

Minutes
Expert Group on the general application of Reg. 882/2004 – Food Fraud
Fifth meeting of the Food Fraud Contact Points in the Member States
26 05 2015
10:00-17:00

Chair: Carmen Garau / Eric Marin DG SANCO E5

Attendees: 26 Member States (MS), 2 EFTA MS, Commission staff (DG SANTE, DG AGRI, DG MARE, DG RTD)

1. Introduction.

The chair welcomed the participants and introduced the agenda.

The chair mentioned that a revamped webpage on the activities related to food fraud is now available on the Commission webpages and there is also a summary of the typology of the exchanges in the food fraud information exchange system during 2014.

2. Short updates

2.1 Update on the Food Fraud Study

The Commission gave an overview of the state of play.

The scope of the study is to 1) assess the EU relevant rules aimed at tackling "food fraud";
2) ascertain if MS have a legal definition of "food fraud" and the type of behaviour covered;
3) give an overview of type of sanctions in all MS applicable to "food fraud";

The final report is expected after the summer break.

2.2 Update on EMPACT projects in 2015

The Commission gave an overview of the background for the EMPACT projects and relevant projects in 2015. The Commission also gave some information about a funding mechanism for the projects in 2015 and 2016.

2.3 Update on the FOODINTEGRITY Project (FIP)

The Commission gave an overview of the projects covered by FIP. It was especially noted that there will soon be a calls for tender for further projects.

More details on these projects can be found at the FOODINTEGRITY website

<https://secure.fera.defra.gov.uk/foodintegrity/index.cfm?sectionid=22>

Potential applicants are advised to check the website regularly for the announcement of calls.

3. Animal by-products

The Commission gave a presentation including the background for raising this item at this expert meeting. The background concerns suspicions of fraudulent practices concerning trade in animal by-products in the EU and exports to 3rd countries.

The Commission clarified that the ABP issue is being followed up from both a fraud perspective, in this expert group, and a regulatory perspective in the working group on animal by-products. Further, there has been a series of FVO missions to MS concerning traceability of animal by-products, and the specific findings from these audits are of course followed up in the usual manner, bilaterally with the MS concerned.

4. The AAC system

4.1 Update on the Implementing Act

A short presentation was given on the changes being prepared following the withdrawal of the Implementing Act from the PAFF committee in April (the draft as sent to the PAFF committee in April was handed out).

The two main problems that needed to be addressed were:

1. The regional level access.
2. The deadline for confirming that a case is still open when this confirmation is requested by the system.

4.2 Feedback from the pilot testing (DE, PL) and discussion on the next phase

This item of the agenda described the two testing phases of the new IT System for Administrative Assistance and Cooperation (AAC), and was followed by feedback from Member States who participated or are participating in the testing of the AAC System. Feedback from the MS who tested the pilot version of the AAC System was very positive.

The launch of the AAC System is expected in September 2015 (the launch date also depends on feedback from the second testing phase). Following the launch of the AAC System, the following subjects will be addressed:

- Addition of a "regional" (de-centralised) level of creators / validators
- Translation of interface to other languages as well, English being the first language

5. Member State presentations

Two Member States presented how food fraud is addressed at national level, particularly with regards to the authorities and skills that are considered to be the most adequate to fight food fraud, and how to best combine different types of expertise.

5.1. The Netherlands

The Netherlands gave a presentation on how the food fraud work is organised at Ministry and at agency level. They also gave information about how the specialised intelligence and investigation unit works. A Food Confidence Task Force that was set up following the horse meat scandal has delivered a report with conclusions. These may be relevant for other MS to study.

5.2. The Czech Republic

The Czech Republic gave presentation on how the involved Ministries and agencies are structured and also gave an overview of some recent food fraud cases handled in their agency.

They have also set up a website identifying specific fraudulent products with photos and information.

6. Deceptive practices in the declaration of the net weight of glazed fishery products

This update was given following previous exchanges of view on the glazing issue in this group and also in other expert working parties where the harmonization of the methods of analysis is discussed.

The Commission drew the attention of the FFCP on a letter sent to the MS on 31 March through the Permanent Representations, clarifying that valid options in relation with testing methods are already available to perform official controls, and inviting MS to give careful consideration to this issue which is regularly raised by stakeholders. The Commission also reminded MS of its invitation to share any information of EU relevance on this issue.

7. Alleged food fraud cases notified by RF

The Commission gave an update on the state play related to these issues.

8. Upcoming coordinated control plans

The Commission gave an update on the state of play. The Recommendation has been notified to all MS in their own language version, and a grant decision has also been notified (only in English).

9. Sale of counterfeit food through social media sites.

Ireland presented a couple cases they have had related to sales of counterfeit food and spirits on social media sites. They would like to discuss the possibilities to coordinate MS approach to these sites, instead of working each one on their own.

The Commission informed that FLEP is also looking at this, and should be reporting on possible approaches to the Heads of Agency at their next meeting in June.

10. BTSF sessions on alternative investigation techniques, feedback from the 2014 sessions

The Commission briefly informed that it is necessary to start considering what trainings we will need in the future. Is there a need for more advanced training and what should be included in such modules? This applies to both modules in this BTSF series. The intention is to come back to this discussion during the autumn.