



European Union
European Regional
Development Fund

Official quality control and fight against food fraud in Catalonia

M. Rosa Biel Canut

Quality and food fraud inspector

rbiel@gencat.cat

Barcelona, October 3th 2019




Generalitat de Catalunya
Departament d'Agricultura,
Ramaderia, Pesca i Alimentació

**We work to ensure the quality of food
and fight against fraud**



What we do

Verification of **compliance with rules on food quality**

Prevention and detection of food fraud (adulteration, tampering, mislabelling, counterfeiting, deception, unauthorized or banned practices,...) and other kind of infringements of quality legislation



How we do it

We perform official controls with **inspections** to food business operators

In the event of **non-compliance**, we apply **dissuasive measures** and take **corrective actions** to prevent the food from going to market (**withdrawal, immobilization**) and we propose **penalties**



Why

Purposes of official control

We guarantee the **protection** of the economic interests of all the agents involved in the food chain (producer to consumer) and ensure **transparency** and **fair competition** in commercial transactions

We promote **confidence** in the food produced in Catalonia and marketed here and exported

Legal framework of official control

Official controls

- ✓ **Regulation (EC) 882/2004**
- ✓ **Regulation (EU) 2017/625**
(application 14-12-2019) 

- ✓ **Regulation (EU) 1308/2013**
Common organisations of the markets
- ✓ **other sectorial rules**

- ✓ **Spanish Law 28/2015**
Defense of agro-food quality
- ✓ **Catalan Law 14/2003** Agri-food quality

Bases of official controls to ensure the application of **food law** (and feed law, animal health and welfare, plant health and plant protection products): performance, organization, administrative assistance and cooperation, crisis management, coordinated programmes, plans, official samples and analysis, enforcement measures for non-compliance, audits, effective, dissuasive and proportionate penalties, etc.
Obligation to perform regular official controls on **all operators along the agri-food chain**, on a **risk basis** and with appropriate frequency
Specific rules for **fraudulent or deceptive practices**

Lays down too aspects of control for certain products, specific control system, quality and marketing standards, etc.

Basic rule at **spanish level** of food quality and penalty system

Main rule at **catalan level** of food quality, official control, responsibilities of food operators for infractions, rights and duties of the inspection, sanctions, etc.



What

What we inspect

Objects of monitoring

food

ingredients

labelling

signing

presentation

advertising

Aspects of food monitored

nature

identity

name

composition

species

origin or
source

signs of
quality

manufacturing
processes

quantity

traceability

operator
own
control

Main aspects under investigation

Food products

Main product properties:
nature, identity, substantial
qualities, composition,
species, origin and source,
...

Identity and activity of
food business operators

Quantity of product
commercialized
(metrological control)

Proper use of
designations of origin
(PDO/PGI) and other
official quality marks

Excluded seeds,
medicaments, pesticides,
medicinal products, children's
and dietary foods,
cosmetics, tobacco, live
animals and plants before
harvesting

Food sectors that we inspect

- ✓ Wine products, vinegars, spirits, aromatised drinks, alcoholic beverages
- ✓ Fresh fruit and vegetables, dried fruits, vegetable preserves, etc.
- ✓ oils and fats
- ✓ flours, cereals, pulses, etc.
- ✓ meat and meat products
- ✓ milk and dairy products
- ✓ fishery products
- ✓ chocolate
- ✓ coffee
- ✓ honey
- ✓ ice cream, nougat, caramel, etc.
- ✓ condiments and spices
- ✓ processed meals, etc.



Excluded aspects

- **Health** aspects regulated by rules hygiene-sanitary, veterinary or related to the physical safety, animal health and plant health
- **Environmental** control
- **Financial or tax** control
- Control of the **subsidies** of the Public Administrations
- Control of **facilities and equipment** itself
- Control related to the **certification** of operators or qualification of products (PDO/PGI or other distinguished quality marks)



When we inspect

We carry out inspections with **no prior notice**

Inspections may be:

- **programmed** in Annual Plan
- **un-programmed** when unexpected situations arise:
 - complaints, suspicions of infraction, information of other competent control authorities, administrative assistance and cooperation, etc.



Where we inspect

We usually carry out inspections at the company's **premises** and at the **start of the food chain**; in some cases, we may carry out inspections at any point in the process, from production to consumer

We select the food business operators we inspect **based on the risk** of fraud and non-compliance quality standards

We therefore carry out **exploratory controls** to categorize the risk of infractions in the companies

Olive oil inspections are carried out ...



... at the start of food chain
(production, manufacturing,
storage, bottling, packing,
refining and extraction
plants, ..) prior to the
placing on the market



Excluded direct sales sites to the
final consumer (retail and
electronic commerce), wholesale
markets, restaurants, ...



How we inspect

The food fraud **inspectors** are official employees specifically trained in the field of food and quality, **independent**, with **confidentiality** obligations and **professional secrecy**

We use **investigation techniques** in order to obtain proof of any unlawful activity and identify the responsible company

The presence and activity of the inspectors acts as a deterrent and facilitates the detection and elimination of illegal practices

Competence framework

Government of Catalonia

- Exclusive competence over **quality and traceability** of agricultural and livestock products and in the **fight against fraud** in agri-food production and commercialization

Department of Agriculture, Livestock, Fisheries and Food

General Directorate of Food, Quality and Agrifood Industries

- **Competent Authority** of official control in the matter of quality and fight against food frauds

National Plan for the Official Control of the Food Chain

- Control actions are integrated into the Spain's National Plan for the Official Control of the Food Chain (**PNCOCA**) **2016-2020**

Quality Coordination Board

- Spanish Ministry of Agriculture, Fisheries and Food & Regional Competent Authorities

Organization

General Subdirectorate of Food Inspection and Control

Central Services
Av. Meridiana, 38
08018 Barcelona
Tel. (+34) 93 552 48 93
fraus.daam@gencat.cat
2 interregional inspectors
1 inspector
1 deputy general manager
1 manager

Regional Services in Lleida
Camp de Mart, 35
25004 Lleida
Tel. (+34) 973 24 66 50
2 agrifood inspectors

Regional Services in Girona
Pl. de Pompeu Fabra, 1
17002 Girona
Tel. (+34) 872 97 50 00
2 agrifood inspectors

Regional Services in Barcelona
Av. Meridiana, 38
08018 Barcelona
Tel. (+34) 93 409 20 90
3 agrifood inspectors

Regional Services in Tarragona
Av. Països Catalans, 5-7
43007 Tarragona
Tel. (+34) 977 25 08 45
2 agrifood inspectors

Actions in the fight against fraud

1. **Inspections programmed** in the annual General Inspection Plan at companies selected by means of **risk analysis**.
2. **Unplanned or non-programmed inspections**, arising from unexpected events or suspected infringements such as:
 - ✓ **Complaints** from consumers, food company operators, associations, PDO regulating boards, etc.
 - ✓ Supported **request from other control authorities** who have checked or have evidence of irregularities, within the framework of the administrative assistance, collaboration and cooperation: AAC system, regional authorities, police, etc.
 - ✓ other information (press, investigations, etc.)
3. **Exploratory controls**. These are controls rather than inspections, and are carried out on a systematic basis **to categorize food companies on the basis of the risk elements evaluated**.

Inspections

Inspection report to officially place on record the facts and proof or evidence of non-compliance

Investigation and audit methodology, based on specific techniques (physical, identification and documental checks)

Unannounced inspections

Repressive, the detection of infringement will entail a penalty procedure

Serious non-compliance: to adopt precautionary measures (immobilization of products or labels, withdrawal foods from the market, ban on advertising or activity, etc.)

Exploratory controls

Systematic and global controls

Without official inspection report

Questionnaire, check template

Check methodology rather investigation

Evaluation of risk elements (activity, own checks, traceability, etc.) to categorize food companies based on risk of fraud and non-compliance

No repressive

To inform and advise the company on regulations

Risk analysis

1) Risk analysis of food sectors

- ✓ Annual assessment of all sectors (methods Delphi and Las Vegas)
- ✓ Sectors with higher scores (HIGH RISK) ⇒ Annual Inspection Plan

2) Risk analysis of food business operators

- ✓ Objective and balanced assessment of risk factor's (+70 elements) of all companies
- ✓ Selection of the companies to inspect (score, volume and value marketed, activity, etc.)

Block		Risk Factors	
I	Findings made during previous checks	1	Number of inspections
		2	Index of minor infractions
		3	Index of serious infractions
		4	Index of sanction
		5	Number of penalties
II	Activity and kinds of markets	6	Administrative activity authorizations, licenses
		7	Markets and channels of commercialization
III	Own checks of the operator	8	Own checks
IV	Traceability	9	Identification of bulk products
		10	Labelling
		11	Accompanying documents
		12	Registers and stocktaking of products
V	Size of the company	13	Volume and value of sales
		14	Technological ratio
VI	External control	15	External control

3) Risk analysis of elements to investigate in the operator

Methods and techniques for official controls

Documentation



- Verification of the operator traceability system
- Verification of accompanying documents
- Verification of sales documentation
- Examination of accounting records
- Checks of official declarations
- Examination of sales accounting
- Examination of financial accounting

Processes



- Recognition of product identity
- Examination and assessment of manufacturing processes
- Assessment of operator own control systems

Product



- Checks on product designation - Labelling
- Samples of products for analysis
- Metrological or quantity control

Other



- Verification of administrative authorisations
- Checks of previous inspection results
- Application of the mass balances technique
- Product inventory or stocktaking
- Controls performed with inspectors' instruments
- Other checks
- Meetings with operator managers





Thank you!

Questions welcome



Project smedia