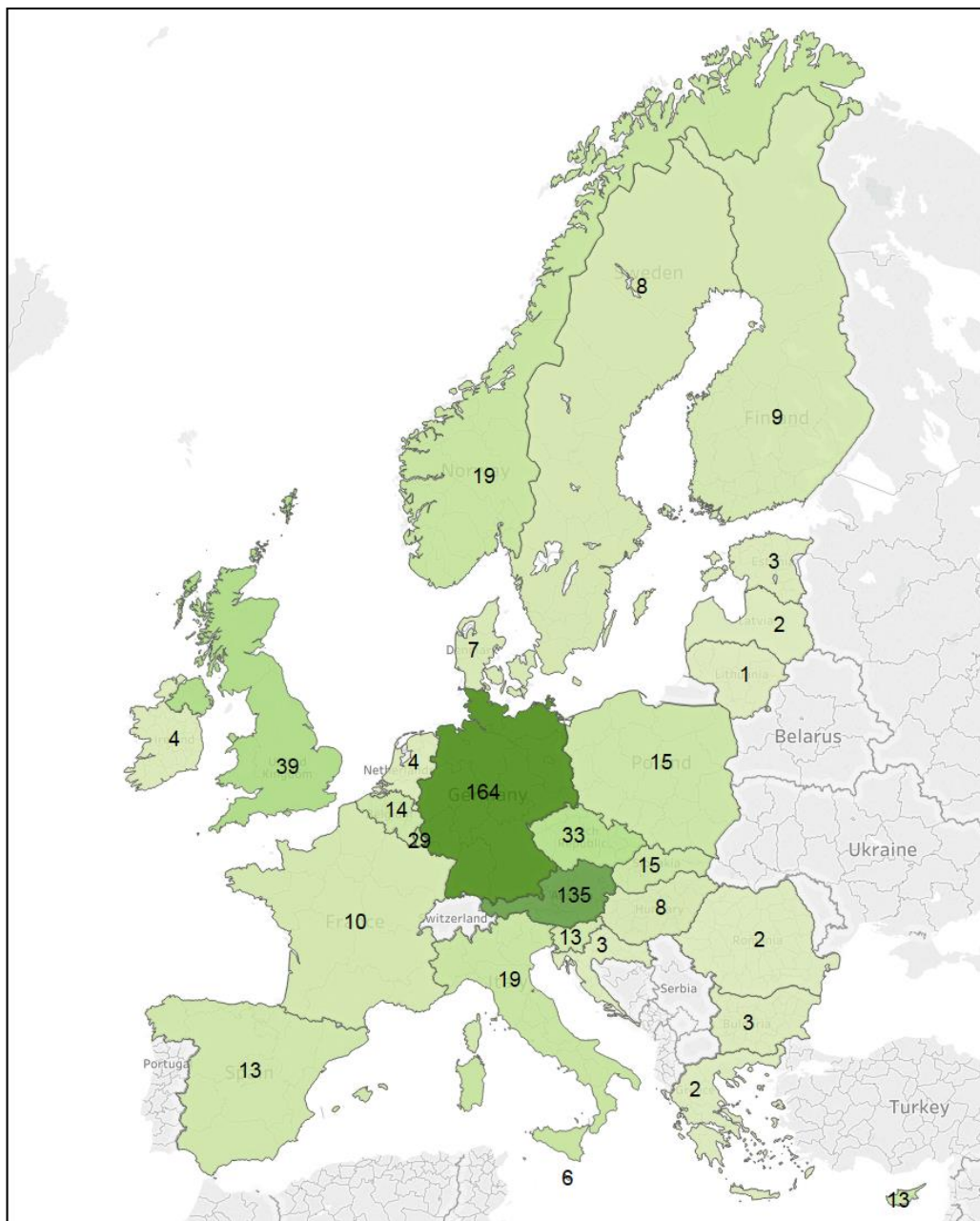
iRASFF	AAC	FF
Aflatoxins in groundnuts	Misleading labelling of kipper	species replacement
too high content of cyanide in sweet apricot kernels	Mislabelling of olive oil	Alleged illegal export
unauthorised substance yohimbine in food supplement	Unapproved operator	False documents

Number of cases in the AAC-AA in 2017 compared to 2016

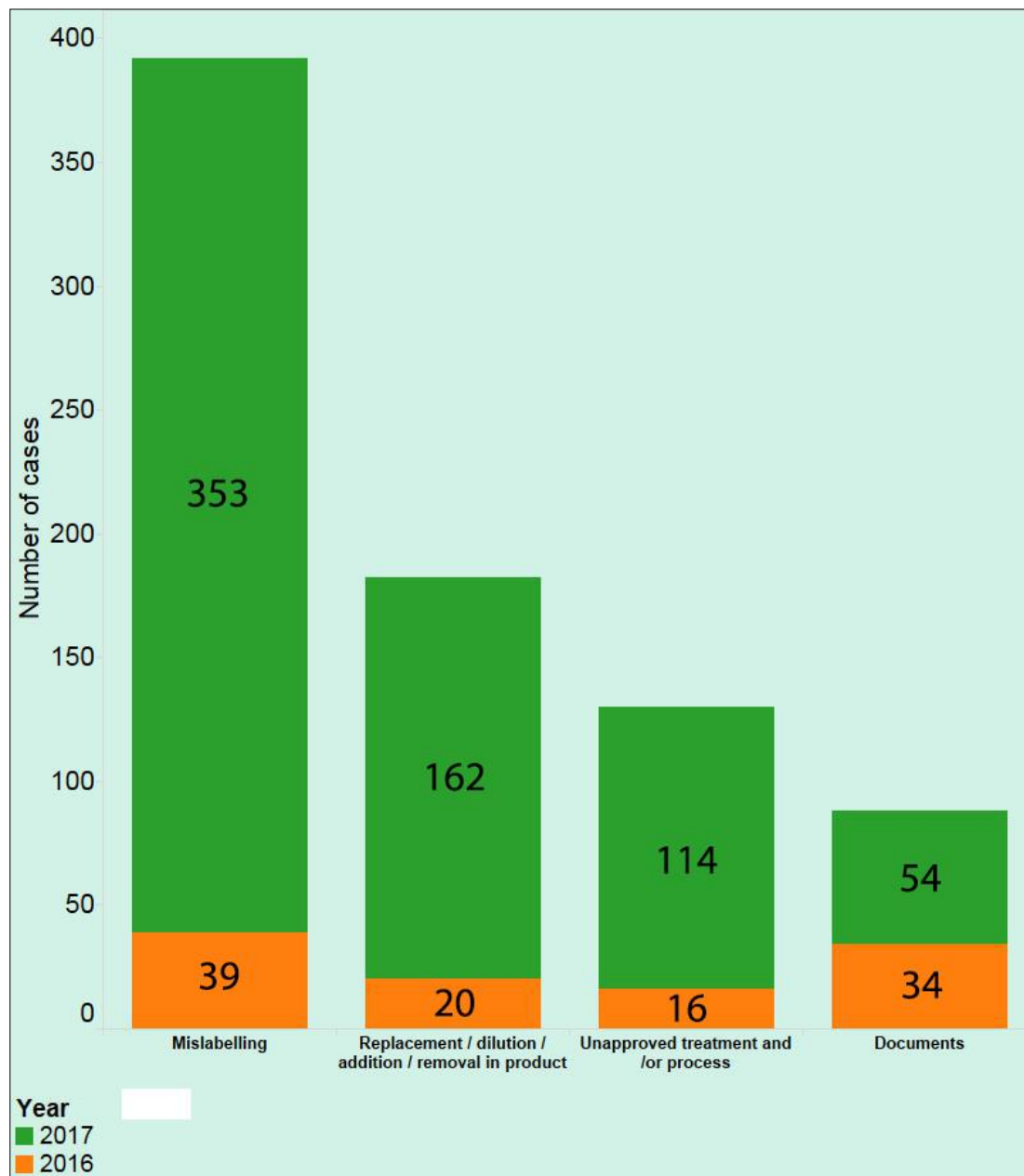


The list of cases exchanged in the system does not represent the entirety of non-compliances occurring in the EU. In fact, there is a significant caveat in the statistics provided below: differently from the RASFF, the AAC works on a voluntary basis and only for cross-border non-compliances. For instance, they do not include the activities that Member States carry out at national level.

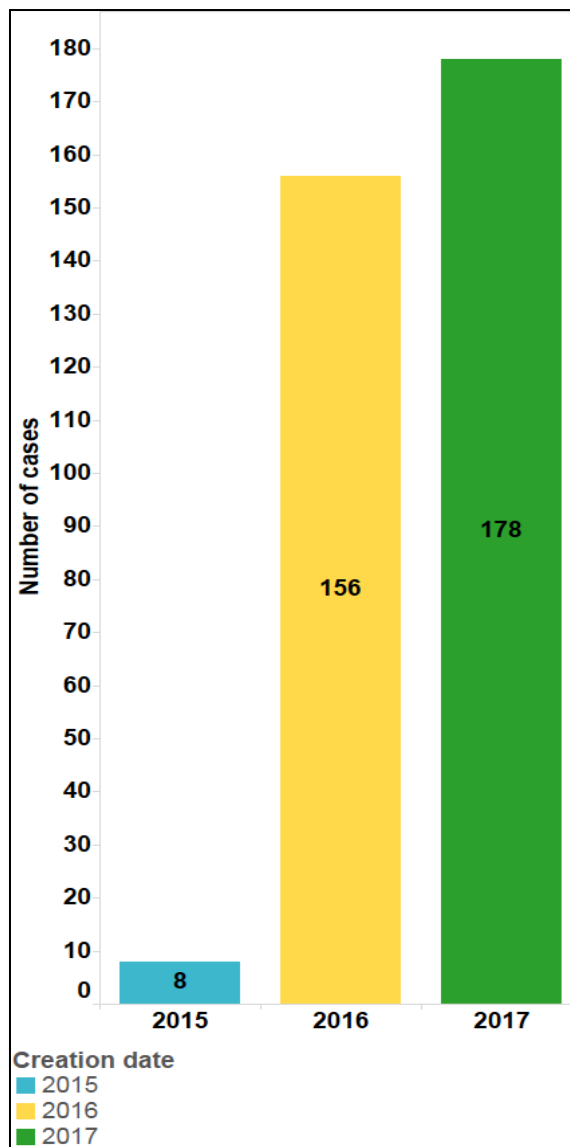
Number of cases in the AAC-AA per Member State in 2017



Number of cases per type of non-compliance in the AAC-AA in 2017

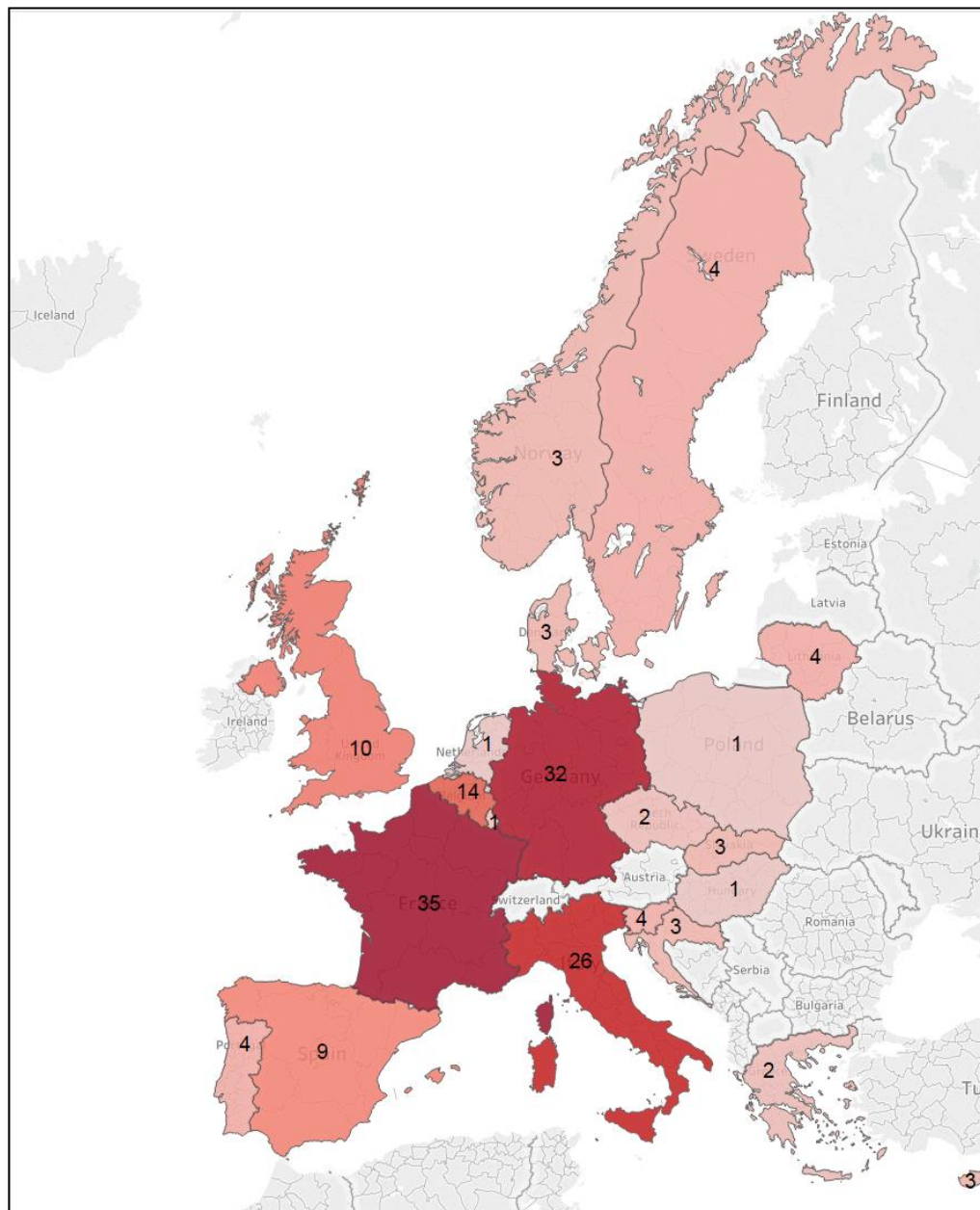


Number of cases in the AAC-FF from 2015 to 2017

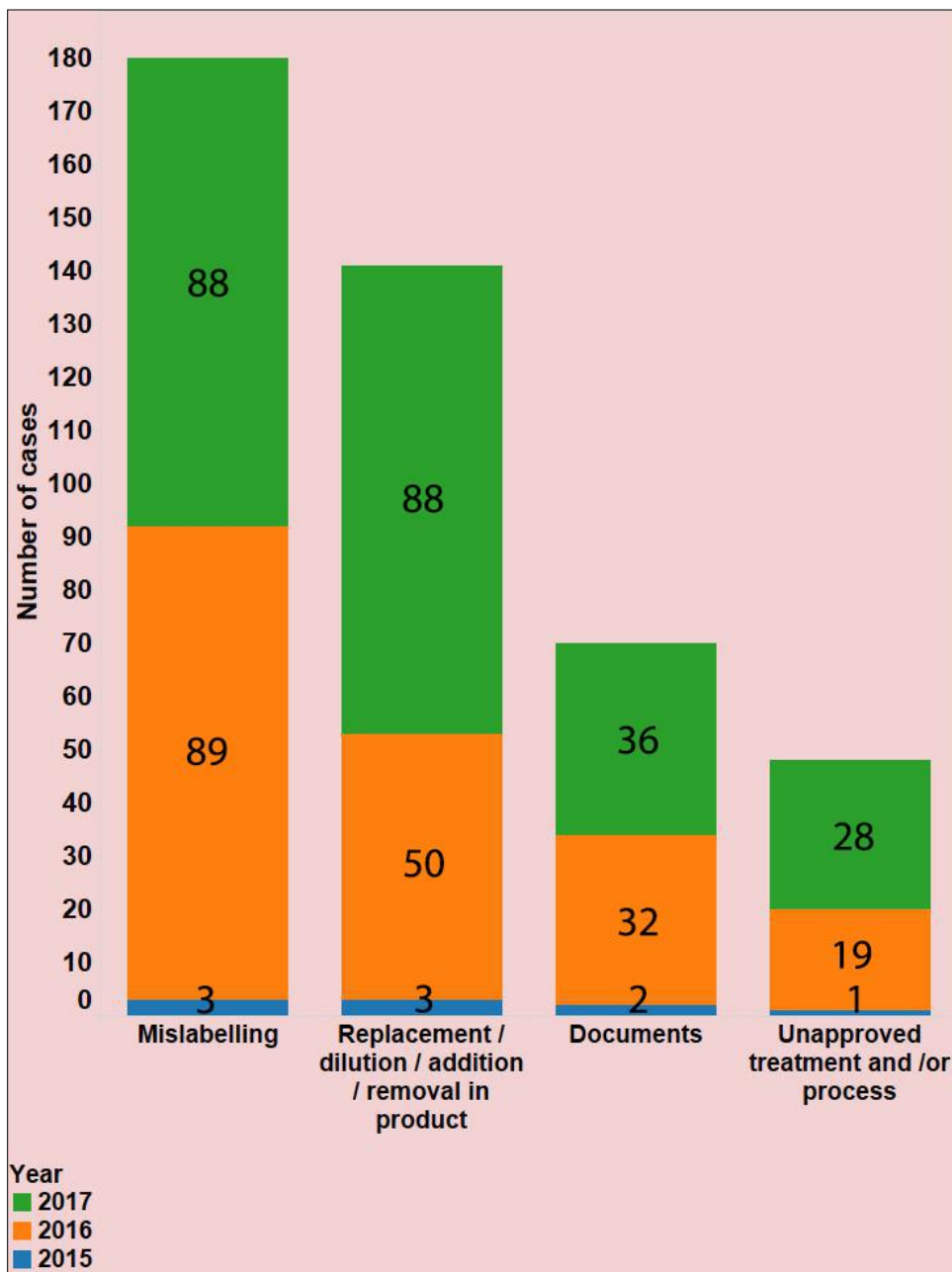


The list of cases exchanged in the system does not represent the entirety of food fraud incidents occurring in the EU. In fact, there is a significant caveat in the statistics provided below: differently from the RASFF, the AAC works on a voluntary basis and only for cross-border non-compliances. For instance, they do not include the activities that Member States carry out at national level.

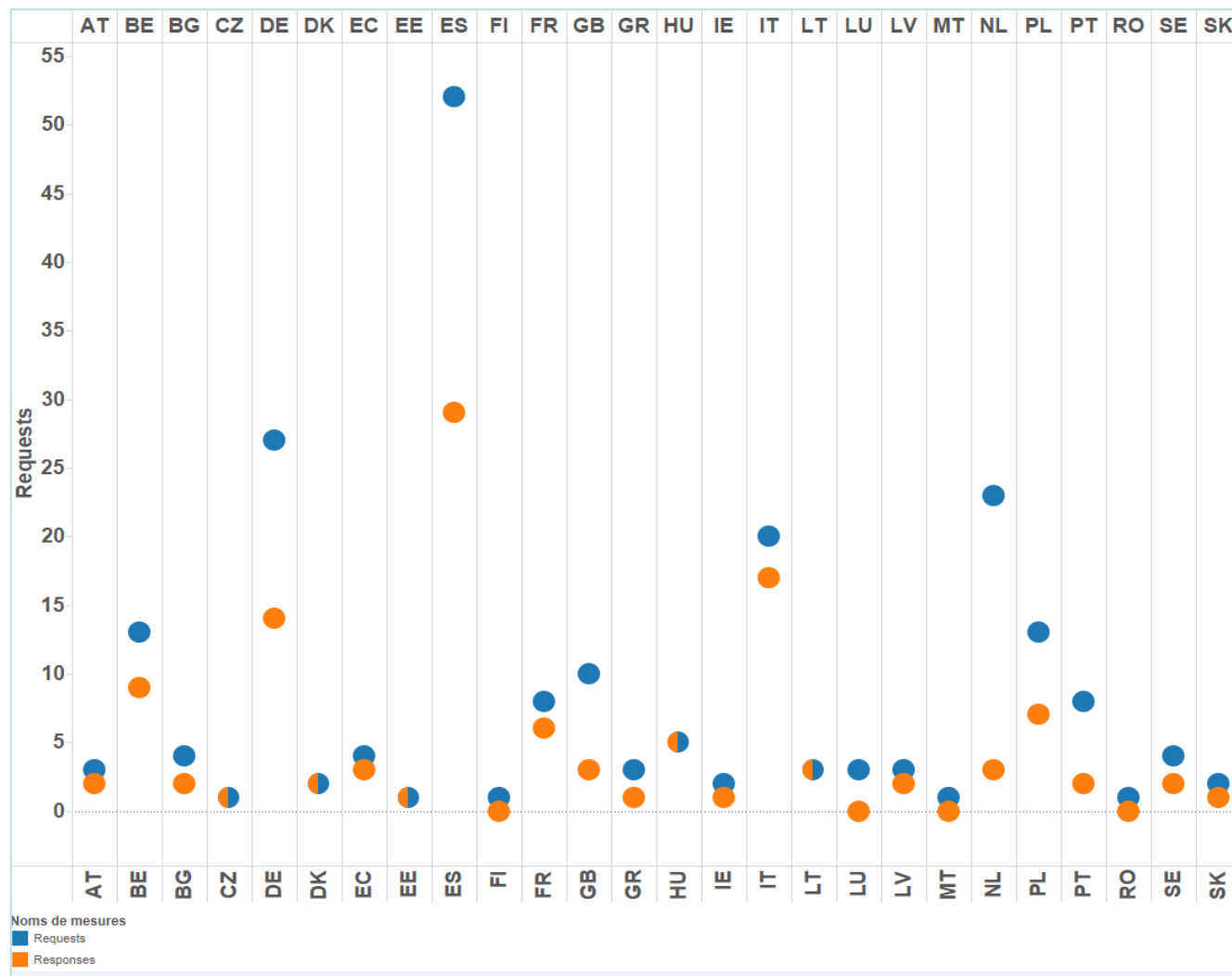
Number of cases in the AAC-FF per Member State in 2017



Number of cases per type of non-compliance in the AAC-Food Fraud



Number of requests and responses in the AAC-FF in 2017



The information in the above diagram was extracted on 12 February 2018 and the figures contained therein also include requests that have been introduced only recently and/or relate to cases that are still under investigation and for which the requested country has not yet been able to supply a response.



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Number of requests and responses in the AAC-FF in 2017 (2)

Response Rate

	AT	BE	CZ	BG	DE	DK	EC	EE	ES	FI	FR	GB	GR
Requests	3	13	1	4	26	2	4	1	52	1	8	10	3
Responses	2	9	1	2	13	2	3	1	29	0	6	3	1
Response rate (%)	66.67	69.23	100.00	50.00	50.00	100.00	75.00	100.00	55.77	0.00	75.00	30.00	33.33

	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SK
Requests	5	2	20	3	3	3	1	23	13	8	1	4	2
Responses	5	1	17	3	0	2	0	3	7	2	0	2	1
Response rate (%)	100.00	50.00	85.00	100.00	0.00	66.67	0.00	13.04	53.85	25.00	0.00	50.00	50.00



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Case Example (AAC AA)

Submission Date ▼	Subject ▼	Case number ▼	Status ▼	Created by Country ▼	Assigned to	Received responses by	
05/03/2018 11:31	Lack of labelling - nutrition declaration on organic millet balls	AA [REDACTED]	MS Validated	[REDACTED]	HU		Case detail

Case

STEPS

1 CASE DESCRIPTION

2 PRODUCT DETAIL

3 SAMPLING / ANALYSIS / HAZARDS

4 PRODUCT TRACEABILITY

5 MEASURES TAKEN IN NOTIFYING OR REQUESTING COUNTRY

6 OTHER RELEVANT DOCUMENTS

CASE DESCRIPTION

Case number

AA [REDACTED]

Subject

Lack of labelling - nutrition declaration on organic millet balls

Type:

Administrative Assistance (other)

Creation date

05/03/2018 11:15

Connected RASFF Notification

E-commerce

No

Non-compliance
(no indication of intention to infringe legislation)

Mislabelling

Nutrition declaration

Description of non-compliance:

The fiber content indicated on the label (14 g/100 g) does not correspond to that determined by chemical analysis (2,5 +/- 0.6 g/100 g).

Applicable Rules EU legislation:

art 7 (1a) REG (EU) no 1169/2011

↳ (complementary information):

Applicable Rules National legislation:

↳ (complementary information):

Source of information:

Official controls by CA

↳ (other):

Public health (Yes/No)

No

Animal health (Yes/No)

No

Financial impact (competitors):

Potential financial gain and/or loss for competitors (estimate)

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Request Received

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STEPS

1

CLASSIFICATION

2

OTHER RELEVANT DOCUMENTS

CLASSIFICATION

Request Received number

AA [REDACTED] HU

Subject

Lack of labelling - nutrition declaration on organic millet balls

Assign Date

05/03/2018 11:32

Request Liaison Body

[REDACTED]

Requesting Country

[REDACTED]

Responding country

Hungary

Request Sent To

Hungary

Classification:

Information

Complementary information (or reference to attached documents)

Details of request /
complementary information

The competent authorities in Hungary are kindly requested to take note of the present case as an information.

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EU FOOD FRAUD NETWORK COORDINATED CASE

Adulteration of
beeswax intended
for honey
production with
stearin and paraffin





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Beeswax on the EU market

FOOD GRADE

Beeswax - **natural wax** obtained by melting the walls of the honeycomb made by the honey bee.

Authorised food additive
under Reg. (EU) 231/2012



Natural beeswax is limited and expensive – bees produce only 1 kg of wax for each 8 kg of honey.

European production of beeswax is not sufficient to cover demand.

During the processing stage paraffin or stearin is added to natural beeswax.

Best wax quality relies on the absence of synthetic chemicals, but the lack of obligatory legal regulations makes adulteration quite frequent.

The marketing and advertising of beeswax **without indicating** that it contains stearin and paraffin can be found to be **misleading** and thus **illegal**.^{**}

When determining whether advertising is misleading, account shall be taken of the **characteristics of the goods, amongst others their nature, composition, fitness for purpose, ..., or the results expected from their use**.^{***}

ABP cat. 3***

Imported beeswax and its products must be processed; apiculture by-products are **not intended for human consumption**.

Reg. (EC) 1069/2009



*Reg. (EU) 231/2012, laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council.

**Directive 2006/114/EC concerning misleading and comparative advertising prohibits traders to conduct misleading advertising vis-à-vis other traders (B2B)

***Reg. (EU) No 142/2011, implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption. Annex XIV, Table 2.
****Art. 3 Directive 2006/114/EC

Adulterated Beeswax Economic Gain

Average price of paraffin/stearin: 6 € per kg

Average price of beeswax: 13 € per kg

Ukrainian batch of 7 010kg:

**52% of paraffin – economic gain = 25 516 Euros
(3,64 € per kg)**

Chinese batch of 20 000kg:

**5,5% of paraffin – economic gain = 7 700 Euros
(0,39 € per kg)**

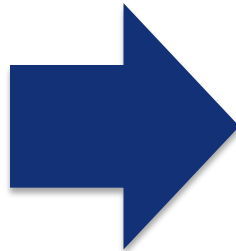
Chinese batch of 20 000kg:

**12,2% of stearin – economic gain = 17 080 Euros
(0,85 € per kg)**



Animal health: potential effects of stearic and palmitic acid (stearin) on bees

Beeswax sheets



Paraffin



Stearin

- Since 2016 Belgian beekeepers have reported the particular problems of brood development within their hives (“mosaic brood”)
- There is some fragmented data linking the use of adulterated beeswax to those negative effects
- Other countries seem to have similar experiences (apparently NL, DE, FR, ES, PL)
- Lack of sufficient data to demonstrate the problem

Public health: Potential risk related to the use of adulterated beeswax in the food chain ?



Companies are offering more often honeycomb instead of honey in jar to demonstrate the **authenticity** of the product.

Contaminated wax sheets in those cases are **integrated in the comb** and can be potentially eaten by the consumers as indicated on the product's label.



A risk assessment should be carried out in order to evaluate the **impact on human health** in this eventuality.



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Food Fraud Criteria

1. Violation of EU Food Law

Directive 2006/114/EC (not EU Food Law)

Prohibiting traders to conduct misleading advertising to other traders (B2B)

Reg. 1069/2009 ABP:

Beeswax imported as Cat. 3 (beekeeping) instead Cat. 2 (candles)

Reg. 231/2012 on food additives:

Introduction in the Food Chain (additive, food supplements, honeycomb)

2. Intention

-Addition of stearin and paraffin to beeswax

3. Economic gain

- Retail price of **beeswax** is **13 €/kg** vs **paraffin** (candlewax) **6 €/kg**
- **Economic gain: 1 tonne of 30% adulterated beeswax = 2100€**

4. Deception of Customers

- Customers believe they are using an authorised and safe product
- **Animal health issue:** negative issues on brood development – significant mortality of bees
- **Public health issue:** consumption of beeswax containing paraffin



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Next steps

- ***Size of the problem?***
- ***Highlighting the problem to MS (CVO meeting)***
- ***Data collection***
- ***Raising awareness of stakeholders***
- ***EFSA consultation***
- ***EU Coordinated Control Plan ?***

Useful links and mailboxes

DG SANTE Website – Food fraud

https://ec.europa.eu/food/safety/food-fraud_en

EU Food Fraud Network: Contact points

https://ec.europa.eu/food/sites/food/files/safety/docs/food-fraud_contact_points.pdf

AAC mailbox: SANTE-AAC@ec.europa.eu;

FF mailbox: SANTE-FOOD-FRAUD@ec.europa.eu;



Thank you for your attention

DO NOT FORGET

FOOD IN THE EU HAS NEVER BEEN SAFER!

https://ec.europa.eu/food/safety/food-fraud/ffn_en

