

BTSF

Cooperation at national, EU and Third country levels — Louise ANDREASEN

Contract number 2017 96 05 – New Food Investigation Techniques –
Phase II - *Course 2b: E-Commerce of food advanced*

© European Union 2020

Unless otherwise noted the reuse of this presentation is not authorised. For any use or reproduction of elements that are owned by the EU, permission may need to be sought directly from the respective right holders. All statements and references in this presentation come from the Training coordinator and tutors and do not represent the official position of the European Commission.

BTSF The Flying Squad



Ministry of Environment
and Food of Denmark
Danish Veterinary and
Food Administration

The Flying Squad (Food Inspektion Task Force)



2006
Established

Mixed
professions

Focus:
Food Fraud

Covers
All parts of
DK

Accounting and
traceability



Illegal slaughter-
houses



Non-registered Food
Business Operators



European
Commission

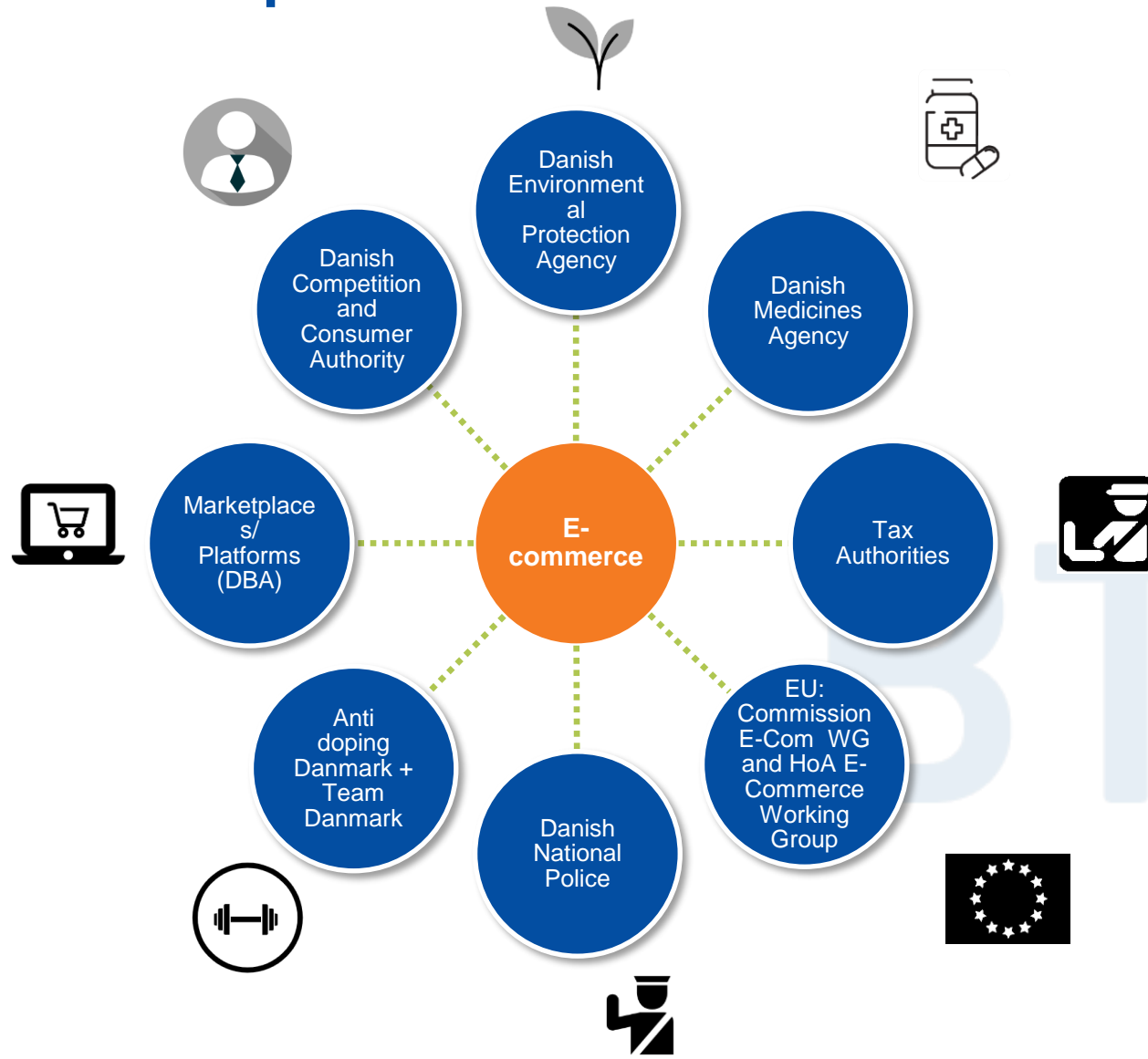
BTSF The Flying Squad

E-commerce and OSINT: Focus

- Illegal marketing of food supplements
- Pro-active searches for illegal marketing of food and/or non-registered FBOs
- Identification of persons and companies involved in food fraud
- Online tools used to map fraudulent networks of persons and companies



BTSF The Flying Squad: Cooperation on E-commerce



BTSF Cooperation with authorities / organizations

- **Danish National Police – LCIK (New National Center for Internet Related Economic Crime)**
 - Information exchange on internet investigations and OSINT
- **Tax Authority – Anti Fraud Unit**
 - Webcrawling on specific search terms – Mainly data on new relevant websites and B2C-marketplaces
- **Customs**
 - Border control and inspection of transporters of e-traded products
- **Danish Safety Technology Authority**
 - Exchange of information and cooperation regarding test of a new AI-based software tool (image searches)
- **Danish Competition and Consumer Authority**
 - Elaboration of consumer information (awareness website) on safe e-commerce shopping.

BTSF Cooperation with authorities / organizations

In Denmark (examples):

- **Anti Doping Denmark:** Food Supplement project in cooperation with the Danish Medicine Agency – incl. online sampling
- **Consumer Associations**
 - Awareness campaign about safe online shopping
- **DBA.dk (E-bay) Online marketplace**
 - Information to consumers about illegal health claims

BTSF Case: Cross border cooperation



The food box project

BTSF Case: Cross border cooperation



Website

Order confirmation

Payment info

Terms of trade

Label on the box

Website

KUNDESERVICE INFORMATION

Telefon: 88638030

Man-Fredag: 9 - 16 Lørdag & Søndag lukket

Mail: Info@sunbakeway.dk

Find os på Industrivej 27, 8963 Auning.

Vind en valgfri måltidskasse

Tilmeld dig vores nyhedsbrev og deltag i konkurrencen om at vinde en valgfri måltidskasse!

E-mail:

Tilmeld

Sunbakeway.dk | Telefon: 88638030 | CVR 39214733

From: Sunbakeway.dk <Info@sunbakeway.dk>

Date: on: 30. jan. 2019 kl. 17:47

Subject: Sunbakeway.dk Ordrebekræftelse

To: <info@sunbakeway.dk>

Kunde:

Sunbakeway.dk

Sunbakeway.dk

Østbakkens 11

8366 Ørum Djurs

Danmark

Tlf: 88638030

Info@sunbakeway.dk

Info@sunbakeway.dk

CVR: 39214733

Ordre nr.: 18403

Ordredato: 30-01-2019 17:47:42

Transaktions nr.: 31013278

Antal	Varenr./Vare	Styckpris	Totalpris
1	400 - 400gram til 3 dage - 3 voksne (Bakst. 1 kg) Fremtidig svarstid: Nej Fremtidig Gluk: Nej	495,00	495,00

55. Kr. pr. portion inkl. fragt

Bestillingsfristen til egen eller et andet Onsdag kl. 20.00

(Pakken leveres mandag inden kl. 19 og holder alene til fredag.)

Disse måltidskasser indeholder 3 dages afbestilling til 3 voksne.

Maden i måltidskassen er færdig tilberedt og skal blot varmes op i ovnen inden den medfølger pakken.

6627757 Søg

Søg på butiksnavn

Navn: Carbis Catering ApS

Adresse 1: Østbakkens 11

Adresse 2:

SEND NÅGLEN TIL:

Sunbakeway

Gøthavevej 15

8000 Kolding

MODTAGELSE OG REGISTRERING AF NÅGLEN

Når vi modtager din nøgle, registrerer vi den i vores system, og nøglen får et ID-nummer - et nummer, der kan bruges til at identificere og bruge i vores nøglesystem. Nøglen bliver herefter givet videre til den

Label on the box

From: Sunbakeway.dk <Info@sunbakeway.dk>

7000 FREDERICIA

9310 VODSKOV

1400

Shipment ID: 5620475664

Xpressen Fødevarer

Shipment ID: 5620475664 Parcel: 1 / 1 Vægt: 5,00 / 5,00

Postal Code: 9310

Parcel ID: 473325381686409150

Map of Denmark showing locations marked with red stars: Aalborg, Randers, Aarhus, København, Odense, Kolding.

BTSF Case: Cross border cooperation

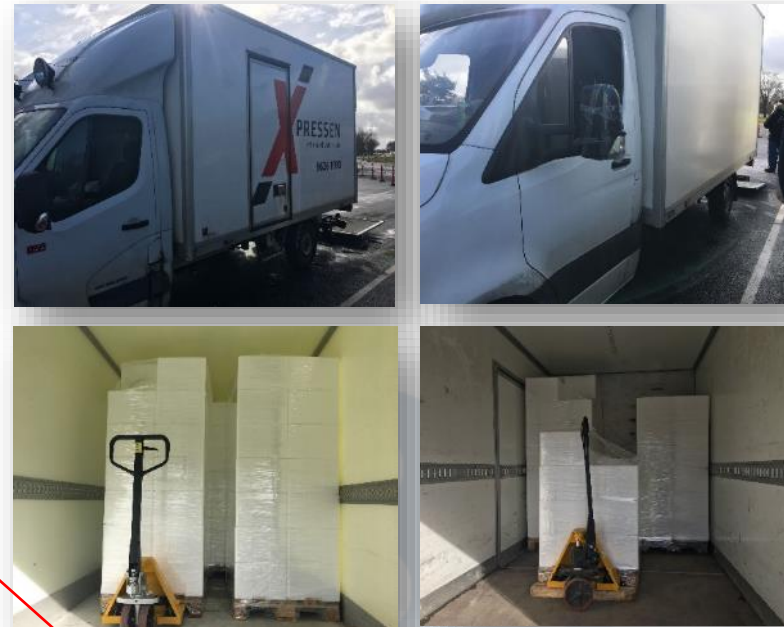
Notification from Customs (border control Germany-Denmark) Sunday March 11th



No traceability documents!

TOLD STYRELSEN			
Told afdeling I Told 8		11. marts 2019	
		Nr. 817243119	
Indrapportering			
Oplysninger til brug ved toldkontrol			
Overtrædelse og lign.	Dato 10. marts 2019	og klokkeslæt 10:00	Sted Frøslev grænse
Kontrolforanstaltning Nærko. viden og den			
Toldlovens art		[] Formodet [x] Konstateret	
Manglende fragtbrev på transport af			
Vareart Varebiler med færdigretter		Mængde 2 varebiler, samlet 7 paller færdigretter	
Mærke x		Bemærkninger	

Label on the boxes

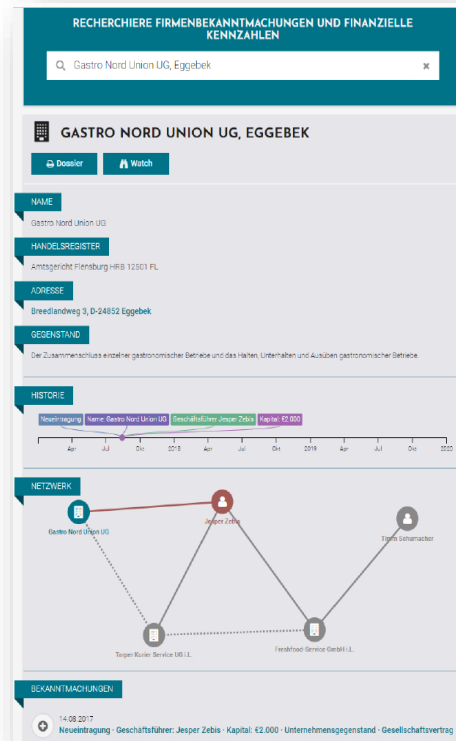


2 vehicles

7 pallets with boxes of ready meals

BTSF Case: Cross border cooperation

Contact to the German Authorities – April 4th 2019 – AAC Reply on April 5th 2019



Administrative Assistance and Cooperation

MEASURES TAKEN IN COUNTRY RESPONDING TO INFORMATION OR REQUEST

Outcome of investigation

The company is registered as a food company in the district of Schleswig-Flensburg (Schleswig-Holstein).

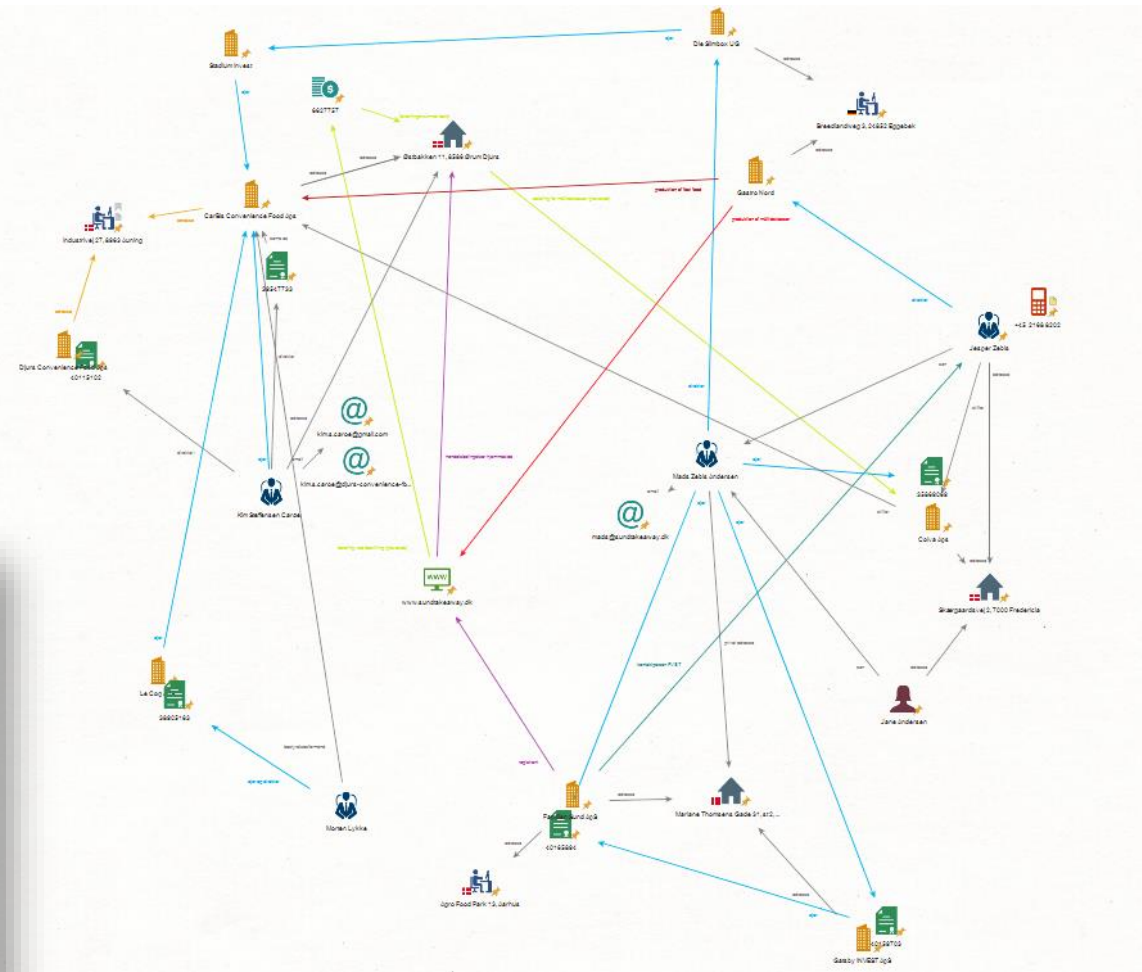
Enforcement measures

(other/details)

Penalties (if any)

F

Tip: This mindmap is made with the free version of Maltego Casefile



BTSF Cooperation with international authorities - Meetings with international authorities



Examples

- HoA E-commerce Working Group (former FLEP)
- Commission E-commerce WG
- International conferences
- BTSF-trainings and workshops
- OLAF Training course

'SF

BTSF HoA eCommerce

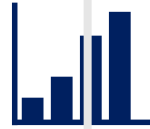
- Co-chair:

- NL
- DE



- 1st meeting: 8 MS

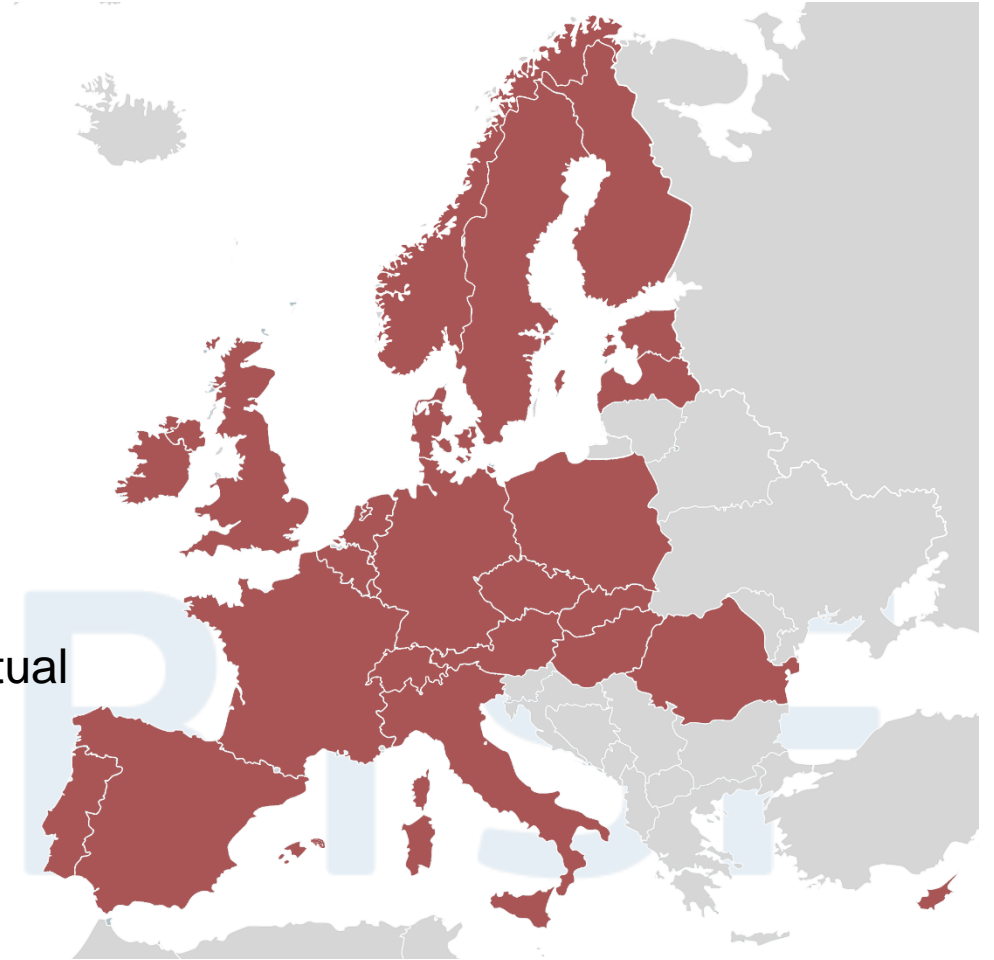
- 9th meeting: 20 MS
+ COM, NO and CH



- 25 Working Group members



- Exchange of information, best practise, cooperation, mutual assistance



BTSF Scope and achievements

- One-day **training course on on-line investigations** (financed by TSI)
- Proposal and input for **„Better Training for Safer Food‘ course** “New investigations techniques in food control”
 - eCommerce training course (2014-15)
 - Basic and advanced course „eCommerce“ (2016-17) (2018-19) (2020-21)
- Advice to COM and drafting of **legislative proposals**
 - Official sampling (Article 36 of 2017/625)
 - Closing of websites (Article 138 of 2017/625)
- Input from experienced **FLEP e-commerce** members **to COM WG**
 - CCP e-food
 - Guidelines
 - iRASFF/AAC adoptions



BTSF COM Working Group eCommerce

- “Working Group on the Strengthening of the Enforcement of EU Agri-Food Legislation on Internet Sales of Food”
- First meeting in May 2016
- 2 subsequent meetings of electronic sub-wg
 - Draft guidelines for best practice in online control
 - Contact to market places and other service providers
 - Cross border cooperation
 - Integration of ecommerce cases into RASFF, AAC
- Since 2019 replaced with a new COM E-com Working Group

BTSF EU Coordinated Control Plan (CCP 1) 2017



1077 web sites checked



351 food supplements with medicinal claim



428 non-compliant novel foods



779 offers of non-compliant products



websites and non-compliances
(Novel Food and Food supplements with medicinal claims on bone and joint diseases)

BTSF Meetings with international authorities



Take aways

- Inspiration
- Sharing best practices
- New knowledge
- International Network of E-commerce nerds



BTSF Cooperation with international authorities



Cooperation within the EU:

- RASFF
- AAC: Administrative Assistance and Cooperation

**Cooperation on
eCommerce related
cases**



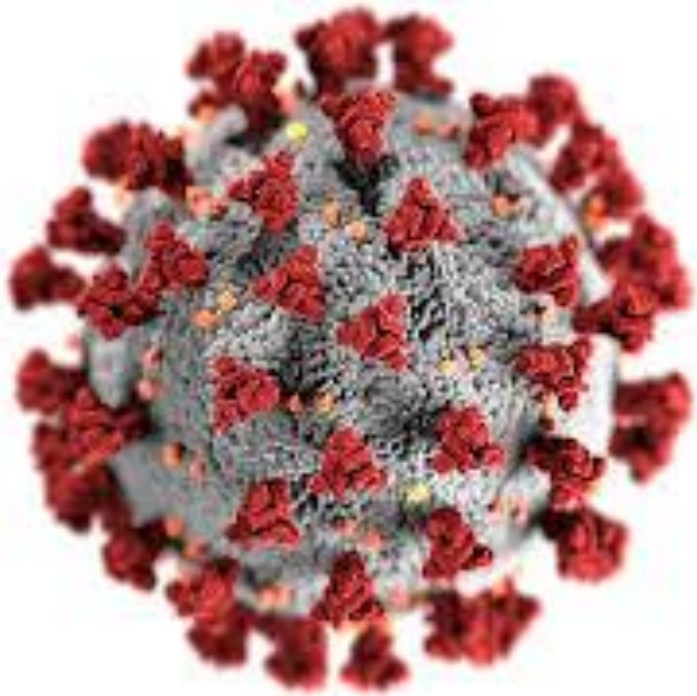
Cooperation with third countries:

- RASFF (need to react)
- Agreements for mutual cooperation and support on international level

T S F

BTSF Cooperation with international authorities

e-Commerce coordinated action plan on offers and advertising of foods related to Covid-19



Background

- Ongoing lockdowns in many Member States leave open and even stimulate possibilities to purchase products on line.
- Coronavirus fears have spurred anxiety. Consumers' concerns are growing for medicines and any other aids such as food including food supplements for preventing or curing this infection.
- The COVID-19 pandemic has open a business opportunity for criminals and fraudsters to sell products online.

BTSF Examples



Mouse over image to zoom

Doctor's Best D3 5000IU Vitamin PROTECT YOUR SEFL FROM CORONA

Condition: **New**

✉️ 🌐 📺 📱 | Watch this item

US \$19.99

Approximately EUR 18.40

Buy it now

👁️ Watch this item

60-day returns

Seller information

bestprice-01 (0)

♡ Save this seller

See other items

Postage: **US \$5.99 (approx. EUR 5.51)** Standard International Shipping | [See details](#)
International postage of items may be subject to customs processing and additional charges.

📍 Item location: washington, United States
🌐 Posts to: Worldwide | [See exclusions](#)

Delivery: Estimated delivery within 5-18 working days
Seller sends within 1 day after [receiving cleared payment](#). 🕒
Please allow additional time if international delivery is subject to customs processing.

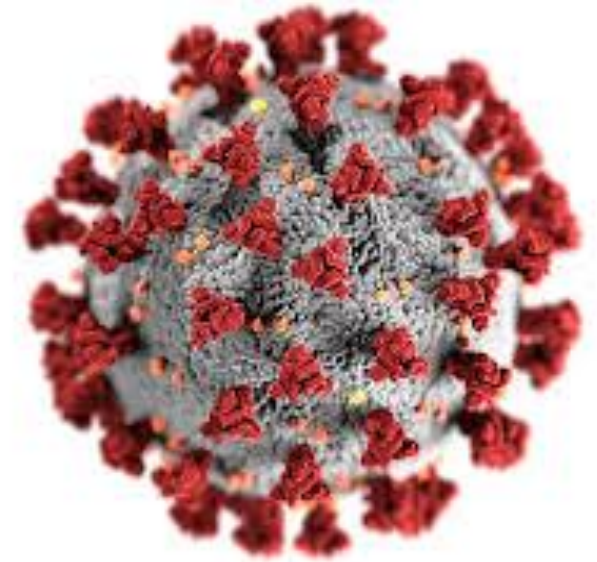
Payments: **PayPal** | [See payment information](#)

Returns: 60 days returns, buyer pays return postage | [See details](#)

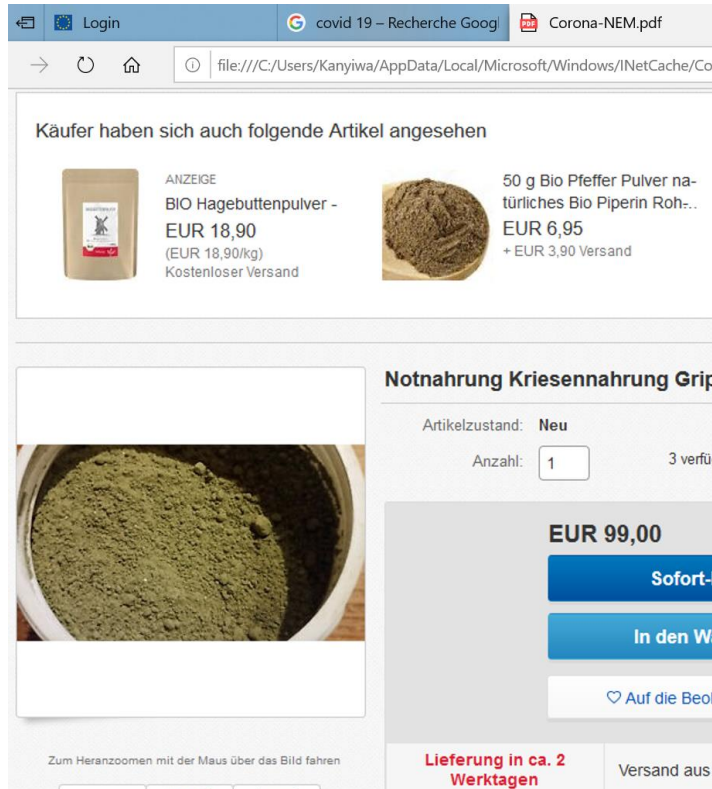
Guarantee: Buy with PayPal and you're fully protected. [Learn more](#)

We've lowered energy prices
for **1.2 million** homes.

electric
ireland



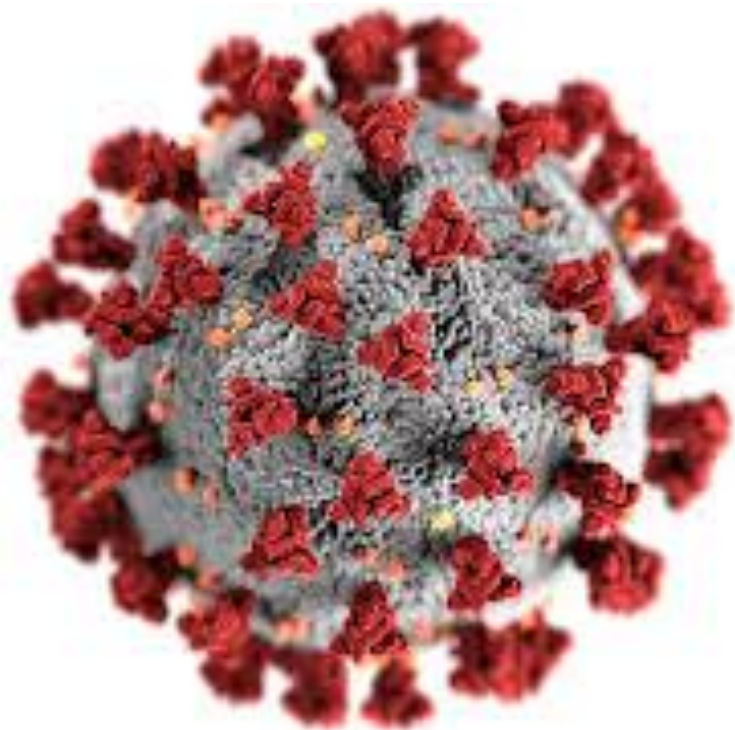
BTSF



**e-Commerce
coordinated action
plan on offers and
advertising of foods
related to Covid-19**

BTSF Product search

e-Commerce coordinated action plan on offers and advertising of foods related to Covid-19



Background

Health claims made on foods are authorised by the Commission, following a scientific assessment of the European Food Safety Authority (EFSA)

In the EU, it is prohibited to attribute medicinal properties to food. In particular, Article 7(3) of Regulation (EU) No 1169/2011 stipulates that food information shall not attribute to any food the property of preventing, treating or curing a human disease, nor refer to such properties. This applies also to any reference made to CoVid-19.

BTSF Objectives



- Tracing and Identifying websites, sellers and operators with illegal practices linked with the Covid-19.
- Informing European consumers about the illegality of all foods including food supplements claiming that they prevent or cure the Covid-19 infection are illegal and cannot be offered.
- Communicating about non-compliances and/or suspected fraudulent practices to the appropriate EU networks (RASFF, AAC FF). Strengthening the cooperation and administrative assistance at national and EU level.
- Building expertise on enforcement in internet. Building collaboration with marketplaces and payment service providers.

BTSF What is expected from Market Places?

- Support the authorities' efforts in informing consumers on illegal claims about infection preventing or curing effects of foods in relation to the COVID-19 outbreak.
- Take rapid actions, in line with the Commission's Recommendation to enable effective notice-and action procedures for users to flag illicit offers and to withdraw expeditiously content concerning sale and advertisement of illegal food linked with CoVid19,
- Take proportionate and specific proactive measures to remove illicit offers linked with CoVid19, where explicit information about such illegal offers is made available to the platforms.
- Be transparent towards users and authorities with regards to measures taken and their effectiveness.
- Cooperate smoothly with authorities, provide for a point of contact and ensure that fast-track procedures are available to process notices from competent authorities.



Search strategy recommendations

use the combination of terms and keywords described in the table below

Food or (Food/Dietary) Supplement or Natural <u>remedy</u>	+	COVID-19
		Coronavirus
		cure, treat or prevent disease (COVID-19)
		boost immune system against illness (COVID-19)
		<u>respiratory illness</u> (Covid)
		antiviral <u>activity against</u> coronavirus
		antiviral properties against COVID 19/coronavirus
		<u>respiratory infection</u>
		reduce inflammation in the lungs
		<u>pandemic</u>
		<u>reduce the risk of contracting</u> the new coronavirus
		<u>defense against infection and disease</u>
		<u>Covid 19 mortality</u>

NOTIFICATIONS options via iRASFF, AAC AA or AAC FF

BTSF Danish examples – C-vitamin

Administrative fine
– 7.500 DKR

Does Vitamin C help
against corona virus?

Hjælper C- vitamin mod Corona-virus?

No studies show an
effect – no evidence

16. March 2020 Comments are off for this post.

Hjælper C-vitamin mod Corona-virus?

I forbindelse med Coronavirus er der flere steder blevet nævnt, at høje doser C-vitamin skulle have en forebyggende, måske endda behandlende, effekt på virusen. Vi vil lige slå fast: Vi ved ganske enkelt ikke om C-vitamin hjælper ift. til Coronavirus. Pt. findes der ingen videnskabelig dokumentation for, at C-vitamin skulle have en forebyggende eller terapeutisk effekt på Coronavirus.

Vi ved dog, at C-vitamin er et af de mest veldokumenterede vitaminer. Flere studier viser, at C-vitamin bidrager til immunsystemets normale funktion, beskytter cellerne mod oxidativt stress, bidrager til at mindske træthed og udmattelse, og derudover bidrager vitaminet også til at gendanne den reducerede form af vitamin E, samt øge optagelsen af jern. Det er jo derfor vi har sat dem i samme tablet. Derfor mener vi, at du bør være ekstra opmærksom på at få nok C-vitamin denne tid.

C-vitamin er et vandopløseligt vitamin og skal derfor tilføres regelmæssigt via kosten. Så udover at du finder 100% naturlig C-vitamin i din FertilityCare, så findes det også naturligt i frugt og grønt – særligt citrusfrugter, kiwier, bær, tomater, blomkål, nye kartofler og grønne bladgrøntsager.

However – no studies
show the opposite
either... It might be a
good idea!

Link to vitamin tablets
and how to buy them on
the same webpage

BTSF Danish examples – Good advices

The image shows a screenshot of a Danish blog post. The main title is 'Kosttilskud til kamp mod Corona' in a large, white, handwritten-style font on a brown background. Below the title is a black and white photo of a woman. The article text is in Danish, starting with 'Disse kosttilskud anbefaler jeg dig at tage - for at booste dit immunsystem og bekæmpe Corona / Covid19.' and 'Lad mig starte med at klargøre fuldstændigt, at denne rådgivning IKKE kan erstatte rådgivning fra uddannet sundhedspersonale.' The article is dated '25. MARTS 2020' and by 'ZOEY NOÉMIE' for 'SUNDHED'. There are four callout boxes with blue borders and white backgrounds:

- Administrative fine – 7.500 DKR** (in red text, pointing to the article title)
- Food Supplements in the fight against corona** (pointing to the article title)
- No direct sale from the website/blog – but affiliate links and payment for directing users to webshops** (pointing to the article text)
- I recommend these food supplements to boost the immune system...** (pointing to the article text)

BTSF Information to consumers



Help us stop illegal marketing of food against corona virus!

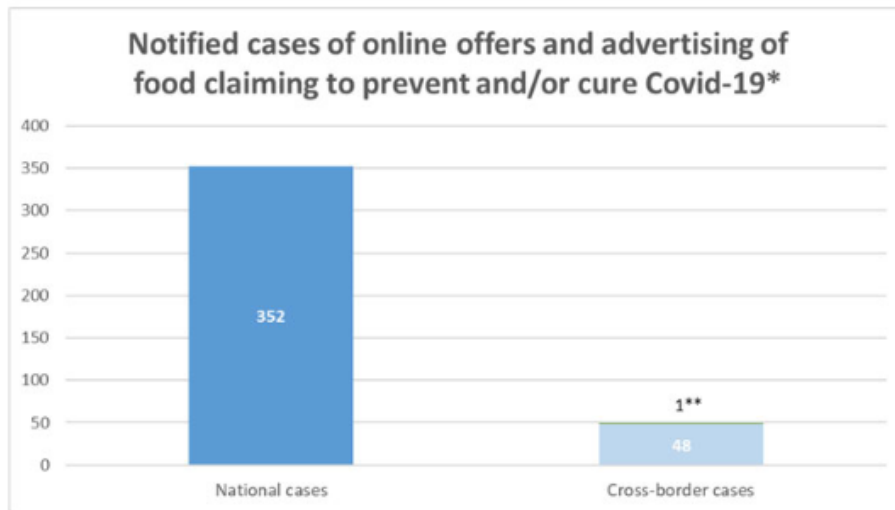


BTSF (Preliminary) Results

Results

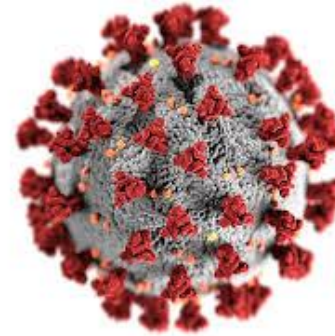
Member States competent authorities shall report the Commission the results of their official controls.

These figures will be regularly published here



*Including food supplements.

**RASFF notifications (presenting a health risk).



***Must be updated when the Final Report is ready**

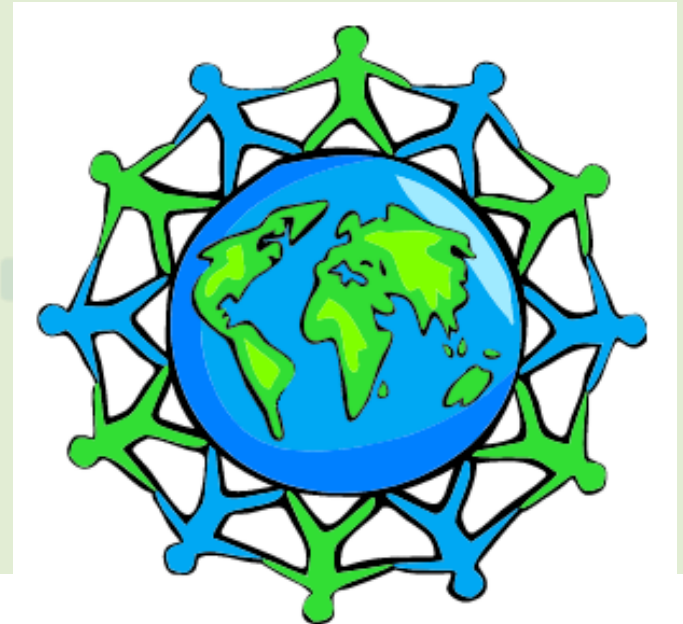
https://ec.europa.eu/food/safety/official_controls/eu-co-ordinated-control-plans/covid-19_en

BTSF

BTSF Establish cooperation agreements with third countries

Trilaterals talks between US-FDA, CN-AQSIQ and SANTE on 11 to 13 April 2018:

- SANTE proposed a project of mutual administrative assistance and cooperation between the three institutions for cross-border non-compliance cases
- Three institutions act as single contact points
- Single contact points get in contact with the respective competent authorities and request inquiry on the specific case
- Deadlines for feedback
- Criteria for closing a case:
 - Case solved
 - Trader not reachable
 - Competent authority refuses to take measures



BTSF Cooperation with market places established by SANTE

Cooperation with Market Places?

Dedicated e-mail addresses
regarding non-compliant
offers



(How ever not allways
responding...)



BTSF Contact points of credit card brands and payment service providers



- **PayPal**

- for general inquiries or urgent investigations:
dedicated email addresses and phone numbers
- for customer sensitive information:
Safety Hub – PayPal Law Enforcement Tool contact



- **Mastercard**

- for data of sellers:
Law Enforcement Referral Form (a. print and sign, b. electronic signature)



- **VISA**

- ...

BTSF Cooperation domain services & providers

Contacting hosting companies

- In cases where affiliate marketing link to dangerous products, the hosting company has removed the content from websites (our requests are based on the rules in the E-commerce directive)

Provider

- In a recent case dk.hostmaster (administrator of all .dk domains) would not provide us with information about the registrant because of the GDPR-regulation.
- However they ended up giving us the information, when we required it based on a rule in our national food law.
- Best practices that can be used as inspiration?

BTSF

Thank you

European Commission
Consumers, Health and Food Executive Agency
DRB A3/042
L-2920 Luxembourg

AENOR INTERNACIONAL
6, Genova street. 28004. Madrid, SPAIN
Tel: +34 91 432 61 25
Mail: 20179605NFIT@aenor.com
www.btsf-aenor.com

AENOR

© European Union 2020

Unless otherwise noted the reuse of this presentation is not authorised. For any use or reproduction of elements that are owned by the EU, permission may need to be sought directly from the respective right holders. All statements and references in this presentation come from of the Training coordinator and tutors and do not represent the official position of the European Commission.

Slide xx: [element concerned](#), source: [e.g. Fotolia.com](#); Slide xx: [element concerned](#), source: [e.g. iStock.com](#)