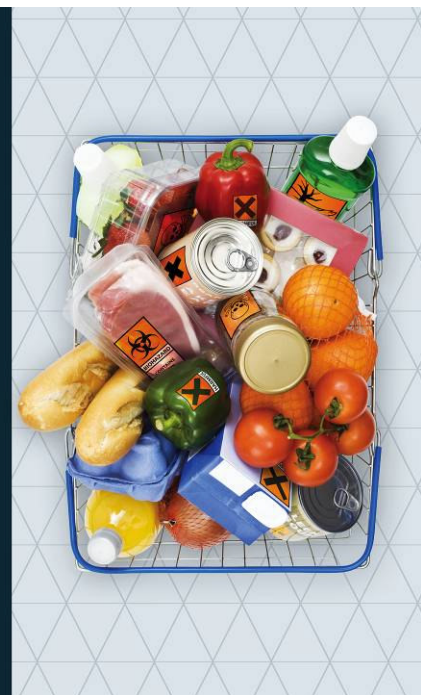


# REPORT

# Operation OPSON III

Public version



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## **1 INTRODUCTION**

Operation OPSON<sup>1</sup> started in 2011 and has already achieved remarkable results. Ten countries, mostly European, took part in OPSON I and seized various food products and beverages during a joint week of action, amounting to quantities involving 2,654 tons, 5,820 bottles and more than 13,000 litres of fake and substandard products. OPSON II was carried out in December 2012 by 29 countries, among them 9 third countries. It resulted in the seizure or withdrawal of 262 tons, 35,702 litres, 2,310,000 items and 394,763 bottles of food/beverages.

Operation OPSON set clear objectives consisting of:

- protecting public health;
- fighting against organised crime groups involved in the trade of fake and substandard food;
- enhancing international cooperation;
- enhancing national cooperation between LEAs<sup>2</sup> and food regulatory agencies;
- enhancing cooperation with private partners from the food industry.

Of note, this initiative shed light on this very specific and emerging crime area, and consequently the repercussions at EU level and beyond were substantial:

- one of the priorities endorsed by the Council of the EU in the fight against serious and organised crime between 2014 and 2017 is *"To disrupt OCGs involved in the production and distribution of counterfeit goods violating health safety and food regulations and those producing sub-standard goods"*<sup>3</sup>;
- European Parliament adopted a resolution on food fraud in January 2014, on the basis of a report delivered by the ENVI committee<sup>4</sup>. The text calls, among other things, for more cooperation between agencies and countries<sup>5</sup>;
- EU COM-DG Health and Consumers created a team dedicated to food fraud and a network of food fraud contact points.

Other cases involving edible goods, such as horsemeat passed off as beef and sold throughout the European Union, and allegedly organic eggs being produced without complying with the relevant rules also contributed to raising awareness among stakeholders.

Considering the context and operational results previously obtained, EUROPOL and INTERPOL coordinated OPSON III. This report presents the results of the operation carried out in December 2013 and January 2014, with 31 participating countries, and the participation of the EU COM – DG SANCO.

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1 OPSON (ὄψων) means food in ancient Greek.

2 Refer to Annexe 3 for Acronyms and Abbreviations.

3 Council conclusions on setting the EU's priorities for the fight against serious and organised crime between 2014 and 2017 – Justice and Home Affairs – 6/7 June 2013, Luxembourg

4 Committee on Environment, Public Health and Food Safety

5 European Parliament Resolution of 14 January 2014 on the food crisis, fraud in the food chain and the control thereof (2013/2091(INI))

## **2 SCOPE AND LEGAL FRAMEWORK**

### **2.1 Scope**

Operation OPSON, in all its phases, kept the same legal scope and framework targeting:

- Counterfeit food and beverages
- Substandard food and beverages

Food products are defined<sup>6</sup> as any item or substance intended to be, or reasonably expected to be, ingested by humans/animals. Beverages are defined as drinkable liquids, that is to say liquids intended to be, or reasonably expected to be ingested by humans/animals.

This definition does not include live animals (unless being prepared for sale in a market), plants prior to harvesting, medicinal products, cosmetics, tobacco and tobacco products, narcotic or psychotropic substances, or residues and contaminants.

A counterfeit food product is defined as a food product infringing an Intellectual Property Right. All intellectual property rights defined under national and European law are included.

A substandard food product is defined as a product which does not meet the criteria required by European and national law regarding its production, packaging, storage and distribution. Generally speaking, it is a product of a quality inferior to that which is legally required under European and national standards.

### **2.2 Legal framework**

Both European and national legislation concerning intellectual property rights and food safety were enforced during the operation.

The exchange of intelligence and information between INTERPOL and the participating countries was done according to the INTERPOL "Rules on the Processing of Information for the Purposes of International Police Co-operation" (RPI), in Resolution AG-2003-RES-04<sup>7</sup>, and "Implementation Rules for the Rules on the Processing of Information for the Purposes of International Police Co-operation" (IRRPI), in Resolution AG-2007-RES-09<sup>8</sup>.

The exchange of intelligence and information between Europol and the participating countries was carried out according to the Europol Council Decision and all related Decisions concerning the exchange and handling of information<sup>9</sup>.

The exchange of intelligence and information between INTERPOL and Europol was done according to the operational agreement signed on 5 November 2001 between the two organisations.

While no other legal instrument of exchange of information/intelligence and cooperation, international or European (such as the "Naples II convention"<sup>10</sup>) was excluded, no information was exchanged outside of the EUROPOL/INTERPOL legal framework. When relevant, the participating countries exchanged information and cooperated bilaterally. EUROPOL and INTERPOL are therefore not in a position to report on those cases.

### **2.3 Operation OPSON in the EMPACT framework**

In June 2014, the Council of the European Union defined a list of common priorities to enhance the fight against serious and organised crime. The list covers the period 2014 – 2017. One of these priorities is to

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6 All definitions mentioned here have no legal value but are used in the framework of the operation.

7 Rules adopted by the General Assembly at its 72nd session (Benidorm, Spain, 2003) and entered into force on 1 January 2004.

8 Rules adopted by the General Assembly at its 76th session (Marrakesh, Morocco, 2007) and entered into force on 1 January 2008.

9 COUNCIL DECISION 2009/371/JHA of 6 April 2009 establishing the European Police Office (Europol); COUNCIL DECISION 2009/935/JHA of 30 November 2009 determining the list of third States and organisations with which Europol shall conclude agreements; COUNCIL DECISION 2009/936/JHA of 30 November 2009 adopting the implementing rules for Europol analysis work files; COUNCIL DECISION 2009/934/JHA of 30 November 2009 adopting the implementing rules governing Europol's relations with partners, including the exchange of personal data and classified information; COUNCIL DECISION 2009/968/JHA of 30 November 2009 adopting the rules on the confidentiality of Europol information; and all other related decisions.

10 Convention on mutual assistance and cooperation between customs administrations signed in Brussels on 18.12.1997.

disrupt OCGs involved in the production and distribution of counterfeit goods violating health, safety and food regulations and those producing sub-standard goods<sup>11</sup>.

### **3 PARTICIPANTS**

#### **3.1 Participating countries, EUROPOL and INTERPOL**

The following countries participated in OPSON III (specific services/agencies mentioned below). Unlike in OPSON I, no country participated as an observer. All countries participated in the operation and implemented actions plans.

In total, **31 countries** took part in OPSON III.

<b>Countries</b>	<b>Administrations/LEAs</b>
<b>European Member States</b>	
Austria – AT	Federal Police Ministry of Health Regional Food Inspection Agencies
Belgium - BE	Customs Ministry of Economy, SMEs, Self Employed and Energy Federal Agency for the Safety of the Food Chain (FASFC)
Bulgaria – BG	Ministry of Interior: General Directorate of the National Police Customs Bulgarian Food Safety Agency
Czech Republic – CZ	Customs
Denmark – DK	Veterinary and Food Administration Customs Patent and Trademark Office State Prosecutor for Serious Economic and International Crimes
Finland - FI	Customs
France – FR	Customs Central Office for Coordinating Environment and Health Crime (OCLAESP – Police, Gendarmerie) Directorate for Competition, Consumption and Fraud Control (DGCCRF – Ministry of Finance) Food Directorate (Ministry of Agriculture)
Germany – DE <sup>12</sup>	Bavarian Authority for Food Safety and Health (LGL)
Hungary – HU	National Tax and Customs Authorities (NAV) International Law Enforcement Cooperation Centre

11 Council conclusions on setting the EU’s priorities for the fight against serious and organised crime between 2014 and 2017 (EMPACT Priorities).

12 Only the Land of Bavaria took part in OPSON III.

**Europol Unclassified – Basic Protection Level**

EUROPOL Handling Code: None

**Public version**

	(NEBEK)
Italy – IT	Arma dei Carabinieri Guardia di Finanza Corpo Forestale dello Stato
Latvia – LV	Customs Food and veterinary services
Luxembourg – LU	Customs
The Netherlands – NL	Customs Food Safety Agency (NVWA)
Portugal – PT	Customs and Tax Authority Food and Economic Safety Agency (ASAE)
Romania – RO	Police
Spain – ES	Guardia Civil (Unidades de policía judicial, Servicio de protección de la naturaleza, costas y fronteras, Unidades de seguridad ciudadana) Regional Food Safety Agencies (Consejerías de Sanidad y de Alimentación de las Comunidades Autónomas) Customs
Sweden – SE	Customs National Food Agency (SLV)
United Kingdom – UK	Border Agency (UKBA) National Crime Agency (NCA) Food Standards Agency (FSA) Medicines and Health Regulation Authorities (MHRA) Trading Standards Authorities (TSA) Intellectual Property Office (IPO)
EU COM	DG Health and Consumers (DG SANCO)
<b>Third countries – Operational agreement with Europol</b>	
Colombia – CO	Fiscal Police – National Police (Policía Nacional – Dirección de gestión de policía fiscal y aduanera) Customs
Iceland – IS	Customs
United States of America - USA	Food and Drug Administration (FDA)
<b>Third countries – Exchange of information via INTERPOL (no operational agreement with Europol)</b>	
Belarus – BY	Police
Chile - CL	Police

**Europol Unclassified – Basic Protection Level****Handling Code: None****Public version**

Côte d’Ivoire – CI	Police Customs Food Regulatory Authority
Peru – PE	Police
Philippines – PH	Police Food Regulatory Authority
Qatar – QA	Police
South Korea –KR	Police
Thailand – TH	Police Customs Food Regulatory Authority
Turkey – TK	Police
Vietnam – VN	Police

As for previous phases, the participating countries had to designate a national contact point responsible for the operation. The countries could appoint a single point of contact at the national level, or one point of contact per agency/administration. In most countries, contact points remained the same as for OPSON I and OPSON II, and this contributed to a better implementation of the operational phase. Each contact point gained experience from previous phases, and now liaises more easily with counterparts, at the national level as well as abroad.

Countries taking part for the first time in OPSON were Belarus, Chile, Finland, Luxemburg, Peru, Philippines, Qatar, South Korea and Vietnam.

Cyprus and the Slovak Republic did not participate in the third phase, whereas they had joined OPSON I and II.

EUROPOL and INTERPOL coordinated the operation by providing expertise and intelligence as well as technical and logistical support.

### **3.2 Private partners**

The following private companies/associations participated in operation OPSON through:

- providing intelligence and risk assessment on their products during the pre-operational phase, including through training sessions in some cases;
- providing expertise in legal proceedings when needed during the week of action.

<b>Name and type</b>	<b>Types of products</b>
CIVC Comité Interprofessionnel du Vin de Champagne (Association of Champagne producers) – producers association	Sparkling Wine, protected by a geographical indication
The Coca Cola Company – firm	Non alcoholic beverages, trademarks protected
Colgate-Palmolive Company – firm	Healthcare products, especially dental care, trademarks protected <sup>13</sup>
Consorzio di tutela Gorgonzola DOP –	Cheese, protected by a geographical

<sup>13</sup> Seized products infringing the rights of the Colgate Palmolive Company were considered as side seizures, as they were neither food nor beverages.

producers association	indication
Consorzio di tutela Prosecco DOP – producers association	Sparkling wine, protected by a geographical indication
Unaprol Consorzio Olivicolo Italiano – producers association	Olive oil, especially extra virgin olive oil
Danone Group – firm	4 types of edible goods and beverages: fresh dairy products, waters, baby nutrition and medical nutrition, trademark protected
Ferrero Spa – firm	Mainly confectionery, trademarks protected
IFSP International Federation of Spirits Producers – producers association	Spirits and liquors, trademarks protected
Moët Hennessy – firm	Champagnes, wines and spirits, trademarks and geographical indication protected
Nestlé – firm	Mainly confectionery, trademarks protected
REACT – Association of right holders	Non profit organisation defending the interests of more than 190 right holders, among them companies of the food industry
Red Bull – Firm	Energy drink, trademark protected
Scotch Whisky association – producers association	Scotch Whisky, trademark and geographical indication protected
Tequila Regulatory Council – producers association	Mexican liquor, geographical indication and trademarks protected
Unilever – Firm	Various edible goods ranging from ice creams to soups, tea, coffee and condiments, trademarks protected

Each firm transmitted a list of relevant contact points according to the concerned geographical area.

Private partners were asked to join on the grounds of:

- Their size and presence in the different markets (Europe, USA, Middle East, Africa...), prioritising those most affected by the threat of counterfeiting.
- Their products. Companies producing commonly counterfeited products and/or highly regulated products (dairy products, fishery etc...) were contacted.

The involvement of the above-mentioned private partners does not constitute any preferred relationship with EUROPOL or INTERPOL. Their involvement was made on a voluntary basis, and did not imply any specific action from the law enforcement agencies involved. EUROPOL and INTERPOL are willing to develop partnerships with private partners of the food industry in order to reinforce the cooperation and the exchange of operational information. The participating countries can suggest any company/association for EUROPOL and INTERPOL to contact, when they are present at the European and/or international level. Countries are also invited to implement such partnerships at the national level if deemed relevant.

## **4 SCHEDULE OF THE OPERATION**

The timing of the operation was scheduled on the basis of Central European Time (CET). The operation was divided into 3 phases.

### **4.1 Preparatory phase**

Operation OPSON III was launched in May 2013, during a meeting held by the Italian authorities (Corpo Forestale dello Stato, Polizia di Stato, Guardia di Finanza, Carabinieri) in Rome. The two day event debriefed the operation OPSON II, by presenting the results and discussing the implementation of the operational phase. It officially launched OPSON III, with a global discussion on new challenges for this



third phase. An invitation was sent to all countries via the official channels of communication<sup>14</sup> in July 2013. The list of participating countries had to be confirmed by the end of summer 2013.

A second briefing meeting took place in October 2013 at EUROPOL Headquarters. The meeting gathered all the participating private partners and established the final details of the months of action. Private partners attended an open session and newcomers took the floor to introduce their activities.

This pre-operational phase consisted of gathering intelligence on the phenomenon, initiating collaboration with private partners and establishing an operational plan. Each participating country elaborated its own internal profiling and action plan.

Of note for the third phase of OPSON was the participation of more third countries, especially in Asia. As a consequence and with a view to offering tailored support for the Asian countries participating, a meeting took place in Bangkok in October 2013, gathering all the contact points of the participating Asian States, namely Philippines, South Korea, Thailand, and Vietnam. INTERPOL and Europol explained the initiative and its main goals, and presented the tools to be used (EPE, INTERPOL channel of communication). The countries gave an overview of main threats on edible goods and mentioned the last actions on food fraud implemented at national levels. This type of crime represents a serious threat in the area, to the extent that some countries have established national and multi-agencies action plans<sup>15</sup>.



*Preparation meeting for Asian countries – Bangkok 30/10/2013*

All participating countries mentioned China as a source country for counterfeit and substandard food products. INTERPOL officially solicited China to join OPSON, but the invitation was eventually declined. An invitation will be sent for OPSON IV.

## **4.2 Operational phase**

Following the recommendations expressed after OPSON II, the operational phase was extended to span one month, in December 2013. During the second operational meeting, some countries commented that they were not able to develop the operational phase in December. As a consequence, the phase was also officially carried out in January by a few participating countries<sup>16</sup>.

Checks and investigations were carried out on high risk entities in the food and beverage supply chain. Each participating country independently decided the type of controls to be carried out. INTERPOL and EUROPOL performed crosschecks against their databases and coordinated the dissemination of intelligence in order to support ongoing actions. The operational centre was activated at EUROPOL's Headquarters. EUROPOL liaison officers from the participating countries as well as the EUROPOL liaison officers permanently seconded at INTERPOL were actively involved. So were the National Contact Bureaus (INTERPOL NCB) from the ten participating third countries exchanging information via INTERPOL.

## **4.3 Post operational phase**

The results of the operational phase were due to be sent to INTERPOL and Europol before 10/02/2014. Most of the participating countries respected this deadline. From February 2014 to June 2014, both organisations analysed the data, to assess the threat, identify best practices and areas of improvement. A debriefing meeting was held in June 2014, with the support of the Spanish Guardia Civil. This report

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14 Europol and SIENA for EU MS as well as Third Parties with an operational agreement; INTERPOL and NCB for other Third Countries.

15 KR chose food safety as one of the priorities in the fight against crimes, along with domestic violence, school violence and sexual abuses.

16 Finland, Sweden and Denmark carried out the operational phase in January 2014.

was discussed and adopted during this event. The exchange of operational information on cross border investigations initiated during the operational phase continued for as long as necessary.

#### **4.4 Communication during pre and post operational phases: use of the EPE**

Started with OPSON II, the use of the Europol Platform for Experts (EPE) – Intellectual Property Crimes (IPC) was developed in OPSON III.

This secure web platform offers the possibility to exchange information (non personal data only) between all its members in a secure environment. Europol created a restricted area for OPSON hosted on the IPC. Each national OPSON contact point had an individual access to the EPE. They could consult the updates on the home page (*News*), upload and download documents (*Media Gallery*), especially the information transmitted by the private sector (list of contacts, information on products), add events to the calendar, publish Wikis etc...

This tool allows for online collaboration between all participants. It does not require any specific skill or technical equipment, only a computer with internet connection.

### **5 RESULTS OF THE OPERATIONAL PHASE**

#### **5.1 Received results**

Results of the operation were to be sent in a formatted way, using the data collection template approved in the course of the pre operational phase (second preparatory meeting – October 2013). The template aimed to facilitate results analysis.

Thresholds for seizures to be reported were fixed to:

- 5 kilograms
- 5 litres
- 10 pieces

Those limits had been set in order to provide the most meaningful statistics.

#### **5.2 Seizures, checks and investigations**

All participating countries carried out checks throughout their national territory.

**In total, 8,660 inspections, 1,813 cases<sup>17</sup> and 103 suspects were reported.**

As examples, Spain reported that, in total, 2,339 checks and controls were carried out throughout the national territory. 1,663 administrative infringements were discovered, 25 persons were detained, 3 vehicles were seized along with various fire weapons. In total, Spanish authorities seized 500 tons of food and 400,000 litres of drinks.

In the Czech Republic, 932 controls took place and led to the notification of 129 infringements.

OPSON III was implemented in 13 cities and surrounding areas in Colombia. Colombian Police seized 278 tons of food products and more than 106,000 food items.

In Bulgaria, 4,691 economic operators dealing with food or beverages were inspected. This represents checks of 635 tons of products.

During OPSON II, 164 cases were reported. The difference compared with OPSON III (1,813 cases) can be explained by the higher number of participating countries but most of all by the use of the reporting template which facilitated the collection of all seizures. Statistics presented below are based on those reported cases.

- **The seized quantities** are as follows<sup>18</sup>:

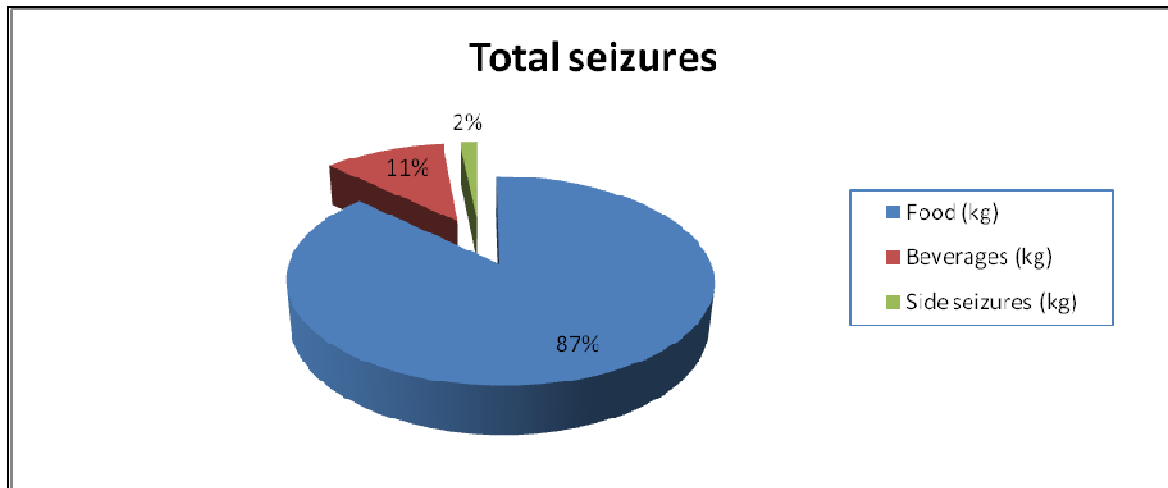
<sup>17</sup> A case is an inspection that led to the seizure or withdrawal of products.

<sup>18</sup> Seized quantities in OPSON II are mentioned in Annexe 1

<b>Units of measurement</b>	<b>Quantities</b>
Tons	262,86
Litres	35,702.48
Pieces	2,310,131
Bottles	394,763

<b>Units of measurement</b>	<b>Quantities</b>
Tons	5,661.41
Litres	681,716.00
Pieces	255,082
Prepackaged items (bottles, cans, boxes)	170,175

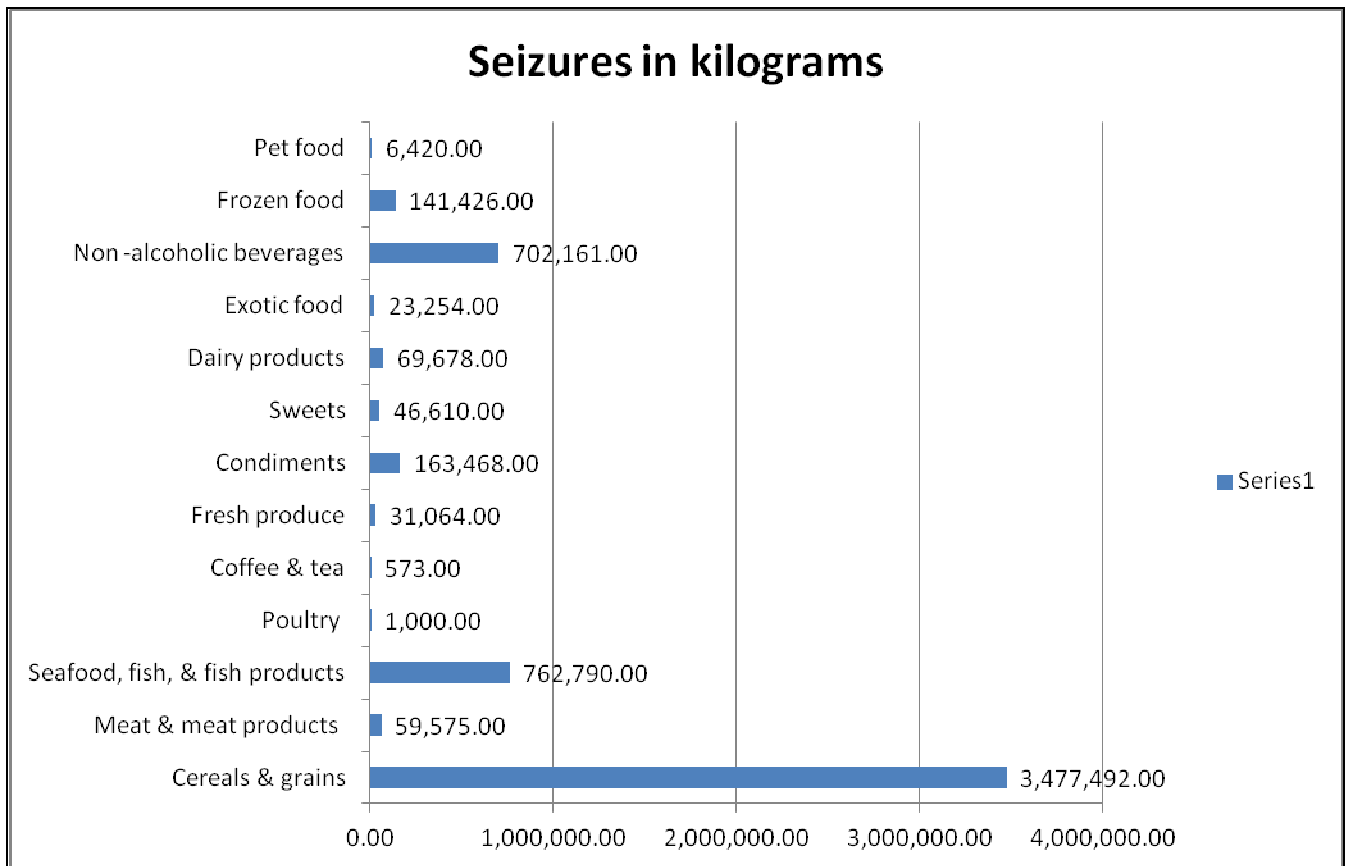
- The proportion of seizures by either **food or beverages** is as follows:



*Types of seized products (by kg)*

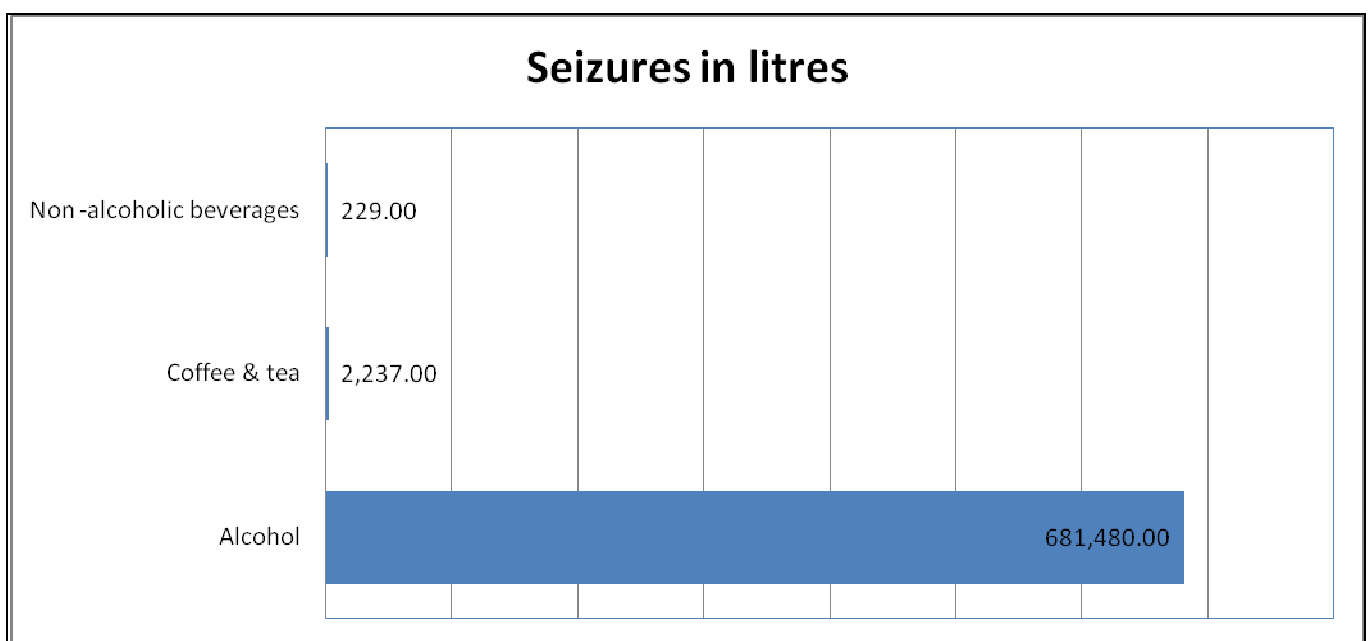
In order to be able to compare data with relative accuracy, all seized items (including liquids) were measured in kilograms for this chart. Livestock and prepackaged items represent less than 1% of total seizures and were not taken into account in the following diagram.

- The proportion of seizures by **type of products** is as follows:



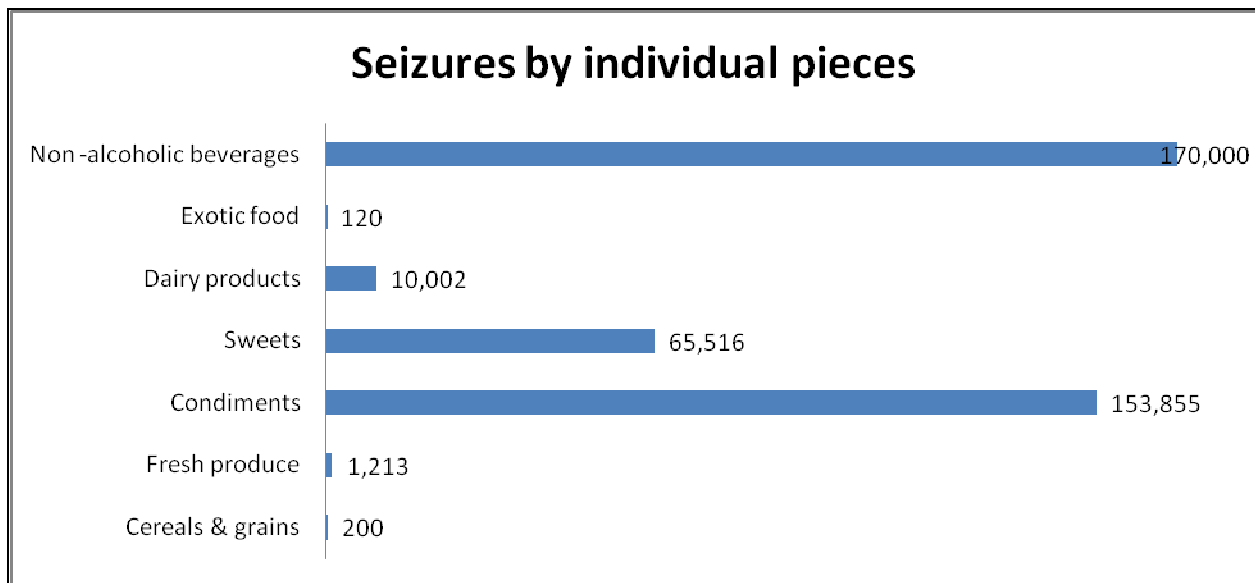
*Types of seized products (in kg)*

As in OPSON II, seafood (762 tons seized) is one of the most affected products. However, this year, cereals and grains are the most seized categories of edible items (3,477 tons). This comprises the results of several big seizures such as pumpkin seeds in Austria (26 tons), cereals in Belarus (51 tons), rice in the Ivory Coast (300 tons), cereals in Italy (75 tons) and in Spain (10.5 tons). For the first time, a seizure of pet food was reported. As mentioned in the operational plan, OPSON also encompasses animal food. The seizure took place in Colombia and concerned 6.4 tons of pet food. The infringement concerned fiscal regulations.



*Products seized in Litres*

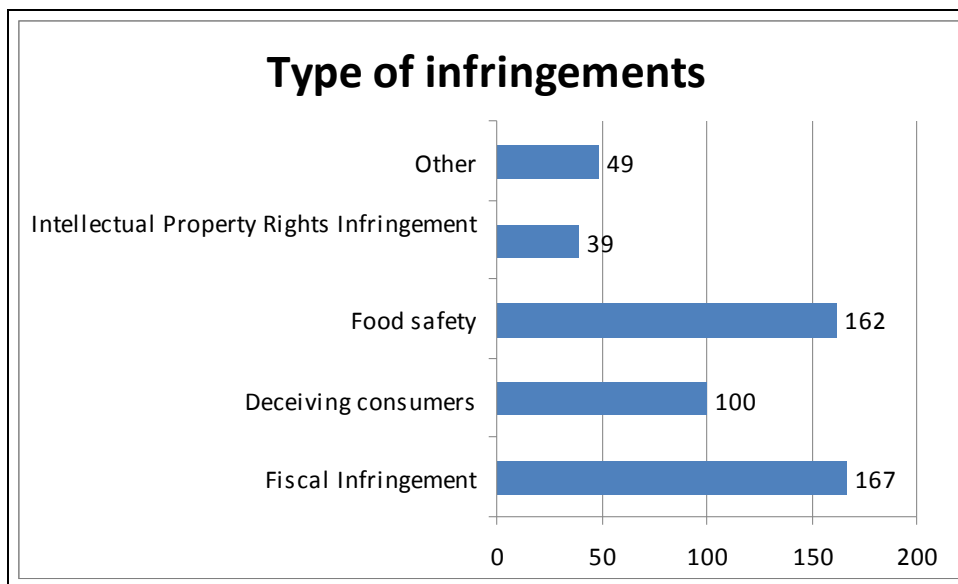
Alcoholic beverages represent the most seized category of drinks when counted in litres. More details are available in Annexe 1.



*Products seized in pieces, including prepackaged products*

Due to the lack of information, no analysis can be performed on the origin of the goods. This field was left incomplete in the data collection template.

- The types of infringements were as follows:



*Types of infringements by number of cases*

The majority of the reported cases where the infringement is specified were linked with fiscal regulations and also represented breaches of food/health regulations. Unfortunately, in most of the cases (71.5%), the infringement was not specified, thus preventing to draw any conclusion on the most frequently encountered offences.

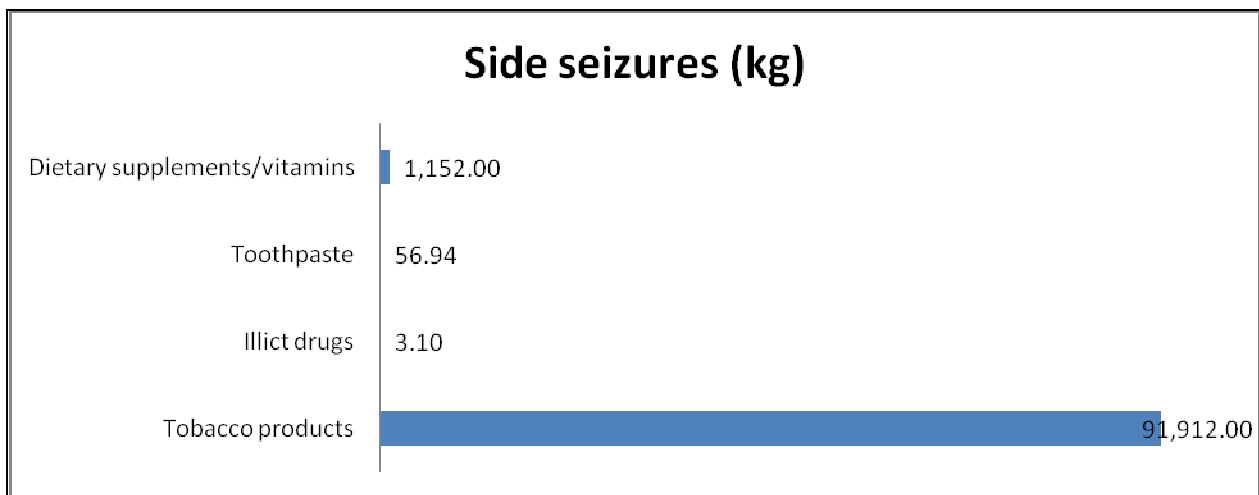
- **Threat to public health:** two reported cases constituted a threat to human health. The first one relates to a seizure of milk in Hungary (22.2 tons). The Hungarian customs stopped a truck originating from Greece and heading to Hungary. Inspection of the veterinary services revealed unauthorized high levels of aflatoxins. These are mycotoxins produced by species of fungi. They are toxic and among the most carcinogenic substances known. The driver of the truck explained

he delivered the milk in Greece. But the Greek recipient refused the liquid due to its condition. The driver was supposed to take back the shipment to Hungary. Nevertheless, no documentation supported his allegations.

The second case was reported by Spain. In the port of Valencia, the inspection of a container from China transporting honey and green tea led to the discovery of residues of pesticides in the tea, toxic for human consumption. It was destroyed.

Other cases such as the seizure of Asian food in Belgium (see highlight p16) certainly represented a threat for human health should the food had been put on the market. Nevertheless, this was not the case. Participating countries did not emphasize any other threat to public health in the results reporting.

- **Cross-border investigations:** unlike previous phases, it is not possible to specify an exact number of cross border investigations, as such information was not specifically reported to INTERPOL and Europol. However, past experience shows that cases develop outside the timeframe of the operational phase, sometimes long after the inspections. Exchange of information took place through Europol and SIENA between Belgium, Italy and Hungary regarding the seizure of a container loaded with expired and unauthorized Asian food. Companies mentioned as recipients were communicated to relevant countries (IT and HU) for further checks.
- **Several side seizures** were made during the week of action. They resulted from the checks carried out within the framework of OPSON but did not concern food or beverages. They involved goods infringing intellectual property rights. As specified in the operational plan, the side seizures are part of the results of OPSON. They are detailed in the table below.



Once more, tobacco is the product found in greatest quantities. This was already the case in OPSON I and II. Dietary supplements and vitamins mainly correspond to a seizure made in Chile (see highlight p16).

### 5.3 Operational centre results

As in the previous operational phase of OPSON II, information was exchanged via the EUROPOL operational centre. During the two months of action, Europol has:

- Performed crosschecks in support of on-the-spot controls in the participating countries;
- Gathered the results;
- Disseminated useful information to all participating countries.

Communication with the operational centre was done via the Secure Information Exchange Network Application (SIENA) for the EU MS, the third parties with an operational agreement and INTERPOL. Both INTERPOL and EUROPOL databases were checked.

## **5.4 EUROPOL's Mobile office deployment/INTERPOL communication team support**

Participating countries did not request the support of the Europol mobile office during the operational phase nor the help of the INTERPOL communication team.

The EUROPOL mobile office can be deployed anywhere in the European Member States and the associated third countries (operational agreement). It allows a direct liaison with the Europol network and databases. Various types of data can be immediately crosschecked, such as names, phones numbers, financial transactions etc.

INTERPOL can support the countries with its communication team, ensuring the promotion of enforcement actions with various types of communication support such as videos and pictures.

## **5.5 Input from the private partners**

Relations with private partners developed well. During the pre-operational phase, they provided good strategic intelligence. Each company/association appointed contact points to be approached during the operational phase. No discrepancy of any kind was reported to INTERPOL/EUROPOL during this period.

New participating private partners attended the second operational meeting at Europol HQ in October 2013 and presented their companies, goods and capabilities in terms of brand protection.

More private partners transmitted operational intelligence during the action phase. Five private partners communicated via Europol and INTERPOL intelligence on counterfeit products and/or targets selling illegal goods. This exchange of actionable information should be highlighted as it represents a noteworthy increase compared with previous editions.

Regarding strategic support, one training session was organised in January 2014. The Tequila Regulatory Council, in cooperation with Europol and INTERPOL, held a one day training session on Tequila. The event aimed at explaining the specificity of the product and infringements linked with it. Due to logistic constraints, the TRC chose to address four EU countries considered to present the greatest threat. Europol and INTERPOL therefore invited OPSON Contact Points of Belgium, France, Germany and The Netherlands. In total, 20 persons attended the event, taking place at the Mexican Embassy in Brussels. INTERPOL covered transport fees for the OPSON contact Points. Those events help targeting products and operators more efficiently during the operational phase. INTERPOL and Europol encourage any initiative of this kind and will support countries and private companies involved, including financing when relevant. The organisation of such training can be made upon request of a country or a company. INTERPOL and Europol recommend that private partners be more pro active in this regards and initiate those events.

Last but not least, INTERPOL and EUROPOL are continuously searching for the involvement of new private partners. Any suggestion of companies to approach should be communicated to INTERPOL (non EU countries) and Europol (for EU MS).

## **5.6 Highlights**

The following chapter highlights some significant results/findings.

**BE:** Belgian customs and the Federal Food Safety Agency in Antwerp seized and destroyed 22,900 kg of Asian food, found in a container that had arrived from China in September 2012. The container was sold more than two years later to an import/export company and, on that occasion, inspected by the veterinary services. Expired and unauthorized Chinese food of various sorts such as coconut oil, tea, milk, chicken legs, mushrooms, sausages etc. was discovered and destroyed. Goods had been declared as Chinese noodles. They came from China, stopped in Italy and Croatia with Antwerp for final destination. Italian and Hungarians companies were mentioned as recipients on some of the packages. Information was passed on to HU and IT through Europol. Hits were found in the Europol database. The companies located in Hungary were previously known for offences related to VAT.



*Seizure of Asian food in Antwerp, Belgium*

**CL:** in the outskirts of Santiago, 159 boxes of fake Stevia were seized and destroyed. The product, labelled as Stevia, a sweetener and sugar substitute made out of leaves of the plant *Stevia rebaudiana*, did not contain any stevia but a mix of saccharin and cyclamate, both artificial sweeteners. It appeared that it was mostly sold in the northern part of the country, originating from Bolivia. In the aftermath of this case, other checks led to the discovery of more fraudulent stevia. In total, police seized 120 boxes in 20 different sales points.



*Seizure of fake Stevia and dietary supplement, Chile*

**FR:** this year, checks performed focused on honey, caviar and truffles, as the latter are mainly bought at the end of the year, for feasts. Honey was considered as a high risk product. Bearing in mind that it is generally marketed to consumers as a healthy, natural product, and willing to preserve this image and quality, inspectors and investigators examined all possible types of fraud such as unauthorized use of antibiotics, mislabelling concerning origin and addition of sugars. Results of the checks led to the conclusion that the situation of the market for caviar and truffles was overall satisfactory, with few infringements reported, while more issues remained with regard to honey, mostly consisting in misleading and mislabelling regarding origin and composition.

**QA:** Police seized 170,000 bottles of non alcoholic energy drinks bearing expired validity dates. And they seized as well the hot stamp printer used to print new expiry dates on the side of the bottle. Genuine dates were erased from the cap. Falsified dates were then printed on the side of the bottle. The main suspect has been arrested.





*Expired energy drinks seized in Qatar*

**UK:** along with enforcement actions during the operational phase, UK tackled the awareness aspect and issued an alert on a type of beverage at risk: Prosecco wine. The fact sheet details regulations and possible infringements attached to this type of goods, and targets both inspectors and consumers. It was disseminated among the Trading Standard Offices, via their database and to the City of London Police, which inspected several establishments on the basis of this intelligence. Infringements reported were terminated.

No seizures in DK, FI, NL, LU, USA were reported. However, those countries expressed their interest in maintaining their participation in OPSON.

## **6 EVALUATION**

In the wake of what has been previously explained, and referring to the objectives defined in the operational plan, the following evaluation can be made:

- ❖ On a strategic level:

<b>Objective</b>	<b>Achievement</b>	<b>Measures of improvement</b>
Improve practical cooperation between all national law enforcement agencies, food and/or drugs agencies, private companies, INTERPOL, Europol and all other organisations involved in the operation.	Complete	
Enhance enforcement capabilities of law enforcement agencies regarding counterfeit food products, by raising the awareness on the threat and regulations linked to these types of products	Complete	
Prevent trafficking in counterfeit foods and beverages	Partial	Enhance follow up of the investigations Obtain more intelligence on supply chains
Deliver tangible results in terms of seizures	Complete	
Develop relevant follow up actions with law enforcement agencies involved	Partial	Idem

❖ On a tactical level

<b>Objective</b>	<b>Achievement</b>	<b>Measures of improvement Suggestions</b>
Gather intelligence on the modus operandi of traders of counterfeit food products and beverages, or other goods if found	Partial	Receive structured data on seized goods, useable for statistical purposes.
Enhance/create risk profiles on these activities	Partial	Idem
Identify organised criminal groups involved in this trafficking.	Partial	Enhance cross border cooperation and the follow up of investigations

❖ On an operational level:

<b>Objective</b>	<b>Achievement</b>	<b>Measures of improvement Suggestions</b>
Seize counterfeit and substandard food/beverages	Complete	
Conduct investigations on the illegal trade of counterfeit and substandard food/beverages	Complete	
Raise consumer awareness and awareness of national administrations and law enforcement agencies on the phenomenon	Partial	Elaborate communication material and disseminate it nationally and internationally, through INTERPOL and Europol
Enhance cooperation between law enforcement agencies and other competent agencies without enforcement powers	Partial	Enhance communication between LEAs and non LEAs with regular meetings
Enhance the exchange of information between participating countries, INTERPOL and Europol	Partial	Increase use of the operational centre to exchange live data on ongoing cases

## **7 CONCLUSION**

In its third phase, operation OPSON has now gained structure and efficiency from previous experiences, allowing a finer analysis of results and threats. Alcohol, seafood as well as cereals and grains constitute high risk goods. Complex cross borders investigations have resulted from previous phases, and developed outside of the operational timeframe, demonstrating the involvement of organized crime groups. Nevertheless, each phase saw the emergence of new types of falsified edible items, such as pet food or livestock. Therefore, efforts should be maintained, especially regarding cooperation between agencies as well as countries. The general assessment of OPSON is above satisfactory, and leads to the conclusion that the initiative should be continued.

## **8 ANNEXES**

Annexe 1: Detailed statistics

Annexe 2: INTERPOL/EUROPOL Press release

Annexe 3: Acronyms and Abbreviations

**Annexe 1: Detailed statistics**

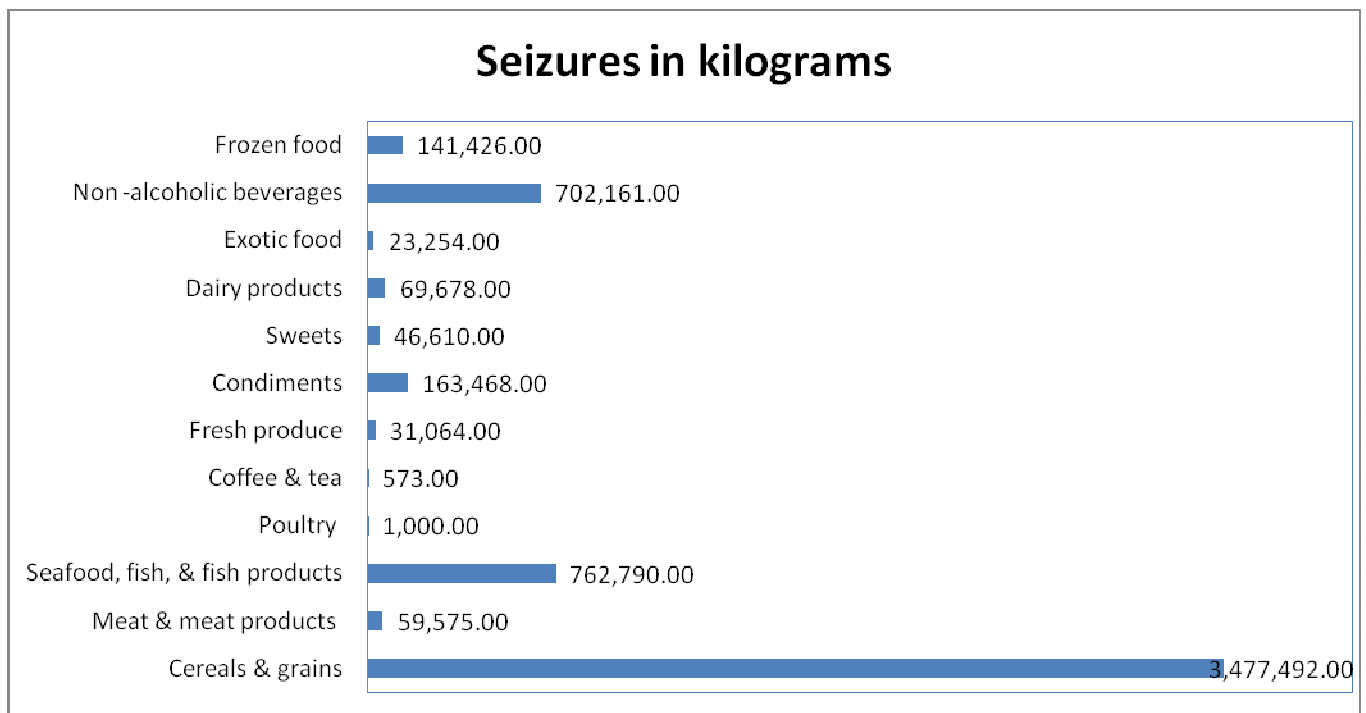
For statistic purposes, quantities have been converted in the same units of measurement. Therefore, some small discrepancies can occur. Nevertheless, they do not affect global results.

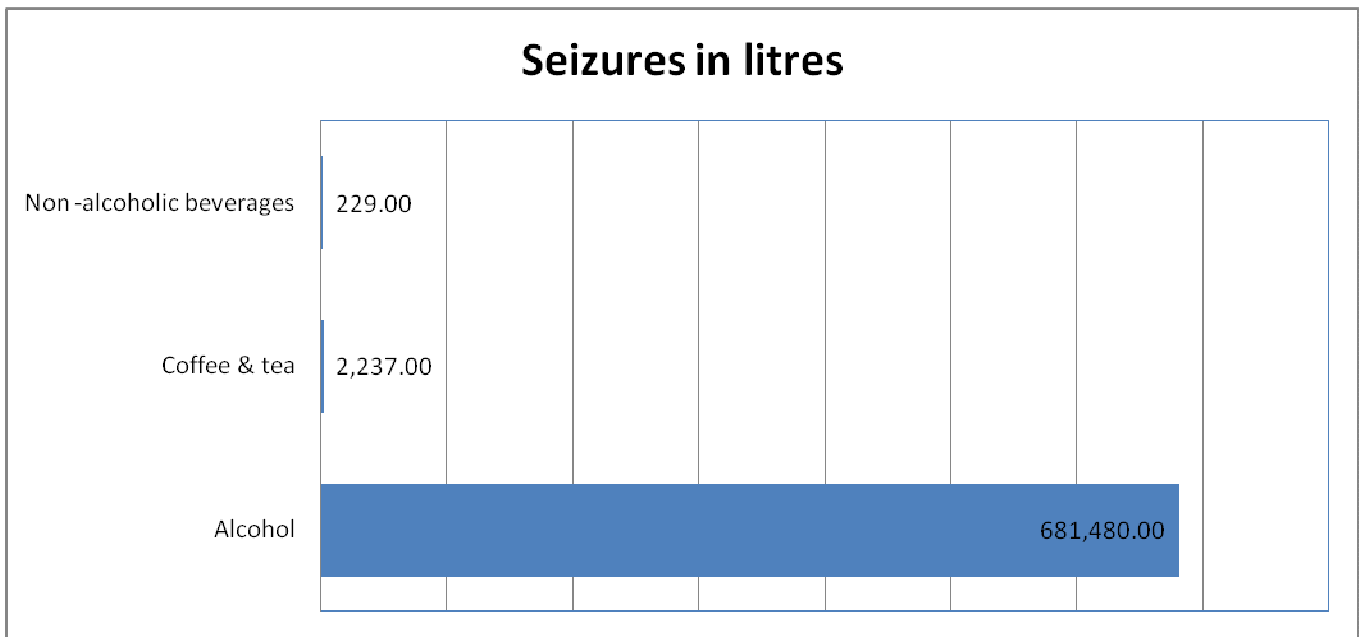
Seizures OPSON II AND OPSON III

<b>OPSON III</b>	
<b>Unit of measurement</b>	<b>Quantity</b>
Tons	5,661.41
Litres	683,716.00
Pieces	255,082
Livestock	300
Prepackaged items (bottles/cans/boxes, etc)	170,175

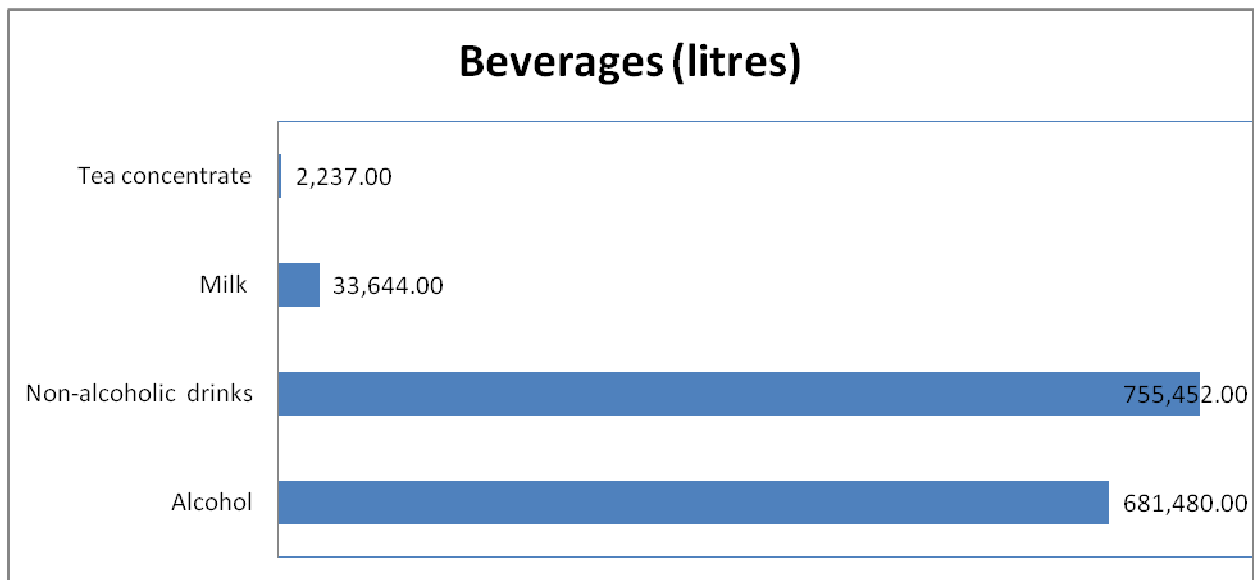
<b>OPSON II</b>	
<b>Unit of measurement</b>	<b>Quantity</b>
Tons	262.86
Litres	35,702.48
Pieces	2,310,131
Bottles	394,763

Since OPSON I, seizures of food items increased from 262 tonnes to over 5,661 tonnes. The decrease regarding seizures of commodities counted in pieces or in litres can be explained by the way of reporting. Litres and pieces are often not counted as such, but reported according to the weight. Of note are the seizures of livestock (poultry) as it has not been reported in previous phases.





**Seized Beverages – Details by types of beverages**



**Alcohol (litres)**



## **Annexe 2: INTERPOL/Europol joint press release**

### **Thousands of tonnes of fake food and drink seized in Interpol-Europol operation**

The Hague, the Netherlands

13 February 2014

More than 1200 tonnes of fake or substandard food and nearly 430 000 litres of counterfeit drinks have been seized in an Interpol-Europol coordinated operation across 33 countries in the Americas, Asia and Europe.

Targeting the organised crime networks behind the illicit trade in counterfeit and unregulated food and drink, Operation Opson III led to the recovery of more than 131 000 litres of oil and vinegar, more than 80 000 biscuits and chocolate bars, 20 tonnes of spices and condiments, 186 tonnes of cereals, 45 tonnes of dairy products and 42 litres of honey. In total some 96 people were arrested or detained with investigations continuing in many countries.

The operation, conducted throughout December 2013 and January 2014, and supported for the first time by the European Commission's Directorate General for Health and Consumers, involved police, customs, national food regulatory bodies and partners from the private sector, with checks carried out at shops, markets, airports, seaports and private homes.

In Italy an organised crime network behind the manufacture and distribution of fake champagne was discovered. Material to prepare 60 000 bottles including fake labels were seized following raids on two sites, with three people arrested and 24 others reported to authorities.

"Most people would be surprised at the everyday foods and drink which are being counterfeited, and the volume of seizures shows that this is a serious global problem," said Michael Ellis, head of Interpol's Trafficking in Illicit Goods and Counterfeiting unit, which coordinated activities between the world police body's participating countries across the globe. "Interpol is committed to turning back this threat to public health and safety by organised criminal networks which are making millions in profits which can then be channelled into other illicit activity such as human and drug trafficking," added Mr Ellis.

Europol's Intellectual Property Crime Team coordinated Opson III within the EU, providing operational support to EU countries and third parties with a Europol agreement. Chris Vansteenkiste, Project Manager of the team, explains: "We see clear improvements in the fight against food fraud, especially thanks to the greater involvement of relevant private and public stakeholders. It is important to keep the focus on this area of crime since the more information we collect, the more we realise that this illicit trade is managed and run by organised crime groups."

In Spain, 24 people were detained for illegal work and immigration offences after 4.5 tonnes of snails illegally taken from woods and fields were recovered. In Bangkok, Royal Thai Police raided a warehouse and recovered more than 270 bottles of fake whiskey, as well as forged stickers, labels and packaging. Officials in the Philippines seized nearly 150 000 fake stock cubes, and French police identified and shut down an illegal abattoir on the outskirts of Paris.

Fish and seafood represented the largest category of foodstuffs seized. Some 685 tonnes were recovered for offences including poor preservation, being incorrectly labelled and one seizure of 484 000 kg of yellow fin tuna which did not have the required documents for traceability.

Among the key aims of Opson (meaning food in ancient Greek), the third such operation since 2011, are the identification of the organised criminal networks behind the trafficking; development of practical cooperation between the involved law enforcement, food and drug agencies and private companies; and to raise awareness of the dangers posed by counterfeit and substandard foods.

Stijn Adriaenssen, Inspector at the Belgian Federal Agency for the Safety of the Food Chain explained their involvement: "We first participated in Operation Opson II in 2012 and, following national and international debriefings, we identified opportunities and ways to further improve results in future operations. This included splitting our activities into two phases. First was advance controlling of supply

through our biggest ports of entry (seaport of Antwerp and Brussels National Airport) and the second focused on retail, by controlling markets and stores. This tactic has paid off. For Opson III over 23 tonnes of food products were seized. These results show the global character of this type of fraud and the necessity to tackle these crimes together on a national and international level.”

Countries which took part in Opson III: Austria, Belarus, Belgium, Bulgaria, Chile, Colombia, Côte d'Ivoire, Czech Republic, Denmark, Finland, former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Luxembourg, the Netherlands, Peru, Philippines, Portugal, Qatar, Romania, South Korea, Sweden, Spain, Thailand, Turkey, United Kingdom, USA and Vietnam.

“The success of Operation Opson III demonstrates the joint commitment of Colombia, Europol and Interpol to the serious fight against international smuggling. Furthermore, it has allowed the seizure of 278 tonnes of food and 17 364 bottles of liquor with an estimated value of USD 172 809 64. This operation marks a milestone in further strengthening the cooperation required to tackle the multiple forms of global crime,” said Brigadier General Gustavo Alberto Moreno Maldonado, Colombia’s Director of Fiscal Police and Customs.

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**Source URL:** <https://www.europol.europa.eu/content/thousands-tonnes-fake-food-and-drink-seized-interpol-europol-operation>

### **Annexe 3: Acronyms and Abbreviations**

<b>Acronyms</b>	
IPR	Intellectual Property Right
LEAs	Law Enforcement Agencies
OCG	Organised Criminal Group
EU MS	European Union Member States
<b>Organisations and Institutions</b>	
EU COM	European Commission
DG SANCO	Directorate General Health & Consumers