

# Food Crime

Strategic Assessment 2024



This document is produced by the National Food Crime Unit (NFCU) and the Scottish Food Crime and Incidents Unit (SFCIU).



# Contents

|  |           |
|--|-----------|
| <b>Foreword</b>                                | <b>4</b>  |
| <b>Probability, Uncertainty and Confidence</b> | <b>6</b>  |
| <b>Executive Summary</b>                       | <b>8</b>  |
| <b>Introduction</b>                            | <b>13</b> |
| 4.1 Purpose                                    | 14        |
| 4.2 Intelligence sources                       | 14        |
| <b>Threat Assessment</b>                       | <b>16</b> |
| 5.1 Overarching factors                        | 17        |
| 5.2 Theft                                      | 24        |
| 5.3 Unlawful processing                        | 26        |
| 5.4 Waste Diversion                            | 29        |
| 5.5 Adulteration and Substitution              | 31        |
| 5.6 Misrepresentation                          | 37        |
| 5.7 Document Fraud                             | 42        |
| 5.8 The Future Threat                          | 47        |
| 5.9 Recommendations                            | 49        |
| 5.10 Next steps                                | 49        |

# 1

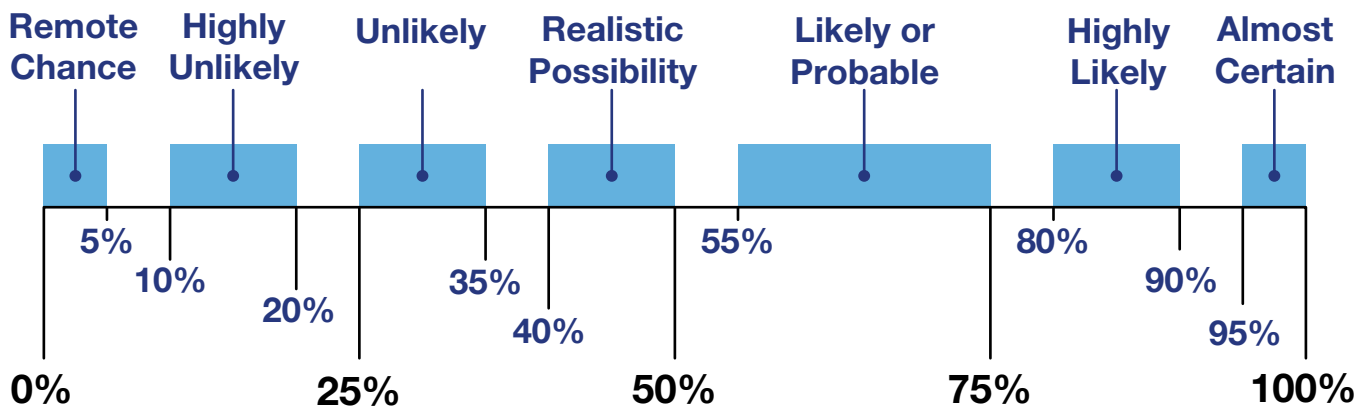
# Foreword



# 2

## Probability, Uncertainty and Confidence

2.1. Throughout the 2024 Food Crime Strategic Assessment (FCSA), the ‘probability yardstick’ (as defined by the Professional Head of Intelligence Assessment)<sup>1</sup> has been used to ensure consistency across the different threats and themes when assessing probability. This is a recognised approach used by UK government agencies. The following defines the probability ranges considered when such language is used:



2.2. The analytical judgements within this report are made with moderate confidence unless otherwise specified within the text. The three levels of confidence are set out below.

| Confidence level | Description   |
|------------------|---|
| <b>High</b>      | When there is good quality information or corroborating evidence from a range of different sources, or in situations where it is possible to make a clear judgement |
| <b>Moderate</b>  | When the evidence is open to various interpretations or is credible and plausible but lacks corroboration   |
| <b>Low</b>       | When there is scant or very fragmentary information, or when sources are of suspect reliability   |

<sup>1</sup> The Professional Head of Intelligence Assessment is based within the [Joint Intelligence Organisation](#) in the Cabinet Office.

# 3

## Executive Summary














- 3.1. The FCSA supports the protection of consumers and the reputation of the UK food and drink industry through the following strategic objectives:
- Setting out a current assessment of the threats posed to the UK food system from food crime
  - Identifying opportunities to detect, tackle and prevent food crime
  - Taking a collaborative approach with local authorities, regulators and law enforcement agencies
  - Alerting the UK food and drink sector to the threat of food crime and how it could impact on their supply chains
- 3.2. We will use this assessment to develop our priorities for the coming period, to develop and deliver strategies to counter the most harmful threats, and to elicit better intelligence flow where we have gaps in our understanding.
- 3.3. The UK food crime landscape is complex, with sophisticated criminal methodologies. Maintaining an understanding of changing threat levels and emerging vulnerabilities is challenging, and a continuous process.
- 3.4. It remains likely that those conducting food crime in the UK are able to do so owing to legitimate roles and responsibilities they hold in aspects of the food chain, allowing them to apply insider knowledge to abuse system vulnerabilities in both committing and hiding food crimes. Some individuals conducting food crime offences are also involved in unrelated criminality, such as drugs and violence.
- 3.5. We also continue to note threats to the UK food supply chain resulting from illicit activity outside of the UK, alongside that criminality perpetrated domestically.
- 3.6. The threat landscape described in this assessment has significant similarities with that identified in 2020<sup>2</sup>. However, we have identified new themes linked to contemporary factors, such as UK economic conditions, geopolitical events and changes to legal frameworks governing the movement of food across UK borders.
- 3.7. We continue to identify and encounter seven key methods of food criminality, comprising: misrepresentation, adulteration, substitution, unlawful processing, waste diversion, theft and document fraud. These will be explored in greater detail in this assessment.





- 3.8. Within reporting this iteration, and with reference to the methods above, we observe four themes – types of food crime linked to certain commodities – which are most prominent within our intelligence picture:
- **Misrepresentation** of red meat and poultry, with regards to status, origin or durability date
  - **Waste diversion**, including links to Animal By-Products (ABP) handling within red meat and poultry supply chains
  - The servicing of consumer demand for culturally preferred products through the slaughter, **unlawful processing** or importation of lamb and pork
  - Authenticity challenges in the supply chains of commodities posing notable or persistent fraud risks to UK consumers arising from upstream, overseas **adulteration** and **misrepresentation**
- 3.9. There are also areas of clear change from the assessment of 2020, including a significant reduction in the entry of illicitly gathered shellfish into the UK food chain (likely driven by changes to exports after EU Exit) and the rise in the retail availability of a broad spectrum of illicit imports in the UK, referred to as ‘grey market goods’<sup>3</sup>.
- 3.10. Following representations to the Home Office, 2,4-dinitrophenol (DNP) is now classed as a poison. The reclassification in 2023 means that the responsibility for responding to this threat now sits with policing partners. It continues to cause tangible harm to the public and was linked to one identified fatality in the UK in 2023.
- 3.11. The servicing of consumer demand for specific, culturally preferred products, mainly relating to meat, both through illicit domestic production and through importation, remains a prominent theme, presenting in several different forms.
- 3.12. We recognise the importance of partnership and collaboration in establishing, maintaining and enhancing intelligence flows. This is particularly important during times of heightened costs of living and food production. We acknowledge the challenges our local authority partners may face currently and in the future in maintaining regulatory presence in food businesses and in proactivity around food fraud risks.
- 3.13. In the next 12 to 24 months, we will also continue to monitor the threat landscape linked to new border arrangements.

---

3 The term ‘Grey Market’ describes the trade of products through supply and distribution channels that have not been authorised by the manufacturer or trade mark holder.

## Threat assessment – highlights

| Commodity  | Key themes  |
|--|---|
| <b>Pork</b>                               | Intelligence highlights misrepresentation of premium qualities with lower levels of reporting indicating threats of misrepresentation of date and country of origin, and of livestock theft.  |
| <b>Beef</b>                               | An emerging threat is observed in the fraudulent entry of cattle to the food chain with document fraud observed as an enabler.  |
| <b>Lamb</b>                               | Reporting continues on livestock thefts, with an expanded threat picture on the unlawful production and distribution of smokies on a national level identifying the involvement of an Organised Crime Group. Adulteration and substitution continues to be noted. |
| <b>Chicken</b>                            | Reporting highlights several different forms of misrepresentation offences with modest reporting on waste diversion.  |
| <b>ABP</b>                                | A significant threat is observed in the unlicensed and unapproved production and handling of raw pet food generated from Animal By-Products.  |
| <b>Shellfish</b>                        | A sizeable fall in reporting on illicit onshore hand gathering is noted, along with an associated drop in reporting on document fraud, misrepresentation and substitution.  |
| <b>Fish</b>                             | White fish substitution continues to feature at a low level, including in food service, while the future threat of misrepresentation of country of origin of Russian white fish is also noted.  |
| <b>Alcohol</b>                          | Counterfeiting dominates alcohol reporting across a broadened range of products. Reporting on substitution of spirits mainly indicates low level and isolated threats limited to the hospitality sector.  |
| <b>Sustainable products and claims</b>  | Reporting has been limited to a continuing low level threat of casual and unsubstantiated use of organic terminology and claims, but future threats within this theme remain of note.   |
| <b>Dangerous Non-Foods</b>              | Though reporting continues to evidence an online threat from DNP, responsibility for action now falls to the police. A reduced online presence of advertising and sales of Miracle Mineral Solution (MMS) is noted on the surface web.                            |
| <b>High risk supply chains</b>          | Reporting indicates possible upstream authenticity issues requiring domestic vigilance in olive oil, honey and herbs and spices even where the evidence of inauthentic product in UK markets is limited.  |

| Cross cutting theme   | Overview   |  |
|---|--|--|
| <b>Community Demand</b>              | <p>Illicit importation dominates reporting on how demands for culturally preferred products are serviced. The threat extends to the illicit importation of pork products from countries where African Swine Fever is present and legitimate importation routes are therefore limited. Reporting indicates emergence of more advanced methods of deception in response to controls.</p> |  |
| <b>Illegal Imports</b>               | <p>Illicit importation has been noted with regards to a wide range of products, presenting varying levels of harm to consumers. Grey market goods entering the UK market is an issue of note for the FSA. The degree to which this activity is identified to involve fraudulent behaviours is currently limited.</p>   |  |
| <b>Food Service</b>                  | <p>Reporting covers a broad spectrum of crime types and commodities. Sampling results highlight vulnerabilities in take away food regarding substitution of heavily flavoured or processed proteins. We still hold intelligence gaps regarding activity within food service supply chains.</p>   |  |
| <b>Brokers, Traders and Agents</b>  | <p>Significant gaps remain in the understanding of the complex role of brokers, traders and agents in food crime.</p>  |  |

# 4

# Introduction

## 4.1 Purpose

- 4.1.1 The UK Food Crime Strategic Assessment (FCSA) is a joint assessment produced by the Food Standards Agency's National Food Crime Unit (NFCU) and Food Standards Scotland's Scottish Food Crime and Incidents Unit (SFCIU).
- 4.1.2 The reporting period is 1 January 2023 to 31 December 2023, although reporting from outside this period is used where it provides additional context.
- 4.1.3 The purpose of this document is to:
- highlight food crime trends
  - review how our understanding of known food crime threats have changed, and to identify where the threats themselves have changed
  - enable the prioritisation of our response to the most harmful food crime issues, and the generation of strategic recommendations
  - outline the most significant gaps in our understanding of food crime
- 4.1.4 We define food crime as serious fraud and related criminality within food supply chains. This also encompasses drink and animal feed.

## 4.2 Intelligence sources

- 4.2.1 The assessment draws upon information and intelligence received from a range of sources. These include local authorities, regulatory and law enforcement bodies, those working within the food and drink sectors, the Citizens Advice Bureau (CAB), and information provided to us by members of the public and whistleblowers.
- 4.2.2 To supplement our baseline data, intelligence requirements were shared with key agency partners, wider government, industry and local authorities.
- 4.2.3 This assessment also draws upon datasets from the FSA Retail Surveillance Sampling programme<sup>4</sup>, Scottish Food Sampling Database (SFSD)<sup>5</sup>, other sampling results and the data made available to us by the Food Industry Intelligence Network (FIIN). We recognise the importance of sampling and authenticity tests as a data source

---

4 [Surveillance Sampling Programme | Food Standards Agency](#)

5 [The Scottish Food Sampling Database \(SFSD\) | Food Standards Scotland](#)

and of incorporating the high volume of industry data as a counterpoint to issues evidenced by what is often more targeted regulatory activity.

- 4.2.4 Other data sources have included open source signals, social science research into public attitudes and industry expertise from our engagements with stakeholders.
- 4.2.5 While we note industry participation in this assessment via expert insight and sampling data, we recognise a need to continue to work to increase the volume of intelligence shared with us by food and drink businesses.

5

# Threat Assessment



# 5.1 Overarching factors

5.1.1 We observe four main factors within this assessment that have almost certainly influenced the food crime landscape:

- Economic pressures impacting businesses and consumers, as well as supply chain disruption linked to global events
- Changes and challenges linked to imported foods and to border arrangements
- Resourcing challenges within the local authority landscape
- Shifts in our understanding of food criminal profiles, activity and networks

## Economic factors, supply chains and world events

5.1.2 Financial motivations for legitimate operators to engage in illicit practices, perhaps alongside lawful operations, exist when facing rising costs of food waste disposal, raw ingredients, manufacturing, energy for production processes and transport. While some industry reporting indicates cost pressures are abating, total costs increased 12.8% in 2023<sup>6</sup>. A low volume of intelligence indicates non-compliant behaviour within UK food businesses which could be attributed to the economic situation, but the scale of this issue and the strength of any causal link is hard to accurately quantify.

5.1.3 Increased business costs - some of which may be passed on to consumers - can be linked to global events such as current geopolitical conflict in Ukraine, and more recently the targeted Yemeni Houthi rebel attacks on Red Sea cargo ships carrying commodities including food<sup>7</sup>. These factors have also impacted the nature and volume of trade flows and disrupted the supply of, or market access for, products such as sunflower oil, grain and white fish and a variety of goods such as spices and exotic fruit which would usually reach the UK via the Suez Canal.

5.1.4 Food crime risks linked to these events may be associated with restrictions on trade in products linked to Russia, such as white fish (where origin may be disguised), or the adulteration or misrepresentation of edible oils. Both industry and regulators have been vigilant to these risks, but we have not identified conclusive evidence of food crime in the UK increasing as a consequence of these events.

5.1.5 There is concern that consumer demand for competitively priced products, even with a provenance which is questionable or unknown, might increase. 88% of

---

6 [Food and Drink Federation State of Industry Report, Q4 2023](#)

7 [Red sea shipping attacks will lead to 'inevitable' food inflation | News | The Grocer](#)

people surveyed in June 2024 reported feeling concerned about food prices. 49% of respondents to the same survey stated they had selected cheaper goods, rather than branded products, to save money<sup>8</sup>.

## Border arrangements and imported foods

- 5.1.6 There has been a substantial rise in local authority reporting of a broad spectrum of illicit imports, both of animal and non-animal origin, with non-compliant alcohol, confectionery, soft drinks and meat products identified on sale in UK convenience stores. Noted issues include non-compliant labelling (including around allergens) and also non-permitted ingredients featuring within products. Responding to these issues, which have implications for food safety, places more demand on local authority resources.
- 5.1.7 Illicit imports of pork products are a continuing threat to UK animal health and the viability of the pig sector when arriving from regions where controls on the export of meat are in place to prevent the spread of African Swine Fever. Intelligence now indicates that it is highly likely that methods of importation are evolving to include document fraud and false health marks to evade controls.
- 5.1.8 The reporting period has also seen the phased implementation of the Border Target Operating Model (BTOM) and the Windsor Framework (WF). The Windsor Framework sets out arrangements for goods moving in and out of Northern Ireland as well as the movement of goods within the UK. The Border Target Operating Model sets out the model for imports into GB – both for goods from the EU and goods from the rest of the world. It is consistent with all the commitments set out in the Windsor Framework, including continuing to guarantee Qualifying Northern Ireland Goods unfettered access to the GB market.
- 5.1.9 The roll out of BTOM has fundamentally altered the border entry process of food and feed moving into the UK from the EU, with the adoption of risk based official controls on goods declared by the operator to be high, medium or low risk in line with the UK's risk categorisation. These rules, which also apply to imports from the Rest of the World (RoW), are subject to ongoing monitoring to identify risks arising from their introduction.

---

8 [FSA Consumer Insights Tracker, April – June 2024](#)

## Local authority resourcing

- 5.1.10 In the *Our Food 2022* report, the FSA's analysis of local authority staffing showed there to be approximately 14% fewer food safety posts being funded across England, Wales and Northern Ireland in 2022/23 compared with 2010/11, with over 13% of available posts remaining vacant. The report also identified a 45.1% decline in funded Trading Standards officer posts between 2011/12 and 2021/22 in these three nations. In Scotland the analysis showed 25% fewer food law officer posts in 2021/22 than in 2016/17<sup>9</sup>. Twenty-one of the 55 LA responses to an FSA questionnaire for this assessment reported resourcing concerns as an issue. A report to the FSA's Board reviewing local authority performance and resourcing identified similar issues in late 2023<sup>10</sup>.
- 5.1.11 We recognise that these pressures are highly likely to make it harder for authorities to prioritise identifying and tackling food crime and it will be important for our ongoing approach to engagement, and to food fraud prevention, to reflect this.

## Understanding food criminals

- 5.1.12 We now know more about the kinds of individuals and entities who are involved in the food crimes which are subject to our investigations. This has led to a modest change in our assessment in this area.
- 5.1.13 Prior to 2020 there was an intelligence gap regarding organised criminal groups and individuals who operated both within the food industry and in other areas of crime, such as drug supply. The work conducted for this assessment has assisted with addressing this gap.
- 5.1.14 Some individuals involved in food crime have also been linked to other serious criminality. We also assess it as likely that such individuals have found vulnerabilities in food production and supply, and taken the opportunity to exploit these for financial gain.

---

9 [Our Food 2022: Executive Summary | Food Standards Agency](#)

10 [FSA Annual Local Authority Performance Review](#)

| Subject of European Distribution Fraud (EDF) investigation | Subject of illicit shellfish gathering enquiries                        | Waste contractor defrauding major food business | Subject of counterfeit alcohol enquiries                           |
|--|---|---|--|
| Assault conviction and historical links to drugs supply    | Varied criminal history including violence, drugs and offensive weapons | Notable criminal history involving drugs        | Links to drugs supply, money laundering and counterfeit cigarettes |

**Figure 1 – Examples of food criminals and their broader criminal links**

- 5.1.15 Though criminal groups are known to use food as cover loads for the movement of drugs<sup>11</sup> and illicit tobacco importation<sup>12</sup>, it is a realistic possibility that for some criminals, the use of food in this way provides a point of initial exposure and access to the food sector and food supply chains, where lucrative, lower-risk, lower-penalty food crime is then considered. It is likely in such instances that criminal networks diversifying into food crime will use individuals who are legitimately placed within the food chain to enable and facilitate food crimes. This assessment is based on a small number of identified examples and therefore is made with low confidence.
- 5.1.16 In 2023 FSA mapped two Organised Crime Groups (OCGs) operating within the UK food landscape, conducting activities involving fraud, theft, conspiracy and money laundering offences. Furthermore, FSA requested and reviewed OCG data for those occasions where criminality involves food and have identified other groups involved in activity that could constitute food crime, as well as OCGs involved in crime around food and food businesses. Such offences have involved theft, unlawful slaughter and misrepresentation of date.
- 5.1.17 FSS is a member of the Multi-Agency Tasking and Delivery Board (MATDB), which brings together all principal law enforcement agencies operating in Scotland, and Crown Office, in the sharing of intelligence and resources to target and prosecute Serious Organised Crime (SOC) activity in Scotland. Through involvement in the MATDB, FSS provides input on food crime to the Scottish Multi-Agency Strategic Threat Assessment<sup>13</sup>, a collaborative approach to present a comprehensive picture of

11 [International drugs gang imported cocaine and heroin worth millions hidden in fruit pallets, court told – LancsLive](#)

12 [Rotting fruit used to hide smuggled cigarettes – BBC News](#)

13 [Scottish Multi-Agency Strategic Threat Assessment](#)

the scale and nature of the threat from SOC, significant vulnerabilities and emerging threats in Scotland.

5.1.18 Though poly-criminality is observed, it is still our view that the majority of food businesses linked to food crime do not have evidenced links to other criminality. We nevertheless find that treating these enterprises, where merited, as OCGs, is a necessary approach to tackling the threat that they pose.

5.1.19 Managing OCGs involves identifying opportunities to prevent or disrupt mapped groups, reviewing the threat posed by the groups, national sharing and reviewing of information on mapped individuals with partners in law enforcement and raising general awareness with stakeholders, the public and industry of the crimes committed. These activities are protective and preparatory steps that create a more hostile environment in the UK for food crime OCGs.

## Seven types of food crime

5.1.20 Though there are seven recognised food crime methods within reporting, document fraud mainly presents as an enabling activity for one or more of the other methods.

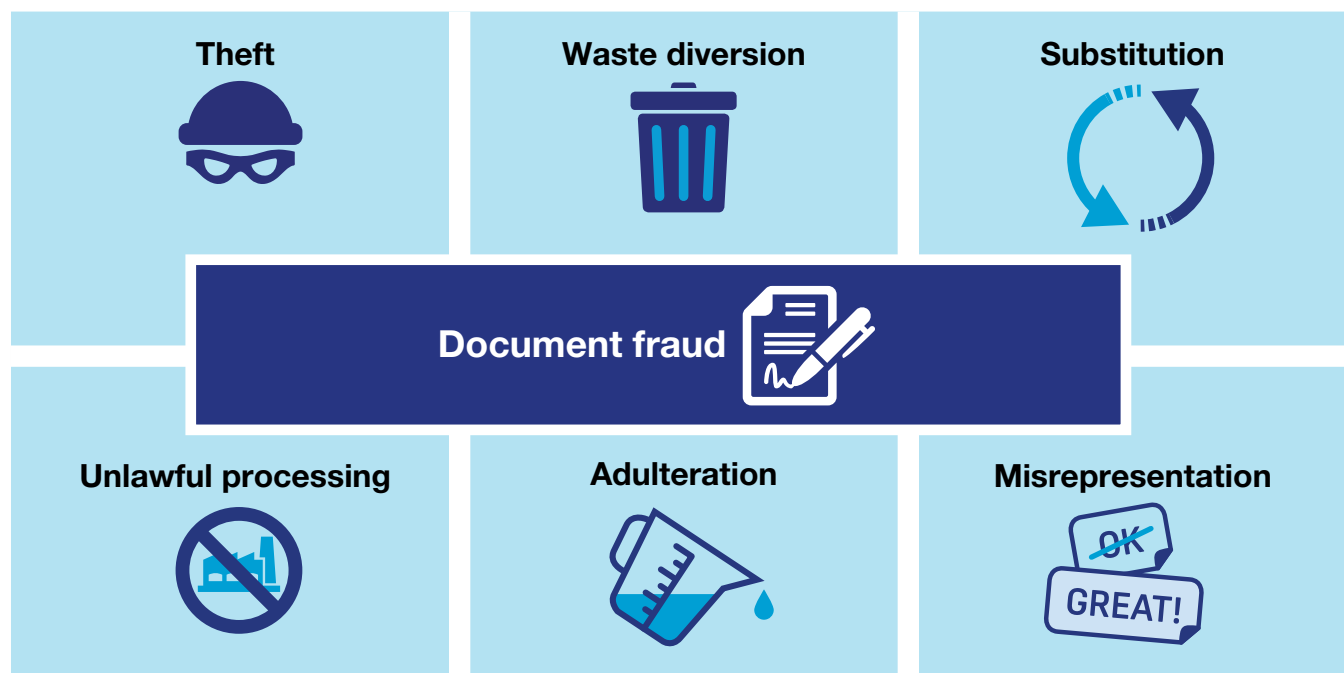
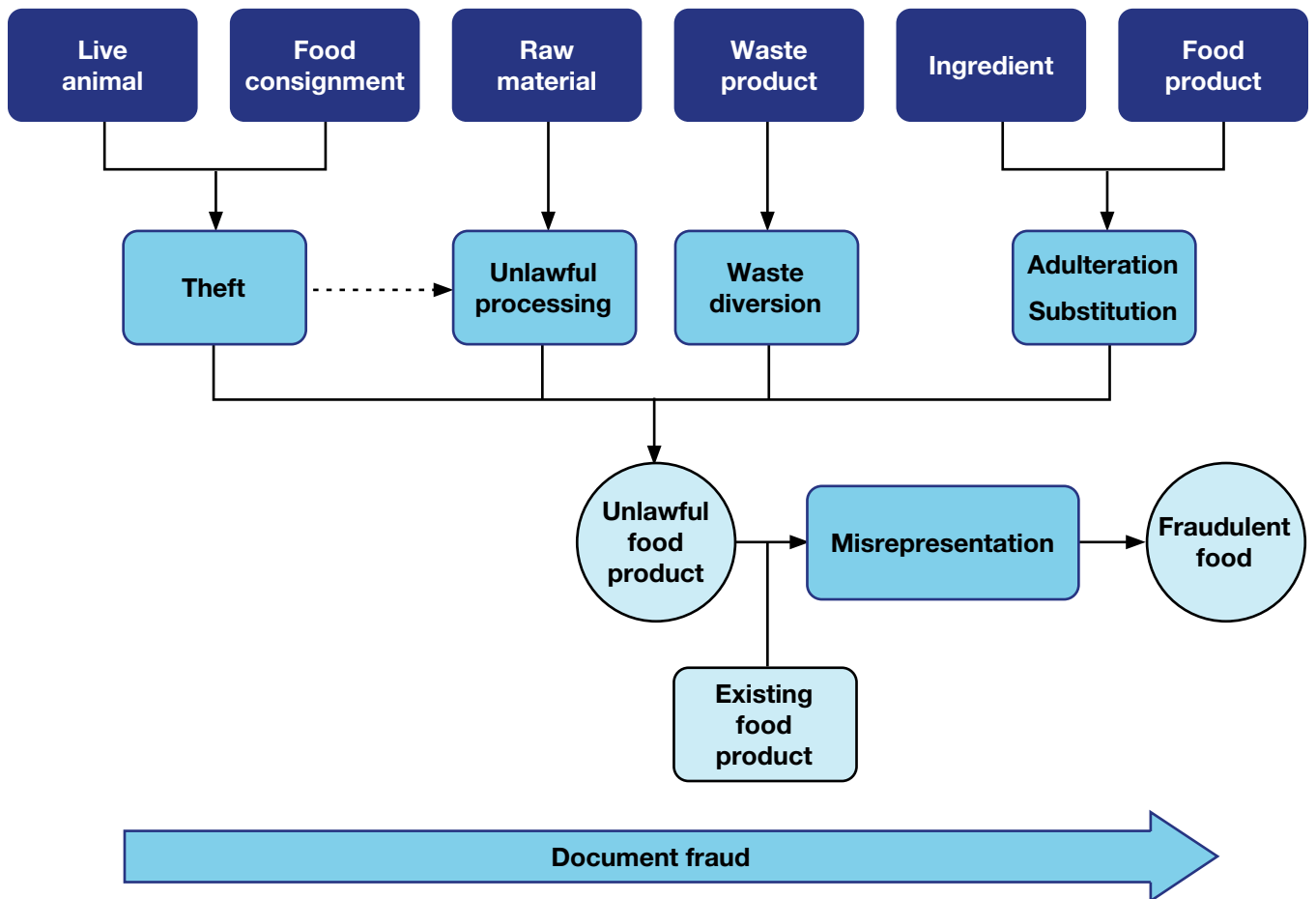


Figure 2 – The seven types of food crime

- 5.1.21 Waste diversion offences present the greatest increase in threat level since the 2020 assessment. These offences highlight ABP and commodity flow to unapproved and unlicensed raw pet food production and supply. Targeted products for adulteration, substitution and misrepresentation range from high value meats to vegetables, herbs and spices and alcohol.
- 5.1.22 **Theft** and associated activities can sit in various positions in the food supply chain where high value raw materials or finished products fit for immediate resale are stolen in transit, via European Distribution Fraud<sup>14</sup>, from retail, or the theft of livestock intended for the food chain, with or without associated **unlawful processing** offences. The police remain the primary law enforcement response to reported theft.
- 5.1.23 **Waste diversion** is most commonly observed towards the end of production chains but, where associated with raw pet food production, is a precursor to unlawful processing. As well as leading to the misrepresentation of quality, waste diversion can also lead to unauthorised altering and misrepresentation of durability dates.
- 5.1.24 **Substitution** and **adulteration** affect products before the point of sale. This can take place close to the point of primary production (including overseas), while the product is in the control of an intermediate owner or processor, or in the retail or catering establishment which will ultimately deliver the product to the public.
- 5.1.25 **Misrepresentation** is the final and most visible aspect of dishonesty by a food business operator, enabling a substandard product to be passed onto an unsuspecting party, including another business. This, ultimately, is what disguises the unseen shortcomings of a product from consumers. As nearly all food crime will require an element of misrepresentation, it is unsurprising this is the aspect of food crime on which the Units hold the most intelligence.
- 5.1.26 Whilst commonplace, misrepresentation is not always necessary to profit from food crime. A consumer may rationalise buying illicit product if it, or its price, is sufficiently attractive – and be more forgiving of shortcomings in quality as a result of the price.
- 5.1.27 **Document fraud** is observed as a common thread through many aspects of food crime, being utilised for example to outwardly legitimise illicit products resulting from thefts, unlawful processes or those which are being sold at a premium price after adulteration or substitution with substandard commodities.

---

14 [Distribution Fraud | Action Fraud](#)



**Figure 3 – Process diagram of food crime types**

5.1.28 Each section of this chapter looks to find the commonalities between the various applications of the techniques discussed, as well as suggesting where the risk within each area is assessed to be the most profound.

5.1.29 This chapter is not an exhaustive list of all matters featuring within our intelligence, but is instead an assessment of the most prominent themes within the food crime landscape.

5.1.30 While food crime techniques are useful for identifying and codifying activity, we note it is rare that a food crime involves just one of the techniques.

## 5.2 Theft



### **Theft:**

the dishonest appropriation of food, drink or feed products from their lawful owner with an intention to benefit economically from their subsequent use or sale.

- 5.2.1 In continuation of the themes observed in the 2020 FCSA, acquisitive crime within the food industry remains focused on livestock thefts.
- 5.2.2 Intelligence also indicates insider threats, involving ‘off the books’ trading of ABP and meat, facilitated by employees of food businesses for personal gain.
- 5.2.3 The theft of any animal intended for the food chain presents a significant food safety risk to consumers. Risks arise from the unknown medical history and health status of the animal, clandestine movements and slaughter that deviate from official controls and traceability systems.
- 5.2.4 Reporting continues to highlight the link between livestock theft and unlawful processing, with in-field slaughter reported in all three main red meat types. In situ dumping of animal by-products (ABP) presents environmental and health risks.
- 5.2.5 Whilst the 2020 FCSA reported thefts of sheep, lambs and shellfish, there has been a broadening of species targeted for thefts, with cows and pigs now also featuring, albeit at lower frequencies.
- 5.2.6 As the financial benefit of livestock theft is realised through onward sale of the product or animal, it is almost certain that other food crime techniques, principally unlawful processing, misrepresentation and document fraud, are employed alongside the theft.
- 5.2.7 It is likely that underreporting of livestock theft, noted in 2020, continues. Significant delays in reporting are also noted, as thefts are often not identified or reported until animals are gathered from fields for winter. Such delays can limit investigative opportunities.
- 5.2.8 Significant intelligence gaps remain regarding the routes taken by those selling or processing stolen livestock into the food chain, and whether this uses clandestine or mainstream routes.



- 5.2.9 To address the intelligence gaps surrounding onward sales of stolen livestock, we have worked with partner agencies in 2023 and now can better understand and address how animal identification systems could be abused to facilitate sales of stolen livestock.
- 5.2.10 Reporting on the unlawful harvesting and poaching of shellfish has fallen drastically since the 2020 assessment. Low level reporting continues to feature cockles, Manila clams and oysters being targeted from unclassified beds or overfished from classified beds in many regions of the UK. Consumption of shellfish from such beds can pose a significant threat to public health, but regulatory partners are active in detecting and disrupting shoreline activity.
- 5.2.11 We assess that the inability to export class B shellfish to the EU without prior depuration has undermined the commercial viability for illicit trading of class B shellfish (or unclassified shellfish fraudulently presented as class B).
- 5.2.12 There is a realistic possibility that the prosecution and sentencing during late 2022 and 2023 of key offenders has disrupted offending and reduced intelligence volumes<sup>15,16</sup>. We also note the 2024 sentencing of an individual residing in Northern Ireland and investigated by the Gangmaster and Labour Abuse Authority (GLAA), with financial investigation support from the FSA. The subject was found guilty of acting as an unlicensed gangmaster linked to shellfish gathering, an offence for which he held a previous conviction.
- 5.2.13 The GLAA identified a decreasing risk across shellfish gathering and reduced reporting volumes and had seen no new allegations of forced labour in the shellfish sector<sup>17</sup>.
- 5.2.14 Since the last assessment, coordinated multi-agency activity supported by FSA and FSS, at locations around the English, Welsh and Scottish coastlines, has strengthened relationships and intelligence flows between the different agencies regulating this area.
- 5.2.15 Reporting to the Units on poached game entering the food chain has fallen in comparison to 2020 levels.

---

15 [‘Illegal shellfish gang caught in Southend with oysters harvested for profit’ | Echo \(echo-news.co.uk\)](#)

16 [Cornwall IFCA claims “Huge Victory” after Electro-Fishing Prosecution \(thefishingdaily.com\)](#)

17 [Gangmasters & Labour Abuse Authority Strategic Assessment 2023/2024](#)

## 5.3 Unlawful processing



### **Unlawful processing:**

the slaughter, preparation or processing of products of animal origin outside of the relevant regulatory framework.

5.3.1 Intelligence around unlawful processing covers practices falling largely within the following categories:

- **Illegal slaughter:** The slaughter of animals in an unapproved slaughterhouse or by an unapproved slaughterman
- **Unapproved or unregistered establishments:** Use of premises which are not registered or approved by the competent authority
- **Unapproved activity:** Carrying out an activity within approved premises, for which the premises has not been specifically approved

5.3.2 Unlawful processing presents three avenues for financial gain:

- Lower costs of operating outside of approved processes
- Increased profits from raised throughput and sales
- To meet consumer demands within specific communities, where preferred products cannot be produced legally in the UK

5.3.3 In the 2020 assessment, incidences of unlawful processing were observed in red meat, poultry, shellfish, eggs and animal feed sectors. Reporting has not included shellfish or eggs this iteration.

5.3.4 Reporting volumes remained consistent from 2022 to 2023 for unlawful processing in the animal feed sector, where the unlawful processing of ABP destined for pet food featured heavily. This includes 'raw pet food' produced and sold without approval or license. It remains likely that pet food produced in unapproved establishments is not subject to appropriate temperature and hygiene controls, posing a health risk to both pets and their owners.

5.3.5 Though individuals and businesses conducting unlawful processing offences often hold no registration or approvals for other activities, it is a realistic possibility that financial pressure during the cost of living crisis has driven previously compliant businesses into unlawful practices. Examples noted include the slaughter of unapproved species in approved processing plants.

- 5.3.6 When considering the absence of approval and registration highlighted in reporting of this type, it is considered unlikely that intelligence volumes truly reflect levels of offending. A lack of approval and registration benefits illicit traders by removing the deterrent and cost of regulatory oversight and visibility.
- 5.3.7 It remains highly likely that unlawful processing will be accompanied by further food crimes such as misrepresentation of quality or date, and document fraud. However, consumer acceptance of risk associated with illicit production methodology is evidenced in the continuing demand for smokies (defined later in this chapter).

## Approved Premises

European Commission retained Assimilated Regulations<sup>18</sup> (EC) 853/2004 and (EC) 852/2004 detail the requirements an establishment needs to achieve for approval. The process of approval is contained in Assimilated Regulation (EU) 2017/625.

- 5.3.8 In a change from observations made in 2020, where incidences of illicit slaughtering mainly related to out of hours operations within approved premises at times of peak demand, reporting in 2023 highlights a move to illicit slaughter in clandestine locations such as farms and private land. It is almost certain that this skew arises from reporting bias introduced by significant operational focus on smokie production, more commonly associated with rural areas.
- 5.3.9 Illegal sheep and lamb slaughter continues to feature in our intelligence, with hotspots in Scotland, Wales and in South East and South West England. An emerging but less common threat of illegal slaughter and in-field butchery of pigs and cows was also observed in the last quarter of 2023. The ultimate destination and commodity flow routes for illicitly produced meat remains an identified intelligence gap.
- 5.3.10 It is likely that the unlawful processing of sheep and pigs is linked to consumers seeking product for the celebration of religious holidays, and also to satisfy the specific demand for meat reared, butchered and prepared in different styles to UK production. It is a realistic possibility that the introduction of stricter controls on pork imports in September 2022<sup>19</sup> and increased reported border seizures<sup>20</sup> led to an increase in illegal slaughter in the UK.

18 [Retained EU law dashboard – GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/retained-eu-law-dashboards)

19 [Strict new controls on pork and pork products to protect Britain's pig sector against African swine fever – GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/strict-new-controls-on-pork-and-pork-products-to-protect-britain-s-pig-sector-against-african-swine-fever)

20 [Media coverage of illegal meat seizures at the Port of Dover](https://www.gov.uk/government/news/media-coverage-of-illegal-meat-seizures-at-the-port-of-dover)

## Case Study – community-focused prevention

In 2023, the FSA re-released a video specifically aimed at one Eastern European community to raise awareness of food safety risks associated with illegal pork imports lacking traceability and transported outside of the cold chain. This activity contributed to the wider efforts led by Defra in outwardly communicating key messaging on the risks associated with illicit imports of products of animal origin.

- 5.3.11 Though it is likely that small-scale illicit pork imports are to service localised demand within families or communities, the destination and degree of further processing of the inbound meat within the UK, and how it is disposed of, remains an intelligence gap. Furthermore, there is a lack of information as to the extent of deception by businesses placing these products on the market.
- 5.3.12 In a change from the 2020 assessment, judgements made about the production and distribution of smokies – skin-on, blowtorched sheep and goat carcasses – are now made with high confidence. It is almost certain that demand for ‘smokies’ has created lucrative<sup>21</sup> opportunities for organised criminals operating from a small number of primary locations in the UK, servicing consumers in major cities via retail outlets and personal supply.
- 5.3.13 It is almost certain that the production of smokies is concentrated in the rural areas of Wales, with limited activity in Scotland and Cornwall. Carcasses are transported to urban hotspots mainly in England, such as Birmingham and London. Links have also been established to Ireland.
- 5.3.14 It is highly likely that religious festivals and other special occasions generate increased demand for smokies. We know there is a demand within certain communities for skin-on sheep and goat, despite the food safety risks associated with preparing a carcass in this way, given that the skin and fleece may have been in contact with faecal matter and this could transfer pathogens to the meat. The extent to which these risks are fully understood by consumers remains unclear.
- 5.3.15 There remains no discernible link between sheep theft and smokie production. It is considered likely that cull ewes are purchased at auction for these products owing to their low cost.

---

21 [Prison for Cardigan man after illegal ‘smokies’ meat operation | Wales Farmer](#)

5.3.16 It is highly likely that the unlawful processing of smokies is accompanied with animal welfare breaches. In September 2022, a suspect was detained after being found on a farm burning sheep carcasses with lit propane torches and was later convicted in November 2023 for animal welfare charges relating to the animals' slaughter.

## 5.4 Waste Diversion



### **Waste Diversion:**

the unauthorised diversion of food, drink or feed intended for disposal back into relevant supply chains.

- 5.4.1 In contrast to the low levels of reporting outlined in the 2020 FCSA, intelligence reporting this period has increased. However, a level of underreporting is still considered likely.
- 5.4.2 In 2023, the FSA increased engagement on this emerging threat area through the creation of a four-nation working group on ABP; this has helped to increase intelligence sharing within the group's membership, as well as developing knowledge on the current drivers for waste diversion.
- 5.4.3 It is highly likely that financial incentives for waste diversion, highlighted in the 2020 FCSA, are now stronger. The cost of proteins, energy and waste disposal has continually increased. It is likely that financial pressure increases the motivation to cut disposal costs through illicit practices such as selling waste as an additional revenue stream for financially unstable businesses.
- 5.4.4 In 2023, intelligence reporting indicated an emerging threat of cattle entering the food chain fraudulently. The true status of the cattle would otherwise present a loss of revenue from disposing of the animal. It is likely that commodity flows of this type are facilitated by document fraud.

## Animal By-Products (ABP)

ABP consists of animal carcasses, parts of animals or animal derived products which are deemed unfit for human consumption. They are divided into three categories of risk from 3 to 1, which determine the level of processing required for the product. Most category 3 ABP can be used for either raw or processed pet food, whilst categories 1 and 2 are classed high risk, for disposal via an approved ABP processing facility.

- 5.4.5 Illicit practices concerning ABP continue to present a risk of the spread of transmissible animal diseases by circumventing official controls in place to prevent their spread either to humans through consumption of infected high-risk products, or to animals through the redirection of animal product catering waste to animal feed. The scale of this risk with regards to fraudulent behaviours has not, however, been further quantified.
- 5.4.6 The emerging threat from raw pet food production noted under unlawful processing is considered likely to be linked with waste diversion, where ABP (including high risk material) is diverted from lawful, paid-for waste disposal routes to producers who are not registered with a local authority or not approved by FSA or FSS. The increasing popularity and demand for raw pet foods has likely contributed to the rise in the number of unregistered businesses operating within this market.
- 5.4.7 It is highly likely that ABP is redirected once it has left its processing location, however, this is stated with low confidence. Intelligence gaps remain regarding its final destination, and the extent to which those later supplying it understand its status.
- 5.4.8 It is likely that, in some cases, handling of waste by external contractors presents risks that waste product is not being handled and directed correctly and as stipulated. There have been recent issues with the conduct and integrity of service providers working in this area and so vigilance is strongly advisable, for regulators and for industry partners.
- 5.4.9 In some cases where large quantities of poultry ABP are generated by processing businesses, illicit activities have been conducted in tandem with legitimate handling. This can help to disguise criminality, where weights of waste may not be fully auditable.

- 5.4.10 Intelligence submitted through 2023 shows a rise in the number of unregistered or unapproved premises identified as linked to the handling, production or sale of ABP. It is highly likely that the avoidance of registration is financially motivated due to the cost of business registration<sup>22</sup> as well as the beneficial avoidance of regulatory oversight.
- 5.4.11 It is likely that ABP diversion is underdetected and underreported. Unregistered businesses are unlikely to be identified until a trigger has occurred, such as complaints on sub-standard products or animal or human illness.

## 5.5 Adulteration and Substitution



### **Adulteration:**

reducing the quality of a food product through the inclusion of another substance, with the intention either to make production costs lower, or apparent quality higher.



### **Substitution:**

replacing a food product or ingredient with another substance of a similar but inferior kind.

- 5.5.1 We continue to observe three principal activities in this area. Instances of their application vary in volume, severity and harm.
- 5.5.2 Both adulteration and substitution continue to be active crime techniques in meat products. It is likely that businesses use these techniques to cut costs and maintain a customer base with affordable products.



### **Quantitative adulteration:**

the deliberate addition of something of lower value to increase the volume or weight of a product. This technique enables the sale of a greater quantity of product of inferior quality.



### **Qualitative adulteration:**

the deliberate addition of a substance to make a product appear of higher quality. This technique allows a product to be sold at a higher price.

<sup>22</sup> [Fees for animal by-product services provided by APHA – GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- 5.5.3 In line with the observations made in the 2020 FCSA, intelligence and sampling results continue to highlight quantitative adulteration of processed red meat products with lower cost protein substitutes including chicken and high fat/sinew components. It is assessed as likely that the rising cost of red meat has further incentivised such adulterations.
- 5.5.4 It is a realistic possibility that where businesses are dependent on fulfilment of large contracts, financial pressure tempts some businesses to maintain output through adulteration and substitution offences when demand increases, or to incorporate surplus product into other goods to avoid waste. Examples of reported adulterations have included mixing milk types to fulfil catering orders and using surplus turkey to fulfil chicken orders.
- 5.5.5 Whilst substitution and adulteration of meat and poultry products do not typically present elevated safety risks, psychological impact may arise from accidental consumption of foods that compromise religious observances.
- 5.5.6 In 2023, local authority and centrally funded sampling has regularly identified adulteration and substitution within red meats. Takeaway and fast-food products accounted for the majority of sampling failures. The appearance, nature and clarity of taste in processed or composite products such as kebabs, pizza toppings and samosas, and in heavily flavoured and coloured dishes such as curries, make it hard for people to identify fraud of this type.
- 5.5.7 There is a realistic possibility of increased motivation for the substitution or adulteration of those fish species that are now less available and more valuable as a result of trade disruption. The flow of white fish to the UK was significantly impacted by the 35% Russian seafood trade tariffs placed by the UK government in 2022 in response to the Ukraine war. In 2022, Russia controlled 45% of the global white fish supply<sup>23</sup>.
- 5.5.8 Composite fish products such as fishcakes and breaded fish can present risks of adulteration and substitution, with available industry sampling identifying speciation issues. Fishery by-catch and cross contamination are, however, often cited as causal factors.
- 5.5.9 It is likely that, similarly to meat, fish composite products and coated products are easier to adulterate or substitute than cuts of fish due to the “hidden” nature of the

---

23 [UK Government tariff on Russian seafood imports introduced | Seafish](#)



contents, whilst also being harder to test scientifically owing to the composite nature of the samples.

- 5.5.10 In 2023, global reporting continued to highlight the threat of adulteration of edible oils, namely olive oil and more recently sunflower oil. It is highly likely that contemporary factors including geopolitical conflict, climate change, rising production and shipping costs and labour shortages are key drivers, alongside an expected 36% drop in yield for the top three producing countries for olive oil, where plant disease also continues to decimate groves. Concerns around this sector have continued into 2024.
- 5.5.11 Methods of adulteration historically and globally identified in olive oil include the addition of vegetable, nut or seed oils, as well as substances such as chlorophyll or beta-carotene to low quality oil, to obtain an improved colour and consistency. It remains highly likely that adulteration of olive oil occurs closer to production.
- 5.5.12 This is a theme around which major industry partners continue to exercise vigilance. Intelligence in 2023 indicates that it is unlikely that fraudulent product has been on sale in major retailers in the UK. However, it is considered highly unlikely that UK imports are completely unaffected by upstream fraudulent practices.
- 5.5.13 Adulteration continues to be the main feature of intelligence concerning honey authenticity. During the reporting period, honey exported from the UK has been subject to scrutiny following the publication of the European Commission's *From The Hives* report<sup>24</sup>. This report found that all of the samples of honeys imported into the EU from the UK were judged, based on the EU's selected indicators, to present suspicions of adulteration with sugar syrup.
- 5.5.14 In response to these results, during 2023, the FSA elicited industry follow-up via local authorities, informed by findings of a scientific expert working group formed by Defra. The UK responded to the European Commission concerning the outcome of the follow-up activity, and shared reflections of the expert group, and trade bodies, on the analytical methods and indicators applied in the *From The Hives* work. To date, there have been no prosecutions or regulatory sanctions of UK-based businesses as a consequence.
- 5.5.15 Available industry data in the reporting period has identified non-compliances, some with potential linked authenticity concerns, but the limitations of available analytical methods, and the disputed interpretation of results (particularly around honeys from

---

24 [Honey \(2021-2022\) – European Commission \(europa.eu\)](https://ec.europa.eu/food/food/quality/safety/honey-report-2021-2022)

certain geographies) are a complicating factor concerning the action which can or should be taken – commercially or by regulators – on these signals.

- 5.5.16 A substantial programme of work is ongoing involving FSA and Defra, laboratories and industry partners, focused on improving the scientific and regulatory capabilities linked to honey authenticity. This work is being fed into continued engagement with the European Commission.
- 5.5.17 We assess it is unlikely that adulterated honey is broadly present on the UK market, however we recognise the complexities highlighted above in making this judgement.
- 5.5.18 Available industry and regulatory sampling indicates continued risks of adulteration within the herb and spice sector in order to bulk out goods for additional weight.
- 5.5.19 Industry sampling datasets for 2023 identified herb and spice samples containing potential levels of adulteration, but in a very small proportion of samples.
- 5.5.20 The addition of olive leaves in oregano was noted in sampling data during 2023 and has been a recurring theme with this commodity for several years, both in regulatory sampling<sup>25</sup> and industry data. Higher levels of adulteration with extraneous plants (as were identified in some of these results) are indicative of deliberate adulteration.
- 5.5.21 Recently published FSA research<sup>26</sup> has explored analytical methods concerning herb and spice authenticity testing, complexities in their application and accessibility to public analyst official laboratories.
- 5.5.22 Industry sampling and FSA Retail Surveillance Sampling 2022-2023 has identified isolated cases of the adulteration of basmati rice with other varieties within UK retail, and in some cases full substitution.
- 5.5.23 Available sampling data this iteration has also shown a limited emergence of results potentially indicating the extension of durum wheat in pasta with common wheat, something which has not featured in regulator sampling in recent years.
- 5.5.24 Reporting in 2023 has not identified high levels of adulteration or substitution in ground coffee, whereas reporting prior to 2020 highlighted the financially driven threat of substitution of Robusta with Arabica. Available retail surveillance sampling data this iteration presented only a few instances of adulteration between Arabica and Robusta.

---

25 [FSA Surveillance Sampling Programme](#)

26 [Review of methods for the analysis of culinary herbs and spices for authenticity](#)

- 5.5.25 The qualitative adulteration of foods with illicit dyes to improve the appearance of the product continues to feature, but only to a limited extent. Addition of dyes can help to present goods as being of a better quality than they truly are.
- 5.5.26 Targeted products include palm oil and spices. Examples of adulterants include lead compounds (associated with spices), and Sudan dyes (in spices from India and Ghanaian palm oil). Both are known adulteration risks and subject to surveillance and official controls.
- 5.5.27 During the reporting period, levels of lead were detected in spices including chilli, turmeric and cinnamon within the UK although it is not clear whether these levels were due to deliberate adulteration. The United States Food and Drugs Administration has seen potential indications of the adulteration of cinnamon with lead chromate, leading to child illness linked to the lead content in cinnamon applesauce pouches in 2023-2024<sup>27</sup>.



**Substitution:**

deliberately swapping a product (or ingredient) for a less expensive, or more available one. This enables sale of the product at the same price, but with reduced costs.

- 5.5.28 Substitution is the wholesale replacement of one product or ingredient for another.
- 5.5.29 Sampling failures for substitution are mainly within local authority sampling in which fast food establishments featuring heavily. Industry sampling data shows substantially lower levels of substitution.
- 5.5.30 Both substitution and adulteration were observed within red meat products in the 2020 assessment, however, in 2023 the breadth of reporting has expanded to include chicken processing. Evidence of chicken substitution with turkey has been identified in the production of processed chicken products.
- 5.5.31 Available sampling data in 2023 indicates the commonplace substitution of pizza toppings, specifically cheese and ham. The undeclared presence of turkey in place of ham features at a significant level. Furthermore, substitution of the prosciutto

---

27 [Food and Drugs Administration updates on elevated lead and chromium levels in cinnamon-containing products](#)

with lower cost meat and mozzarella cheese with analogue cheese<sup>28</sup> also features in reporting on failed sampling on pizzas, where financial incentive is likely.

- 5.5.32 There has been a continuing low level of sampling failures noted by local authorities regarding the substitution of white fish species within the food service sector. It is likely that such practices are influenced both by price and availability, and may be expedient rather than premeditated.
- 5.5.33 Investigative activity during 2023 has identified the substitution of premium vegetables with lower cost varieties. Whilst reporting has been isolated, the absence of easily discernible differences between varieties creates a vulnerability for underreporting and detection.
- 5.5.34 Branded high value spirits continue to be watered down (adulterated) or replaced (substituted) with a lower quality product in licensed premises. Whilst these practices are widely reported by local authorities, they appear as isolated incidents. Reporting during 2023 shows a significant increase in the diversity of products reportedly involved in substitution, when compared to previous reporting, including numerous different spirits and premium beers.
- 5.5.35 It is a realistic possibility that the new alcohol duty which came into force in August 2023 has had an impact on driving up instances of substitution in spirits<sup>29</sup>.
- 5.5.36 Partners indicate a fall in illicit alcohol reporting outside of duty evasion. Intelligence gaps remain as to the factors driving the reduction.

---

28 Analogue cheese is a product made by blending cheaper, non-dairy fats or proteins with a flavour system that simulates a natural cheese product. The replacement of dairy fat means that should not be considered a “cheese” in the same capacity as dairy made cheese.

29 [Changes to alcohol duty rates | GOV.UK](#)

## 5.6 Misrepresentation



### **Misrepresentation:**

the marketing or labelling of a product so as to inaccurately portray its quality, safety, benefit, origin or freshness.

- 5.6.1 Misrepresentation occurs most commonly where there is little ability on the part of the customer to identify whether a statement or claim made on the packing of a product, or as a marketing claim relating to that product, is genuine and accurate.
- 5.6.2 Reporting in 2020 detailed an emerging issue of misrepresentation of products having intangible but desirable qualities (such as ethical status, or high animal welfare). Although reporting levels appear to have reduced in 2023, the theme remains of note.
- 5.6.3 Pork and poultry were the most commonly reported food types to have their source misrepresented (for example, local and free-range).
- 5.6.4 Though reporting on misrepresentation covers a broad range of product and offending types, reporting within each discrete element has been limited. The most commonly misrepresented status according to available intelligence in 2023 has been fraudulent labelling of meat as halal or the production of halal meat without certification.

### **Misrepresentation of Quality**

- 5.6.5 In continuation of the observations made in the 2020 assessment, misrepresentation of quality occurs across many sectors of the food industry. Challenges for detection include the difficulties of independently discerning quality as a member of the public or a business customer, and the challenges in some areas with analytical methods.
- 5.6.6 Products which have a premium status (defined in this assessment as those which are part of a legally defined, accredited scheme, or method of production) are particularly attractive to those wishing to gain financially from misrepresentation of quality.
- 5.6.7 Reporting has identified products that have been fraudulently marketed with protected food names. Although the 2020 assessment highlighted issues with some international goods on sale in the UK (including Italian sparkling wine and ham products), in 2022 and 2023 reporting has mainly related to misrepresentation of UK products with Protected Geographic Indication (PGI) status.

- 5.6.8 Under Operation OPSON XII<sup>30</sup> in 2023, 74 protected food name checks were conducted by authorities. Of the twelve failures, six related to UK products (which included Welsh beef, Welsh lamb and Cornish pasties). Other failures included Feta cheese, Parma ham and substitution of Italian grated cheeses (such as Parmigiano Reggiano and Grana Padano). Most failures were low level, in food service businesses.
- 5.6.9 Given the higher price and market share which protected food name products can command when compared to conventional products, it is considered highly likely that this form of misrepresentation will continue.
- 5.6.10 Products featuring prominently in reporting relating to misrepresentation of quality include halal meat and products bearing casual claims of organic status (packaging and labelling). During the cost of living crisis, reporting has also included frozen meats defrosted and sold as fresh, where financial incentives are also likely to be linked to reduction of food waste and disposal costs.
- 5.6.11 Misrepresentation of organic produce has been identified within the reporting period, although not on a large scale. Reporting of this type predominantly shows casual and unauthorised use of organic wording and terminology rather than the use of false or unauthorised Organic Control Body codes and logos.
- 5.6.12 Reporting does not indicate widespread and large scale organic fraud in the UK, despite the identification of multi-million dollar frauds relating to misrepresentation of organic products<sup>31</sup> in bulk quantities outside the UK. Given the scale and financial gain of these offences, it remains a realistic possibility that the UK could receive and further process imported products falsely marketed as organic.
- 5.6.13 Low level reporting has indicated vulnerability in assurance schemes with expired memberships where former members have continued using old packaging bearing scheme logos and wording, effectively misrepresenting their goods as being of an assured quality, when no longer officially assured.
- 5.6.14 Reporting from Wales and England has continued to identify product fraudulently claimed to meet the standards of assurance schemes, with lamb, pork and poultry featuring. Although frequency of reporting has been low, the scale of offending has referenced significant numbers of livestock. It is assessed as highly likely that

---

30 Operation OPSON is an annual international initiative, led by Europol, targeting the sale of counterfeit and substandard food and drink. FSA and FSS regularly coordinate activity under this banner. Europol published the [results of OPSON XII](#) in October 2023.

31 [Dubai companies charged with organic grain fraud | World Grain \(world-grain.com\)](#)

vulnerabilities within livestock sale processes (pertaining to documentary proof and scrutiny regarding origin and rearing of livestock) are such that mixing of assured and non-assured livestock goes undetected.

- 5.6.15 We continue to enhance strong existing relationships with the bodies responsible for these assurance schemes to improve and widen intelligence flows to regulators.
- 5.6.16 Reporting over 2023 identified a widened range of spirits misrepresented in terms of their quality. Branded vodka continued to be the most reported counterfeit spirit. It is considered almost certain that counterfeit spirits (vodka in particular) will continue to be offered for sale in convenience stores in the UK.
- 5.6.17 Analysis of intelligence and operational work in Scotland has indicated commodity flow routes of counterfeit alcohol from the EU.
- 5.6.18 Reporting in 2023 continued to highlight counterfeit wine of popular brands sold across the UK. Reporting of this type has increased since the 2020 assessment, likely driven by more brand activity and better intelligence flow from industry.
- 5.6.19 FSA surveillance sampling results for 2022-23 identified compliance issues around the composition of extra virgin and virgin olive oils when compared to legal standards for different categories of olive oil, although the compositional issues of two of the four unsatisfactory samples could potentially have been caused by storage issues.
- 5.6.20 With heavily reported shortages of olive oil in Europe it is almost certain that misrepresentation of quality will be seen with some products marketed as extra virgin, alongside the adulteration and substitution risks referenced earlier.

## Misrepresentation of Origin

- 5.6.21 Misrepresentation of origin is falsely labelling a food as coming from a specific country or region, or as being locally sourced. This methodology achieves greater financial return and can be used to evade tariffs and import controls to gain commercial advantage.
- 5.6.22 Making informed purchases based on where food comes from has been a key feature of the choices people make, where higher prices may be considered justified for local or UK goods, or those from areas holding a protected status. With the current cost of living crisis it is considered highly likely that origin may not be as influential a driver for consumers as it once was, but misrepresentation of British origin has continued to be a theme of intelligence reporting. Social science research with consumers identified

that levels of concern are higher about the quality and safety of food imported from abroad, than of food produced in the UK<sup>32</sup>. FSA research has also shown that small and micro businesses were more concerned about food from outside the UK being what it says it is (59% concerned), compared to food produced in the UK (29% concerned)<sup>33</sup>. Media reporting around an NFCU investigation into this kind of offending drew significant attention in early 2023.

5.6.23 It is assessed as almost certain that misrepresentation of country of origin is occurring amongst a variety of food types. Available sampling results for 2023 showed that beef and pork were the most commonly misrepresented meat products, with reporting also including fish and vegetables.

5.6.24 It is likely that origin misrepresentation in fish is linked to desirability of origin and the meeting of contractual requirements, as well as in response to trade restrictions. Fraud was identified prior to 2023, in the origin misrepresentation of smoked salmon as Scottish.

5.6.25 In March 2022, the UK implemented a tariff on Russian whitefish imports in response to the invasion of Ukraine, and in July 2022 introduced an additional 35% tariff on seafood imports. It is considered a realistic possibility that misrepresentation of country of origin of Russian imported white fish is taking place but this judgment is made with low confidence.

## Misrepresentation of freshness/durability date

5.6.26 Reporting on the misrepresentation of date or freshness has focused on the following two threats:

- The unlawful changing of kill dates for red meats and chicken
- The relabeling and repackaging of out of date red meat, poultry and eggs

5.6.27 These practices enable or directly present false durability dates to customers whilst almost certainly achieving a financial advantage for the food businesses. Extension of date in meat and poultry can present health risks.

---

32 [FSA Consumer Insights Tracker, April – June 2024](#)

33 [FSA small and micro food business tracking survey](#) – please note these figures, from 2023 responses, are not yet published.



## Misrepresentation of Benefit and/or Safety

- 5.6.28 Misrepresentation of benefit and/or safety involves falsely claiming that a product has an advantageous effect, or that it is safe for human consumption. These misrepresentations tend to be targeted towards specific consumer audiences.
- 5.6.29 Despite a spike in reporting of unlawful supplements with unsubstantiated immunity or health claims during the Covid pandemic, reporting on food fraud within unlawful supplements during 2023 was fragmentary. However, wider reporting on food standards indicated issues relating to novel ingredients and unsubstantiated health claims.
- 5.6.30 Reporting has continued to highlight the threat and growing popularity of selective androgen receptor modulators (SARMs), an unauthorised novel food. SARMS are commonly associated with muscle building and are sold widely in the UK. The side effects of SARMS are not yet fully known and placing such products on sale is illegal under regulations governing novel foods.
- 5.6.31 During 2023, DNP<sup>34</sup> continued to be marketed and sold internationally as a weight loss aid, including to UK consumers. In the UK DNP was reclassified as a poison in October 2023 and is now regulated by the Poisons Act 1972, and falls primarily under the remit of the police.

### Case Study

In the first case of its kind to be prosecuted in Scotland, a man pleaded guilty to culpably and recklessly supplying the public with the toxic chemical DNP for human consumption. The SFCIU led joint investigation involving Falkirk Council and Police Scotland, completed in 2022, proved that between May 2017 and October 2021 the individual had supplied up to 10,000 DNP capsules a month to customers in the UK and globally to USA, Asia and Australia. In 2023, he was sentenced to four years imprisonment, reduced to three years on appeal.

- 5.6.32 Reporting on Miracle Mineral Solution (MMS)<sup>35</sup> has remained at very low levels with an absence of open, surface web MMS marketing and sales identified online this year. Any use or misinformation regarding its benefits and safety are likely to have moved into closed social media groups, with associated sales taking place in more discreet online settings.

34 [Content on food.gov.uk regarding 2,4-dinitrophenol \(DNP\)](#)

35 [Content on food.gov.uk concerning Miracle Mineral Solution \(MMS\) and sodium chlorite solutions.](#)

## 5.7 Document Fraud



### **Document Fraud:**

the use of false or misappropriated documents to sell, market or otherwise vouch for a fraudulent or substandard product.

5.7.1 Those wishing to commit food crime essentially use two main methods of document fraud to achieve a commercial or financial advantage:

- documents generated to falsely authenticate commodity origin, quality or nature
- legitimate documentation populated with false information to facilitate trade flow

5.7.2 Document fraud continues to be noted in the trade of otherwise valueless commodities such as sick animals unsuitable for the food or feed chain, fish landed over quota or ABP destined for disposal. The level of sophistication within document fraud varies.

### **Case Study**

Since October 2020, the NFCU supported FSA colleagues and North Wales Police in investigating the unlawful diversion of £318k of stolen chicken from a major poultry plant. These were sold to another poultry company, facilitated by falsified delivery notes enabling movement into the human food chain. In February 2024, the director of the poultry company was found guilty of acquiring criminal property and received a custodial sentence of over four years. Two employees of the poultry plant were given suspended sentences for fraud by abuse of position and hours of unpaid work to complete.

5.7.3 The UK continues to observe attempted imports of food products where falsified documents or health marks are used to facilitate entry across Border Control Points (BCPs), misleading authorities as to the true nature of consignments.

5.7.4 Though importation of misdeclared products is not a new threat to the UK, the practice continues to present a significant risk to UK consumers through the bypassing of official controls designed to keep food safe and authentic, and also to animal health, an area of Defra responsibility. One such risk is the potential transmission of African Swine Fever (ASF) to pigs in the UK via pork products carrying

the virus. A Defra report published in June 2024<sup>36</sup>, assessed the risk of ASF entering the UK from the human-mediated pathway and moving porcine Products Of Animal Origin (POAO) as high. This issue features within the UK's National Risk Register<sup>37</sup>.

- 5.7.5 Reporting in 2023 highlighted port seizures of illegally imported fresh and frozen pork, chicken and other animal products originating from Eastern European countries where cases of ASF have been identified. Dover Port Health Authority and Border Force have seized significant quantities of illegal pork since stricter controls were implemented in September 2022<sup>38</sup>. Intelligence gaps exist around any large scale, coordinated UK distribution to meet demand facilitated by fraudulent practices.
- 5.7.6 The agreement of the Windsor Framework alongside the guarantee of unfettered market access to GB for Qualifying Northern Ireland Goods (QNIGs) in 2023 meant that trade flow between Northern Ireland and Great Britain operated without administrative management. This created the potential risk of non-NI goods also being moved via this route. This is alongside an existing incentive, as a consequence of recently implemented BTOM arrangements, for criminals to purposefully mis-declare high risk consignments as low risk so as to secure commercial or financial advantage through speedier clearance, and with a decreased probability of official controls being applied.
- 5.7.7 The publication of the Safeguarding the Union Command Paper<sup>39</sup> was followed by a legislative amendment to the legal definition of food and feed QNIGs for the purposes of sanitary/phytosanitary (SPS) controls. This ties the despatch of QNIGs to NI registered or approved food or feed establishments, whether goods move from NI to GB directly or through the Republic of Ireland. Guidance limits the admissible forms of proof of NI despatch. This tightened definition, alongside legislative commitments to explicitly exclude goods moved into NI from outside of the UK for the purposes of gaining qualifying status, reduces the opportunity for brass plate businesses<sup>40</sup> to be set up in NI in order to abuse unfettered access arrangements. However, the risk of businesses falsely declaring goods as QNIGs remains, as does the potential misdeclaration of goods moved without claiming QNIG status.

---

36 [Defra updated outbreak assessment on African Swine Fever, June 2024](#)

37 [National Risk Register – Animal disease – major outbreak of African swine fever](#)

38 [Defra Committee expresses deep concerns about biosecurity as the new GB border regime comes into effect – Committees – UK Parliament](#)



39 [Safeguarding the Union – Command paper | GOV.UK](#)


40 This term refers to a company which is registered to an address but which has no tangible presence there.


5.7.8 Intelligence regarding falsified horse passports has fallen significantly since the 2020 assessment likely driven by the limited number of premises actively slaughtering horses, by increased complexities linked to exports to the EU and also to the prohibition in January 2022 of the slaughter, in Britain, of retired racehorses for human consumption.

5.7.9 In 2024, it is expected an online ID system will be implemented to update the current model of horse tracing through abattoirs, further reducing opportunity for frauds relating to horse identity.

5.7.10 The following table lists some key forms of document fraud and our associated assessment. All the examples provided are considered to remain forward-facing threats, but have been observed to differing degrees during the reporting period.

| Document type  | Intended benefit of use  | Identified examples  |
|--|--|--|
| <b>Export Health certificates</b><br> | <p>Bypass pre-export health checks and/or EU import controls on imported shipments.</p> <p>Misrepresentation of products as originating from the UK, or EU products as from an alternative country, to increase the value of a product or hide its origin.</p> | <p>Significant reduction in reporting of false shellfish registration documents and export health certificates.</p> <p>Low levels of reporting on health certificate falsification for horses, enabling export of untraceable horses.</p> <p>Low levels of reporting on animal health certificates signed by non-registered vets.</p> <p>Isolated reporting on SARMS imported through the application of false labels and export certificates.</p> |
| <b>Customs declarations</b><br>       | <p>Import of restricted and/or prohibited food products by falsifying customs declarations.</p>  | <p>As identified in 2020, false or inaccurate custom declarations are used to facilitate illegal imports of prohibited goods.</p> <p>Non-duty paid alcohol also features in reporting.</p> <p>Recent intelligence confirms that DNP enters the UK through intentional misdeclaration of contents on customs forms on postal packets, with the majority exported from China.</p>  |

| Document type   | Intended benefit of use   | Identified examples  |
|---|---|--|
| <p><b>Approval numbers and health marks</b></p>            | <p>Falsely conferring standards of hygiene and safety.</p>  | <p>Low level reporting on use of previously approved and false approval numbers.</p> <p>False commercial health marks on Romanian pork products likely to be in response to target hardening on personal imports in 2022/23.</p> <p>Low level intelligence indicates false EU approval numbers facilitating the movement of Cat 3 ABP into the UK human food chain.</p>  |
| <p><b>Catch/landing certificates</b></p>                   | <p>Facilitate entry of illegally harvested and/or falsely classified fish or shellfish into legitimate supply chains.</p>                                     | <p>In 2023 we received reporting on businesses between 2017 and 2022 bulking legitimately harvested shellfish with quantities of illicitly gathered shellfish during processing. Falsified paperwork/ records were used to facilitate this criminality.</p>  |
| <p><b>False or reassigned animal identification</b></p>  | <p>Facilitate illegal movement of restricted, stolen or unidentified livestock, and entry of stolen and/or unfit livestock into legitimate supply chains.</p> | <p>Low reporting levels on inconsistencies and poor practices regarding horse passports and transport documentation.</p> <p>It remains highly likely that stolen cattle are given new identities in order to enter legitimate abattoirs (or are slaughtered illegally and enter the food chain through the use of other fraudulent documentation).</p> <p>Cattle ID systems are likely to be vulnerable to deliberately undeclared movements and deaths, where there is a realistic possibility that ear tag removal and switching is occurring.</p> <p>Cattle ID switching has been reported in Wales with linked prosecutions.</p> |
| <p><b>Industry and laboratory certification</b></p>      | <p>Increase the value and market price of products or confer a safety or authenticity status based on laboratory analysis.</p>                                | <p>Fragmentary reporting of false laboratory certificates relating to novel food authorisation, and to falsified satisfactory salmonella testing results of live chickens in flocks producing free-range meat and eggs (a practice since subject to successful regulatory intervention).</p>   |

| Document type  | Intended benefit of use  | Identified examples   |
|--|--|---|
| <p><b>Premium status documentation</b></p>  | <p>Increase the value and market price of products through use of the premium status accreditations or claims.</p> | <p>The Units have received reporting around fraudulent use of premium status claims such as halal and free-range on labelling. It is likely that falsified documentation enables such misrepresentations however details of the role of documents remain largely absent in reporting.</p> <p>Fragmentary reporting indicates misuse of GB organic control body codes on conventional produce within the USA.</p> <p>Low level and isolated reporting concerning the role of falsified documents and system vulnerabilities in the sale of non-assured sheep as assured.</p> |

## 5.8 The Future Threat

5.8.1 Several of the issues highlighted as current overarching factors are predicted to have a continued impact on food crime during the coming 12-24 months. These include:

- **Supply chain disruption** – the medium term landscape is expected to reflect the current landscape both in terms of the increasing frequency of extreme weather events and global geopolitical tensions. Where domestic and global food and feed components may suddenly become less available, non-permitted or inaccessible to the UK market, and where alternative supply chains fail to take up slack, vigilance to fraud within affected supply chains will remain of importance to industry and competent authorities alike. Given the degree to which these factors are changeable, our approach should be to maintain situational awareness in this area.
- **LA resourcing** – the data available to us regarding declining resources in LAs is a major concern. Local authorities will need to prioritise resources based on risks, which may lead to food safety issues being prioritised over matters of quality or authenticity. With fewer officers available to do inspections, there will be less opportunity to gather intelligence. The Local Government Association (LGA) predicted in late 2023 that 1 in 5 councils in England will need to file a Section 114 notice in 2024, declaring bankruptcy. These ongoing financial pressures are likely to further increase pressures on LA food services.

While the FSA is not able to intervene in matters of how LAs are funded, the Agency has set up a project to consider the issues around LA resourcing that it can support with<sup>41</sup>.

A further positive change in this landscape is the FSA's ongoing rollout by local authorities across England and Northern Ireland of a new model for local authority delivery of food standards controls. This will help local authorities take a more risk-based and intelligence-driven approach to inspection, and includes an intelligence-led directed sampling programme on standards issues. That roll out will be incremental and was scheduled to start in April 2024. The basis for that

---

41 The FSA will be working with other government departments (OGDs) and professional bodies, as well as directly with LAs, to do what it can to address barriers to recruiting and retaining competent, authorised food and feed officers. To date FSA has worked with the Chartered Institute of Trading Standards (CTSI) and the Association of Chief Trading Standards Officers (ACTSO) to endorse a L6 Trading Standards apprenticeship which has seen 87 new apprentices start studying towards feed and food specialisms since May 2023.

model is set out in the Food Law Codes of Practice for those two nations, as laid in June and May 2023 respectively.

- **New border arrangements** – the FSA is working with partners across Government on this area and factoring in proactive consideration of any developing food fraud risks within this work, which focus on deliberate misdeclarations of product, type, risk level or status, and on deliberate routing decisions for incoming goods. Defra has been engaging with businesses to discourage these activities, having already identified them as taking place.
- **Continuing economic pressures on businesses and consumers** – it is assessed as likely that in the period to 2026, consumers will continue to be attracted to lower cost offerings. This could include products from unregistered food businesses via non-conventional sales routes including social media facilitated sales. There is a realistic possibility that some people will prioritise affordability and availability over quality and traceability. The continued existence of cost pressures on businesses is likely to remain a driver for fraudulent practices by some.

#### 5.8.2 Additional identified issues include:

- Developments in **food authenticity technologies** are expected to present further opportunities for industry and regulators to assure the quality, composition and origin of products placed on the UK market. These opportunities, however, may be offset by budgetary challenges affecting how extensively these developments can be exploited.
- **Recent and future legislative changes** are noted in terms of their likely impact. These include the recent inclusion of DNP into the Poisons Act 1972, meaning the threat is more appropriately managed by others. Defra has recently consulted on changes to food labelling which may place new requirements on food businesses and consequently create new offences if requirements are not respected.
- On the theme of **sustainability**, future considerations include legislation here and in the EU concerning the origin of some critical materials (such as the UK's Forest Risk Commodity Regulations) and also the continued importance of sustainable claims being accurate and trustworthy. The misrepresentation of ingredient provenance is the key risk in this area.
- In the 2020 assessment, we predicted a reduction in time between a new product reaching the market and being found to be in high demand, largely owing to an emerging role of **social media influencers**. In the period to 2026, it is assessed as



almost certain that that influencers will continue to drive food trends in the UK with associated spikes in counterfeit and substituted products to service unmet demand.

- Any expansion of demand for **culturally preferred food products** not traditionally consumed (or legally produced) in the UK will be highly likely to lead to the persistence, or growth, of non-conventional and illicit supply routes.

5.8.3 When we consider the combination of these factors, there is a realistic possibility that the next 12 to 24 months will present not only new or amplified food crime risks, but also some further challenges to detections and mitigation. It will be important to address these challenges collectively and proactively.

## 5.9 Recommendations

5.9.1 Through our onward work, we plan to:

- Use this assessment to agree our respective control strategies based on the intelligence picture and the current and future threats it describes
- Implement holistic approaches to tackling these prioritised issues, ensuring that food crime prevention is fully embedded in this work
- Seek opportunities to work collaboratively on threat areas of shared concern, including around identified risks from horizon scanning and proactive operational initiatives
- Continue to recognise the importance of effective, mutually supportive stakeholder relationships both with public and private sector bodies, with active consideration given to enhanced intelligence sharing
- Ensure threats linked to changes in border arrangements and supply chain disruptions are understood and responded to appropriately

## 5.10 Next steps

5.10.1 This assessment demonstrates the breadth and complexity of food crime, the drivers for divergence from compliant practices within official controls to criminality, and the degree to which vulnerability to fraud takes many forms. The range of food crime methods are shown to present differing levels of harm within the UK.

- 5.10.2 We can make judgements about which aspects of the food crime threat merit most attention based on our current understanding of this landscape, and the strategic prioritisation undertaken by both Units.
- 5.10.3 We will work to enact the above recommendations. We will maintain situational awareness of the intelligence picture, cultivate and strengthen relationships across the food and drink sector and plan strategic activity to reduce the food crime threat posed to the UK supply chain.



