

Department for Environment, Food and Rural Affairs

Review into the Integrity and Assurance of Food Supply Networks

Note of telecom with Interpol & Europol

Date: 15 January 2014

Attendees:

Europol (E)

Interpol (I)

Professor Chris Elliott (CE) – Review into the Integrity and Assurance of Food Supply Networks

Rebecca Kenner – Review into the Integrity and Assurance of Food Supply Networks

Nick Hughes - Review into the Integrity and Assurance of Food Supply Networks

1. Reflections on Elliott Review interim report

Europol said it had read the interim report and considered it an important piece of work. Any initiative that raised awareness of food fraud was good from Europol's perspective. It said it found the report particularly helpful in highlighting the different types of food fraud that can take place as this is a relatively new area of work for Europol. Interpol also welcomed the report.

2. Overview of work of Europol & Interpol

The work of Europol/Interpol is to coordinate cross-border criminal cases at a European/International level. Europol explained that Operation Opson is a joint Interpol-Europol operation targeting fake and substandard food and drink and the organised crime networks that penetrate food supply networks. Opson is the first operation targeting food crime at a global level. Its main achievement to date has been in raising awareness of food crime and its vulnerability to organised crime. Opson seeks to make the fight against organised crime a systematic activity where information can be exchanged between participant countries in a structured way. However, this can only be achieved through Member States initiating their own investigations and sharing information with the Opson team. Europol said the intention was to extend the scope and length of the Opson operation each year and to make the exchange of information more continuous and systematic. Opson III is currently in progress with results expected to be published in February.

Europol said that food fraud is an issue that has received relatively little attention in Europe and as such there is presently no real enforcement network in this area, at least when one thinks of criminal cases. Opson is trying to fill some of that space, although there is still a lack of data as to the scale of food fraud in Europe. For this reason it was pleased that one of the recommendations in the Elliott Review interim report was to attempt to fill this

knowledge gap. Europol's experience to date working on food fraud has told it that the scale of food fraud is potentially large and every type of food is a potential subject of fraud.

3. Policing of food fraud

CE explained that when he met with DG Sanco last autumn they talked about the establishment of their own food fraud unit. One of the principal functions of the unit would be to form an intelligence hub into which information on possible illegal activities and supply chain risks could be fed. This information would be accessible to all member states. CE asked how Interpol/Europol's work would link into the work of the food fraud unit. Europol explained that DG Sanco's job is to create a mechanism for dealing with food fraud while Europol's role is to coordinate operations and deal with criminal investigations. Whilst Europol is in touch with DG Sanco to discuss about general trends or share strategic information, this is very much an informal network and there is no formal network or obligation for DG Sanco and Europol to share information about food fraud. There is no legal framework to exchange personal data either.

Europol explained that, in practice, information from the food fraud unit would first of all be passed to national police forces and only if there was evidence of cross-border criminal activity would Europol then coordinate an investigation. It explained that Europol does not have enforcement power and that its role is to support and coordinate investigations.

It said that one of the issues preventing Europol and Interpol developing a clearer picture about the levels of food fraud is that quality information can only be obtained through interventions. At this stage it is not possible to say that Interpol has quality information about the presence of organised criminal activity in food as this must come from individual member countries. However, awareness of the issue of food fraud has been raised significantly in recent years.

CE asked who is the UK contact point for Europol and Interpol? Europol said each country has a national Europol unit (ENU) on the national territory and a liaison desk at Europol in The Hague, which both liaise through the field offices with Europol staff. Only the law enforcement agencies qualified as such by the country are represented within the ENU and the liaison bureau. This represents mainly police and customs services. As an example, the FSA is not represented with the UK ENU and desk. Therefore, if, the FSA wanted to share information with Europol it would need to do this through a recognised secure system which in the FSA's case means passing on the information to HMRC which is represented within the UK ENU. As for operation Opson, each country has appointed a contact point whose role is to promote and coordinate the operation at the national level. The contact point in the UK for Operation Opson is the Intellectual Property Office with which Europol has very close relations.

CE asked what kind of contact Interpol/Europol had with the Danish food fraud unit, which had been highlighted as a good model for food law enforcement by numerous stakeholders. Europol said contact with Denmark had been good; Danish authorities had uncovered counterfeit goods as part of their own activity under Operation Opson, although at first they had been sceptical as to whether or not they would do so. It did, however, say that it can be difficult extracting information from other European agencies as often enforcement agencies are not used to passing information from a non enforcement body/agency to Europol/Interpol.

Europol asked CE how difficult it had been to obtain information for his Review. CE said most of the useful information had been given to him on a confidential basis through

personal calls or private meetings but businesses were reluctant to make public any information about food fraud. Europol said it was important for it to gather more intelligence from the private sector and noted it could be difficult getting businesses to talk openly about the issues they face. CE noted that there were great obstacles to businesses sharing information with regulators and there was a need to sanitise this information so that it could not be traced back to a particular source. He explained that a food crime unit in the UK would have police powers and therefore would not be subject to freedom of information requests in the same way that other institutions in the UK are.

CE asked whether the horsemeat scandal was the only incident of organised food crime Interpol/Europol had come across? Europol said it had encountered another case which involved the movement of goods and money between several countries and hence there was a clear link to organised criminal activity.

4. Next steps

ACTION: It was agreed that CE should consider attending the debrief meeting for Opson III in the spring. Europol to send more information about the meeting once it has been finalised.

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