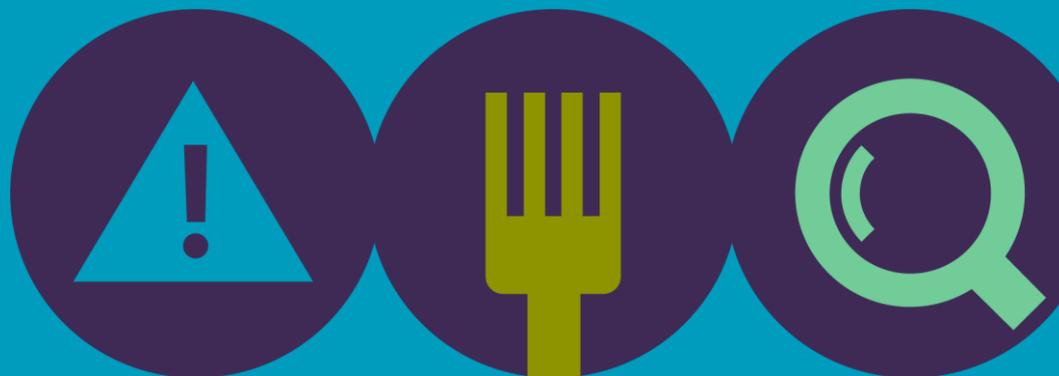


# FSS Food Crime Control Strategy 2020/21

September 2020



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# 1. Purpose

Food Crime is defined as ‘serious fraud and related criminality within food supply chains’. It is a financially motivated crime that can have serious health impacts on consumers where through deceptive practices products have been adulterated, substituted or their authenticity has been misrepresented. The economic impact on the UK is likely to be substantial to both the consumer and to industry.

The Scottish Food Crime & Incidents Unit (SFCIU) is a branch within Food Standards Scotland (FSS) which takes the lead role in the investigation of food crime. As part of this effort the Control Strategy 2020/21 outlines the food crime priorities and actions being taken to prevent food crime, detect and deter criminality and prosecute offenders.

The Control Strategy looks to manage the threat of food crime and set out a clear path in what is a complex and challenging area. This strategy is informed by the UK’s Food Crime Strategic Assessment which FSS developed jointly with Food Standards Agency (FSA). This work assessed information and intelligence from a range of sources and was supported by contributions from partner agencies and industry.

Intelligence and investigations have highlighted that due to the risk a continued focus on the tangible threat which food crime poses to Scotland, both domestically and overseas, is fully justified.

The **Divert, Deter, Detect and Disrupt** framework, as utilised by the Scottish Government in their Serious Organised Crime strategy, has been adopted by FSS to outline the key strategic objectives in the approach to tackling food crime.

## 2. Methodology

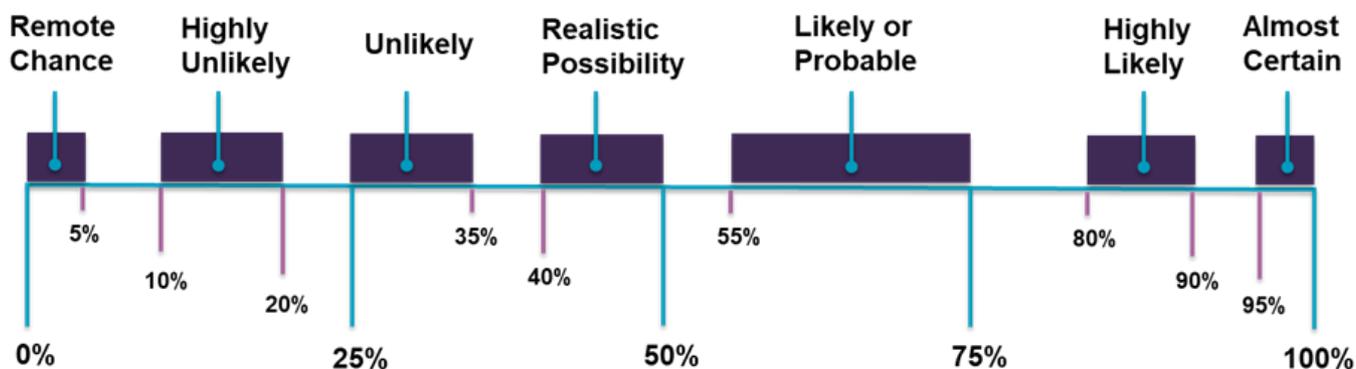
The Control Strategy has taken a commodity based approach as part of focusing intelligence gathering and investigative efforts. Supply chains for these commodities can be complex and work on these will look to develop a greater understanding of the risks, vulnerabilities and threats represented by food crime to take preventive and enforcement action.

The MoRiLE (Management of Risk in Law Enforcement) matrix was used to take a consistent approach when comparing commodities to understand the scale of physical harm, breadth of issue and severity of impact.

A number of thematic areas will be assessed on a long term basis to better understand the changing food sector and impact of food crime as part of improving strategic objectives. Both COVID-19 and the United Kingdom's exit from the European Union are areas of significant concern in relation to food crime and will remain an on-going focus for FSS.

Intelligence assessments have been defined using the 'probability yardstick' as defined by the Professional Head of Intelligence Assessment (PHIA) to ensure consistency across different threats when assessing probability.

### Probability Yardstick



### 3. Crime Techniques

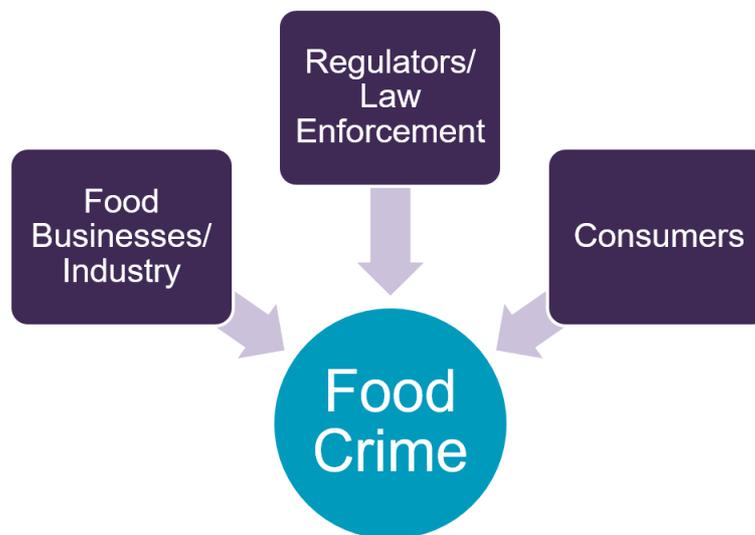
The following are seven techniques, along with the enabling crime of document fraud, which represent food crime. These help to identify and target the work of SFCIU and outline the significant threat to the supply chain where these techniques can be employed at low level to a substantial scale.

Crime Technique	Definition
<b>Theft</b>	The dishonest appropriation of food, drink or feed products from their lawful owner with an intention to benefit economically from their subsequent use or sale
<b>Unlawful Processing</b>	The slaughter, preparation or processing of products of animal origin outside of the relevant regulatory framework
<b>Waste Diversion</b>	The unauthorised diversion of food, drink or feed intended for disposal back into relevant supply chains
<b>Adulteration</b>	Reducing the quality of a food product through the inclusion of a foreign substance, with the intention either to make production costs lower, or apparent quality higher
<b>Substitution</b>	Replacing a food product or ingredient with another substance of a similar but inferior kind
<b>Misrepresentation of origin, quality, provenance or benefits</b>	The marketing or labelling of a product so as to inaccurately portray its quality, safety, benefit, origin or freshness
<b>Misrepresentation of durability date</b>	The false declaration of the freshness, or expiration date, of a product
<b>Document Fraud</b>	The use of false or misappropriated documents to sell, market or otherwise vouch for a fraudulent or substandard product

SFCIU are mindful that non-compliances can often be indicators of food crime, particularly where there are identified patterns in behavior, and these continue to be monitored.

## 4. Three Lines of Defence

The threat to Scotland-based consumers and industry takes many forms and varies from low level criminality to complex fraud across supply chains. As part of tackling food crime there are three key lines of defence that can support in ensuring that food is both safe and authentic.



These lines of defence contribute to the following:

- Raising awareness of food crime
- Developing the intelligence picture
- Sharing intelligence and information with partners
- Identify instances of criminality
- Support investigations, including multi-agency collaboration
- Prevention and enforcement activity
- Prosecution of offenders
- Development of fraud prevention technologies
- Supply chain surveillance

It should also be acknowledged the contribution that academia plays in understanding food crime, addressing challenges and presenting options for industry and regulators to enhance resilience within supply chains.

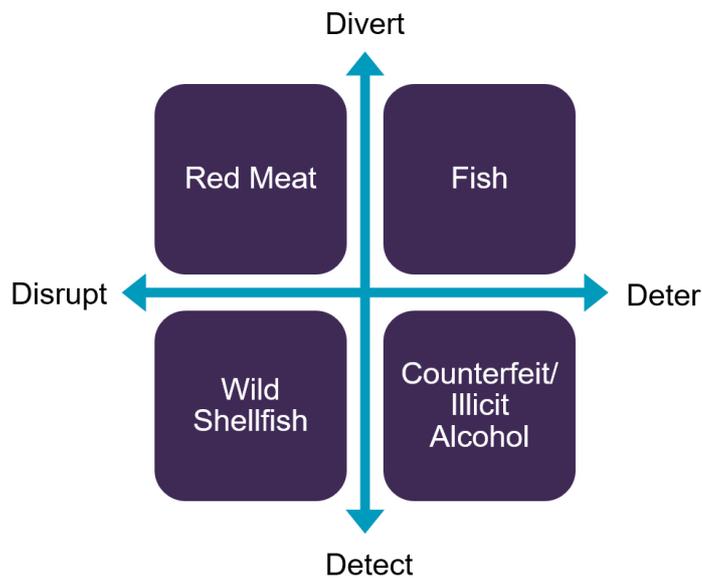
## 5. Detect, Disrupt, Deter and Divert

As part of tackling food crime FSS focuses on four key objectives: Divert, Deter, Detect and Disrupt. These are relevant for each food crime priority and support in ensuring that food is both safe and authentic. The below sets a framework for strategic actions over the reporting period to continue efforts to identify, understand and tackle food crime, providing an overarching strategic approach to managing the food crime priorities.

Detect	Disrupt	Deter	Divert
Identify opportunities to gather intelligence and detect food crime across the supply chain	Undertake intelligence-led multi-agency actions to target, mitigate and tackle threats	Work alongside partners and industry to ensure a hostile environment for criminals to operate in	Identify opportunities to implement prevention strategies with partners and industry
Target individuals, groups and/or businesses involved in fraudulent activity using all available powers	Share intelligence and analytical products with partners to enhance assessments and identify disruption opportunities	Prosecution of illegal activity through use of appropriate legislation	Publicise prosecutions, interventions, enforcement actions and the risks to consumers
Undertake analysis of information, data and intelligence to identify trends, patterns and emerging risks within the food industry	Utilise existing legislation available to the organisation and partners to seek positive outcomes	Continue to raise food crime as a national issue to ensure awareness and deter those who may become involved in this activity	Raise awareness of the repercussions of prosecution, potential for financial loss and reputational damage

Communication and prevention strategies will be fundamental in delivering the objectives for each priority, particularly in raising awareness of food crime and reducing the space and opportunity for those committing food crime in the long term.

## 6. Food Crime Priorities



The FSS food crime priorities were identified using recognised risk matrix criteria to outline the scale of physical harm, breadth of issue and severity of impact to consumers and industry. The matrix was used to assess data, information and intelligence gathered from various sources, including partners and industry, to give a comparable analytical approach to assessing commodities.

The commodities identified reflect where there is a heightened level of threat and risk that requires:

- Intelligence Development
- Engagement with industry
- Liaison and joint responses with partners
- Awareness raising of issues
- Prevention & Enforcement Strategies

It is highly likely that there is food crime taking place within these commodity sectors based on the current intelligence assessment but there continues to be gaps in understanding the scale of these activities. Identifying and understanding food crime has many challenges, particularly where intelligence is limited, extremely sensitive or difficult to obtain.

All intelligence or risks related to food crime will receive the same level of scrutiny and assessment.

## 6.1 Red Meat

### 6.1.1 Rationale

The red meat sector has been exploited in the past and continues to be targeted by criminals across the supply chain. It is highly likely that food crime is taking place in this sector but challenging to understand the scale of those criminal activities. Concerns in relation to fraudulently tagged livestock, misrepresentation of red meat either by origin or durability date and also substitution of product continue to be present. This is a key sector for Scotland both in terms of economy and reputation but is vulnerable in a number of areas that require on-going intelligence development, investigation and prevention activities.

### 6.1.2 Potential Risks

- Fraudulent use of ID tags, cattle passports, accreditation etc.
- Mislabelling of durability date
- Other origin red meat sold as Scottish
- Lower quality product misrepresented as premium
- Stolen livestock
- Illegal slaughter

### 6.1.3 Key Intelligence Requirements

- Details of individuals/groups known or suspected to be involved in livestock theft and/or illegal slaughter
- Routes of entry for stolen and/or illegally slaughtered livestock into supply chain, including cross-border movements
- Prevalence of imported red meat sold as Scottish or lower quality product misrepresentation as premium
- Identify significant instances of red meat substitution

### 6.1.4 Next Steps

- Continue to work alongside key partners to share intelligence and identify opportunities to take both preventative and enforcement action
- Increase and develop intelligence to outline the type, scale and frequency of food crime within the red meat sector to better understand the potential risks
- Mapping of supply chain routes to identify vulnerabilities, intelligence gaps and enforcement opportunities
- Undertake sampling and traceability initiatives based on analysis and intelligence to verify and enforce the authenticity of supply chains

## 6.2 Fish

### 6.2.1 Rationale

There are concerns in relation to fraudulent activity within the fish sector in Scotland and from those seeking to exploit Scottish branding elsewhere. Intelligence suggests that it is highly likely there is criminality occurring in the fish sector but this remains limited in scope. Work with industry has opened a number of potential opportunities for both intelligence development and enforcement actions. Intelligence on misrepresentation and substitution of fish products is limited but there are clear issues of concern identified in Europe and third countries in relation to the scale of these types of activities.

### 6.2.2 Potential Risks

- Lower quality product misrepresented as premium
- Misrepresentation of origin, in particular salmon
- Importation of illegally treated tuna
- Fraudulent use of official certification in UK and elsewhere
- Impact of EU exit on Scottish supply chain and potential for durability misrepresentation

### 6.2.3 Key Intelligence Requirements

- Establish understanding of salmon supply chain
- Identify other origin salmon sold as Scottish
- Establish if illegally treated tuna continues to be supplied to Scotland
- Establish the scale of the substitution of premium fish for lower quality
- Identify prevalence of fraudulent use of certification in UK and elsewhere relating to Scottish supply chain
- Identify those individuals/businesses involved in food crime associated with the fish sector

### 6.2.4 Next Steps

- Work with fish industry to seek collaborative initiatives in tackling fraudulent products entering the market
- Continue efforts with other European countries to tackle concerns relating to illegally treated tuna on the market
- Raise salmon fraud with the Global Alliance on Food Crime to drive forward the agenda at an international level
- Increase and develop intelligence to outline the type, scale and frequency of food crime within a number of key fish sectors
- Undertake sampling and traceability initiatives based on analysis and intelligence to identify and verify areas of concern in the fish supply chain

## 6.3 Counterfeit / Illicit Alcohol

### 6.3.1 Rationale

It is assessed as highly likely that counterfeit alcohol is being sold in Scotland. There is a public safety concern which warrants continued intelligence gathering and investigation resources to understand the scale of activity in Scotland and mitigate criminality taking place. Further work is required to identify individuals and groups involved in the production, facilitation and sale of counterfeit alcohol fraudulently branded as genuine product. Although vodka products remain the prime area of concern there is a need to establish the level of criminality related to other alcoholic beverages.

### 6.3.2 Potential Risks

- Counterfeit alcohol entering Scotland via Northern Ireland
- Importation or smuggling of counterfeit vodka into Scotland
- Production of counterfeit alcohol in Scotland
- Sale of counterfeit wine and spirits in Scotland
- Importation and use of material and equipment to facilitate counterfeit alcohol production

### 6.3.3 Key Intelligence Requirements

- Any intelligence of counterfeit alcohol produced in Scotland
- Names of individuals known or suspected to be involved in the production, facilitation and sale of counterfeit alcohol in Scotland
- Scale and frequency of counterfeit alcohol entering or transiting via Scotland
- Scale of counterfeit wine and spirits being produced and/or sold in Scotland

### 6.3.4 Next Steps

- Identify opportunities to work in collaboration with partners to identify and tackle counterfeit/illicit alcohol supply chains
- Increase and develop intelligence to outline the scale and frequency of counterfeit/illicit alcohol production, distribution and sale in Scotland
- Seek opportunities to take an intelligence-led approach for sampling products on the market to ensure their authenticity
- Work with industry to raise awareness of FSS and need for intelligence on counterfeit/illicit alcohol

## 6.4 Wild Shellfish

### 6.4.1 Rationale

It is highly likely that illegally harvested shellfish are entering the supply chain which are potentially of significant financial value. This poses a serious food safety concern and risks export market continuity. Intelligence indicates continued activity in relation to both offshore and onshore gathering and has highlighted the organised nature of this criminality. There are considerable vulnerabilities in this sector due to supply chain characteristics and the multi-agency dynamic to enforcement actions. The assessment of the scale of this criminality has developed but there continues to be a number of intelligence gaps, particularly in terms of the organised crime involvement.

### 6.4.2 Potential Risks

- Unknown scale of offshore and onshore illegal harvesting
- Potential serious organised crime involvement
- Misrepresentation of quality and origin of shellfish
- Serious food safety risks associated with illegally harvested shellfish and hygiene conditions
- Falsification of registration and landing documents
- Links to modern slavery and exploitation
- Threat to Scottish economy and reputation

### 6.4.3 Key Intelligence Requirements

- Fraudulent activity associated with offshore and onshore shellfish harvesting, including links to modern slavery and exploitation
- Scale and routes of national, cross-border and transnational illicit supply chains
- Identify individuals, groups and businesses involved in, or suspected of, illegal shellfish trade
- Understand vulnerabilities in the supply chain which are exploited by criminals

### 6.4.4 Next Steps

- Establish a collaborative working group with partners to identify the scale and outline actions on how to mitigate the risks
- Increase and develop intelligence in relation to those involved in illegal onshore harvesting for commercial purposes through awareness raising opportunities
- Increase and develop intelligence around those involved in offshore illegal harvesting and the supply chain
- Mapping of supply chain routes to identify vulnerabilities, intelligence gaps and enforcement opportunities
- Undertake intelligence-led multi-agency enforcement actions against those suspected of supplying, facilitating and selling/exporting misrepresented shellfish

## 7. Next Steps

Over the next year actions outlined in the Control Strategy will be taken forward. This is part of ensuring that food is safe and authentic for consumers and that all available powers are used against those committing food crime.

The food crime priorities are reviewed on a yearly basis to report activity and ensure FSS continue to be focused on the key threats and any emerging risks.

Updates on the progress of the Control Strategy are presented to a Strategic Group on a 6 monthly basis.

## 8. Contact Us

As part of the three lines of defence, whether you are a member of the public or working within the food and drink sector you can report food crime in one of the following ways:

Call the Scottish Food Crime Hotline ([0800 028 7926](tel:08000287926)), in partnership with Crimestoppers. The hotline is free and confidential.

You can also submit information using the [online web form](#).

SFCIU can be contact at [foodcrime@fss.scot](mailto:foodcrime@fss.scot)

## Version Control

Version	Date	Last review carried out	Next review due	Comments
1.0	September 2020	September 2020	March 2021	

## Abbreviations

<b>EU</b>	European Union
<b>FSA</b>	Food Standards Agency
<b>FSS</b>	Food Standards Scotland
<b>MoRiLE</b>	Management of Risk in Law Enforcement
<b>PHIA</b>	Professional Head of Intelligence Assessment
<b>SFCIU</b>	Scottish Food Crime and Incidents Unit