

Food Fraud Handling and Consumer Protection in Mecklenburg-Vorpommern



Consumer concept / customary usage in trade

To decide on whether there is a food fraud
or not, often depends on the question of
„consumer concept“

„glimpsy consumer“

VS.

„informed consumer“



Consumer concept / customary usage in trade

„glimpsy consumer“

Until the 1990s the predominant consumer concept:

***The average (german) consumer has only little
knowledge, is unbiased and not critical***



but even the glimpsy and shallow
consumer needs to be protected

Consumer concept / customary usage in trade

„informed consumer“:

= Consumer concept of the European Union (Court of Justice)

Interpretation of food fraud regulations relates on the

**„reasonable informed, attentive and understanding
average consumer,,**



Protected is the reasonable well informed,
reasonable attentive and critical consumer



Consumer concept / customary usage in trade

Customary usage in trade:

The protection against food fraud is ensured:

if food composition and labeling correspond to the legitimate consumer expectations, and are produced in good manufacturing practice

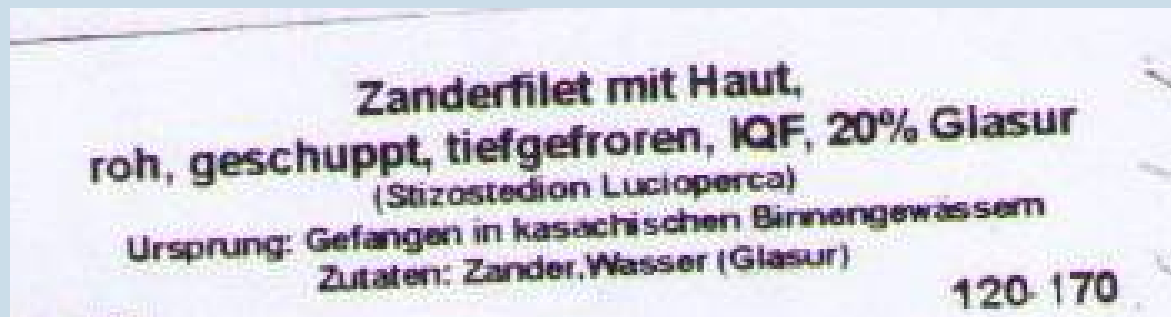
Regulation in EU and national food law, acts, guide lines ...

Overview on Complaints, Examples

Most important part of complaints in 2012: of 1040 complaints 203 frauds
~ **20 %** of all complaints in Mecklenburg-Vorpommern

Fraud on Origin:

Menu description: „pikeperch from the Baltic Sea“
Original packaging: from Kazakstan



Fraud on Species:

In case of suspicion or unclear labelling, we do species analysis.

Halibut: „black“ (less expensive) or „white“?

Deer: Red Deer?, Sika Deer? Moose? Roe Deer?

Cattle or Horse?

Sheep's milk cheese oder cow's cheese?



Species analyses in our office (LALLF M-V), samples from 2012

Food group	No. of samples		Species related complaints
milk	8	1	missing or fraud species
cheese	26	6	missing or fraud species
meat	9		
processed meat	5		
cold cuts, saussages	17	7	missing or fraud species
fish	3		
fish products	11	3	missing or fraud species
crayfish, mussels, snails	2		
bred	1	1	mouse fear in the bread
delicatessen salad	3	1	missing or fraud species
convenience food	2	1	missing or fraud species
dietary supplements (horse milk capsules)	1		
sum	88	20	

Fraud on Species:

Horse meat scandal investigation in Mecklenburg-Vorpommern (spring 2013):

62 samples were analysed on content of horse DNA
(ready to eat and preliminary products)

14 of these were positive:

- **10x < 1% horse meat content:** considered as contamination, no complaint, but source of contamination should be figured out
- **4x > 1% horse meat content** = not negligible content of an unusual species: = **complaint**



Contradictional labeling: Matjes vs. nordic type filets = differences in production process



Kräuter Matjesfilets, ohne Haut, nordische Art, in Marinade

Contradictional labeling: ingredients vs. picture neither kiwi nor papaya in the juice



Fraud labeling: horseradish root in the picture,
but the mustard only contains horseradish aroma



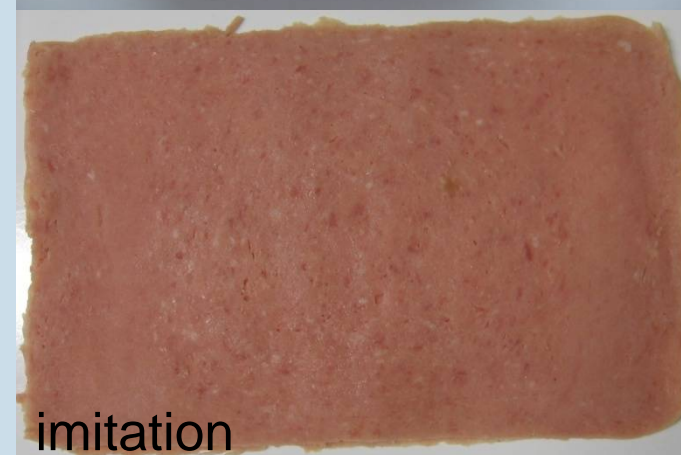
Fraud labeling: ham (porc) changes into juicy pizza
meat, made from recomposed beef meat

25. Pizza Polo	5,00	7,00	9,00	elag: 1,00 €
mit Hähnchenfleisch und Ananas				
26. Pizza Schinken mit Schinken	4,00	6,00	8,00	
27. Pizza Vegetaria	4,50	6,50	8,50	
Broccoli, Pilze, Paprika, Zwiebeln, Mais				
28. Pizza Bolognese	4,50	6,50	9,00	
mit Hackfleisch und Zwiebeln				
29. Pizza Hawaii Schinken, Ananas	4,50	7,00	9,00	
30. Pizza "Pecorini"	4,50	6,50	8,50	
mit Broccoli, Schinken und Sauce Hollandaise				
31. Pizza Gorgonzola	4,50	6,50	8,50	

wünscht Ihnen einen Guten Appetit!

Schinken=Pizzasafffleisch aus Rindfleisch gekocht und gepökelt :Stabilisator E450
Geschmacksverstärker E621, Konservierungsstoff E407, Antioxidationsmittel E300,
Salami : Konservierungsstoff E202, Antioxidationsmittel E301, Nitritpökelsalz
Meeresfrüchte : Säuerungsregulator, Zitronensäure

Fraud labeling: ham (original) and imitations



Fraud labeling: „Pizza with ham“ contains only ham imitation



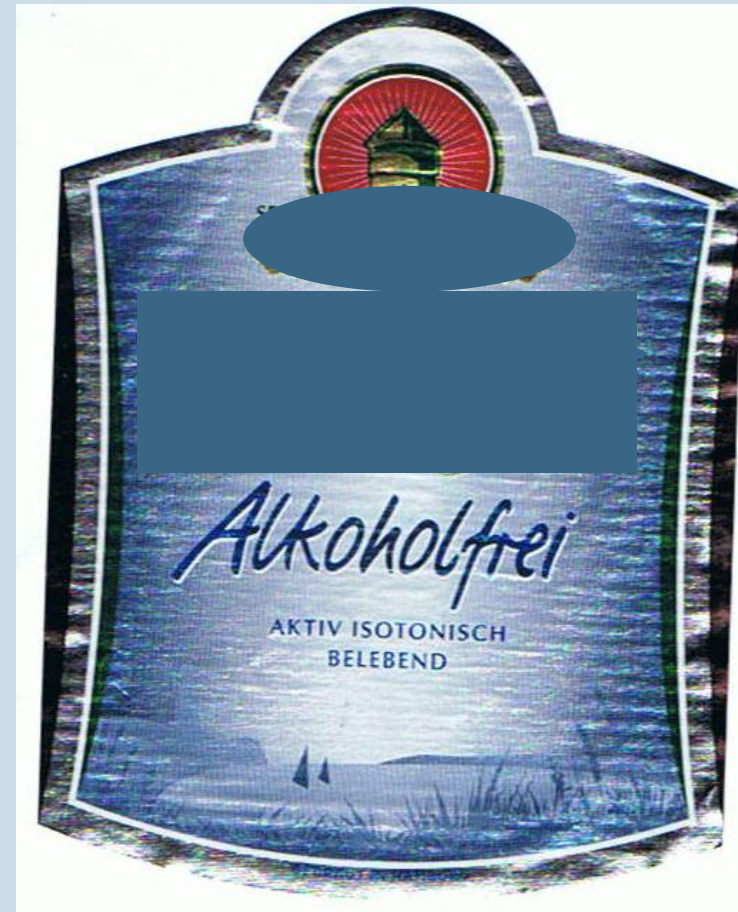
Fraud labeling: claim of „isotonic“ drink

Due to the “Report of the Scientific Committee on Food on composition and specification of food intended to meet the expenditure of intense muscular effort, especially for sportsmen” a drink can be considered as **isotonic** if the osmolality ranges from

270 mOsmol/kg to **330** mOsmol/kg

Chemical analysis:

Osmolality: **241,4 ± 6,3** mOsmol/kg



Truth and clearness: internet platform „Food Clearness“

Initiative of Federal Ministry of Food,
Agriculture and Consumer Protection
to:

- inform consumers on labeling
- protect consumers from frauds
- encourage businesses in
competition for consumer-
friendly labeling





Source: BMELV


<http://www.lebensmittelklarheit.de/cps/rde/xchg/lebensmittelklarheit/hs.xsl/index.htm>

Truth and clearness: internet platform „Food Clearness“ How does it work?

Melden Sie unzureichende Lebensmittelkenn- zeichnungen

1  Sie fühlen sich durch
Aufmachung oder
Kennzeichnung eines
Lebensmittels
getäuscht?

2  Wir prüfen Ihre
Meldung und bitten
anschließend den
Hersteller um eine
Stellungnahme. Dazu
hat der Anbieter
sieben Tage Zeit.

3  Wir veröffentlichen
Ihre Meldung, unsere
Einschätzung, die
Stellungnahme des
Anbieters und
aktualisieren den
Status.

→ Produkt melden

- consumers announce suspicious food (i. e. fraud in labeling)
- information is checked by the platform specialists, the responsible food business/trader is asked for a comment within 7 days
- the announcement is published together with a judgement of the platform and the comment of the food business/trader
- the category of the food (permitted or fraud) is actualised

