



**Ministry of Food, Agriculture  
and Fisheries of Denmark**

Danish Veterinary and  
Food Administration

# Investigations conducted by competent authorities in Member States

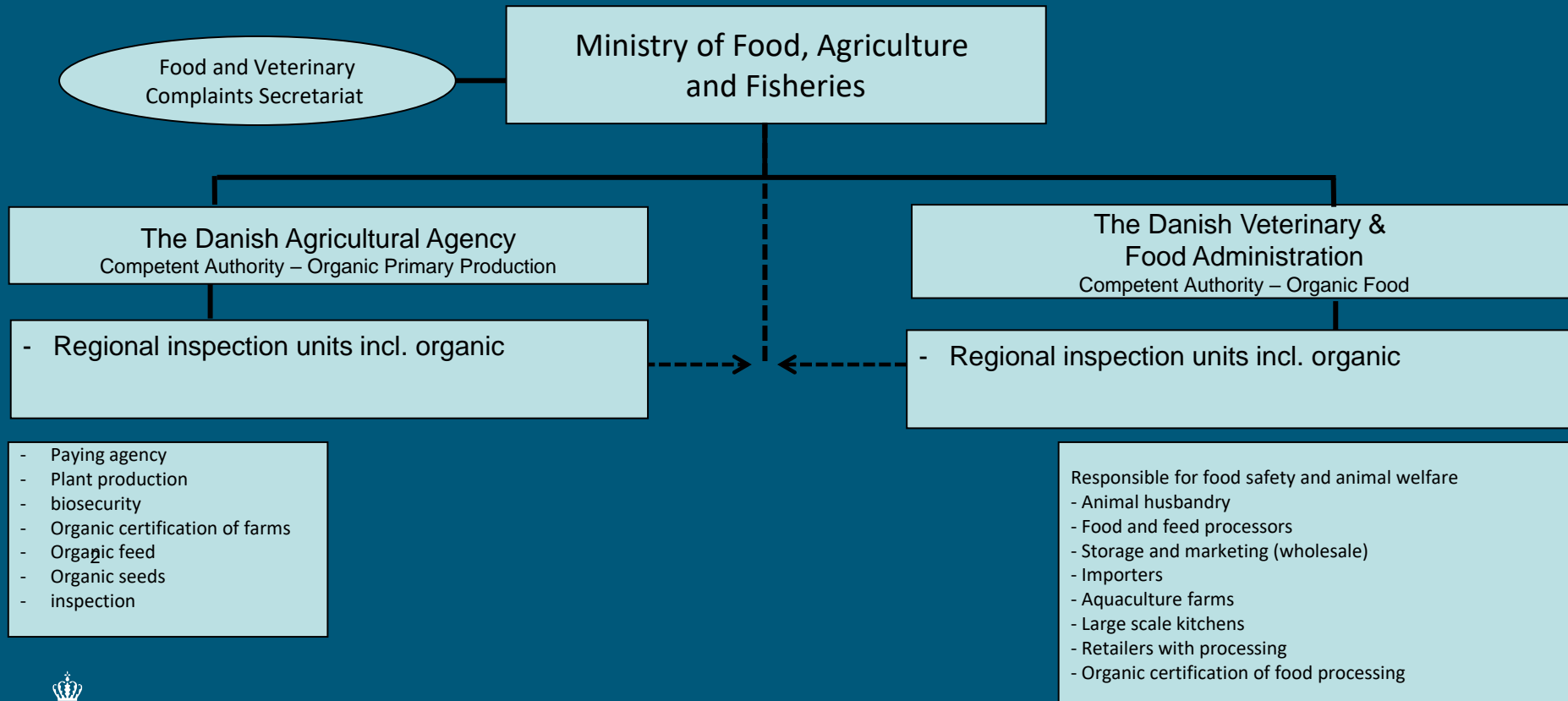
## - Denmark

Anti Fraud Initiative  
26. January 2024  
Brussels

Robert Lind

# All organic production is State certified under one Ministry

- One string system Competent authority



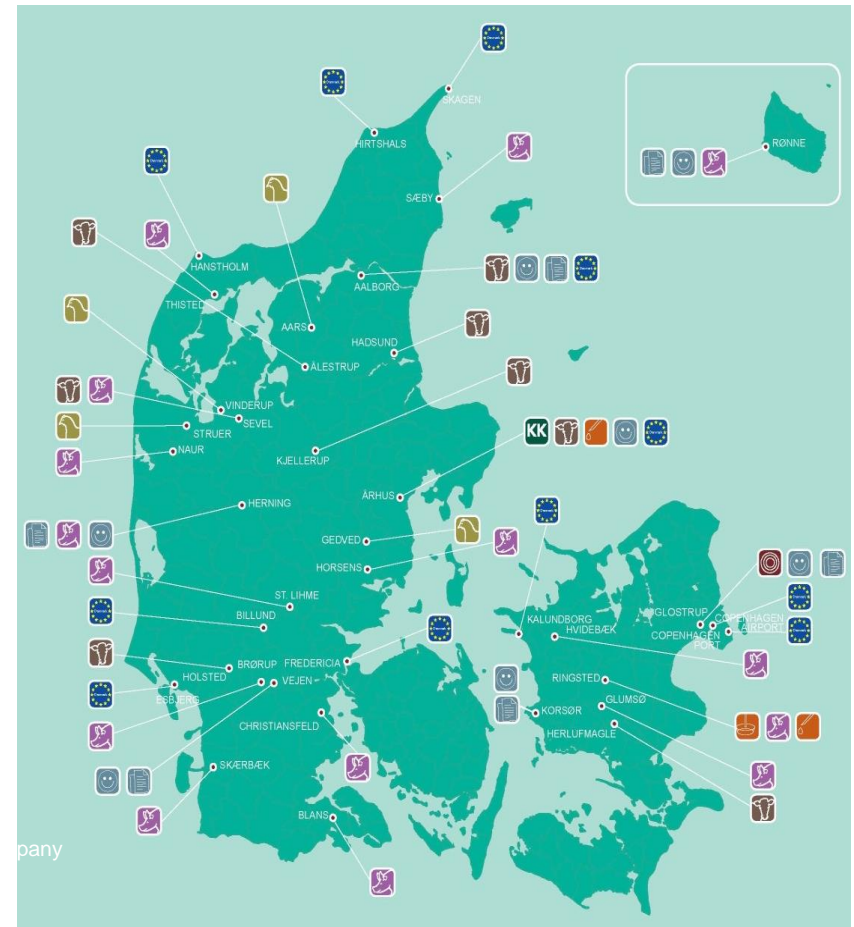
# The Danish Veterinary and Food Administration

– certification of the secondary organic production – Integrated in public control

1.535\* Members of staff in the following areas:

- **Head office: Glostrup (419)**
- **Four food and feed inspection units- food and feed border inspection (339)**
- **Three veterinary inspection units- livestock inspection and emergency response (147)**
- **Meat inspection units (431)**
- **Food- and veterinary task forces (50)**
- **Laboratory (149)**

 HEAD OFFICE	 CHEMICAL LABORATORY	 FOOD INSPECTION UNITS	 MEAT INSPECTION DEPARTMENT • HEAD OFFICE
 MICROBIOLOGICAL LABORATORY	 VETERINARY INSPECTION UNITS	 MEAT INSPECTION SLAUGHTERHOUSE • CATTLE	
 BORDER INSPECTION POST	 MEAT INSPECTION SLAUGHTERHOUSE • POULTRY	 MEAT INSPECTION SLAUGHTERHOUSE • PIGS	





## **National legislative framework vs. the EU Organic Regulation - presence of non-authorized products**

**Denmark no additional national regulation, on pesticide levels,  
DK = EU-regulation**

- no action level for investigation or accepting organic status or not.**
- all confirmed findings of residues will as starting point give rise to possible suspicion, but be substantiated.**
- As authority we have specific guidelines and manuals for the organic inspectors for handling pesticide residues in organic production.**
- Both for investigations and for the follow-up on measures and sanctions.**



# Sources of residue cases

- A) Operators own analysis of organic products bought from supplier
- B) Farmer (primary production) discover signs of pesticide use (winddrift)
- C) Organic inspection at farm discovers suspicious fields (fx no weed, very high yield etc.)
- D) Organic inspection taking samples
- D) Authorities sampling and analysis programme of organic products annual program Danish Technical University
- E) Info from CB's other country where organic products from Danish supplier is found with residues (via OFIS)

A – E triggering official investigations by Danish Comp. Authorities (if substantiated)

- F) Info from CB's other country where organic products delivered/sold to Danish company has residues (normally via OFIS). Already status as "not organic" or suspicion awaiting result of investigation in another country.
- G) Other.... maybe also official investigation



## **Substantiated suspicion by the operators**

- Starting point : all confirmed findings of residues will give rise to possible suspicion.

Examples of possible removal of suspicion by operator :

Organic Licorice extract from Italy - licorice extract don't contain Folpet residues, but only phthalimide. Documentation provided by Danish operator-Written declaration from suppliers CB on specific case and findings. Accepted as end of suspicion.

- No investigation and no OFIS case.

### Phosfonic acid

Declaration from CB only accepted on specific findings on specific operator producing the organic product. Not just general statement that all residues of phosfonic acid is of background/natural origin.



## **“Tool” for evaluation of level of the suspicion**

**Danish Technical University (DTU) pesticide database used for reference of initial evaluation of suspicion**

**Evaluation of likelihood of active use (non-compliance):**

- **Type of pesticide**
- **Products/primary production the pesticide normally is used in**
- **Amount of pesticide normally found when active use of pesticide**
- **Database of all samples, analyses, residue-levels over the years in Denmark**
  
- **Samples taken by Competent authorities is followed by initial evaluation by DTU. Used in the investigation proces of level of suspicion.**
- **Low likelihood influence on the necessity to inform all buyers, still be proportionate. Still blocking wholesale level.**
- **Investigation still takes place and OFIS notification.**



# **Investigations methods Competent authorities**

(Denmark – CA also CB)

- Initial task to secure full overview of the case at the operator initial mainly via documentation. If processing also physical inspection visit.
- organic status of the involved lot/batch by invoice, COI, delivery documents
- organic certified supplier – check of certificates, also subcontractors
- mass balance and traceability backwards/forward in the chain, asses if reliable outcome
- if processing taken place: production files and registration
- storage facilities, conventional alternatives in the company, commingling
- cleaning of production equipment and registration if conventional production
- organic own check program – are relevant procedures followed (?)

**Preliminary conclusion of the case to be drawn up by CA.**

**Gather documentation suitable for OFIS upload**

- additional analysis mostly not used – maybe for future if risk is considered high





## **Conclusion of the investigation and decision taken - product status and operator**

- Every case is individual - different aspects to involve and balance for the final decision
- Basically the conclusion from the CB/CA of the relevant operator/operators involved
- “Holistic decision” – all relevant factors are basic for the final decision by CA.
- Lack of sufficient investigations or obvious bad research – invalid for decision
- Danish Technical University evaluation pesticide database used for reference.
- Proportionate decision 2017/625 on consequence lost organic status in chain

### **Learnings:**

- Operators downgrading themselves – overall image more important or risky with retail chains - “business contracts”
- More focus on actual operators with non-compliance than “cleaning up” downstream. Focus on avoiding repetition.
- Consumer image or perception – important that consumer trust the organic control system, but careful organic sector is not “marketing organic as problematic”



## Fraud suspicion

If during investigations of a case signs of fraud arises, *The Food Inspection Task Force*, unit can be involved handling suspicion of food fraud.

*The Food Inspection Task Force* unit is also integrated in the competent authority. Work in teams 2-10 inspectors on an inspection.

- Task force also possibility to cooperate with the police, Tax Agency.
- Signs of fraud could be systematically lack of documentation for organic status, lack of traceability.
- *The Food Inspection Task Force* not involved so far on organic pesticide residues investigations.



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**Thank you for the attention**

**Questions ?**