

# Too cheap to be true

## SEAFOOD FRAUD IN BRUSSELS

November 2015

### WHAT YOU SHOULD KNOW ABOUT THE FISH YOU EAT

Fish products are subject to general labelling requirements which apply to all European foodstuffs as well as some more specific seafood rules. These include traceability and labelling information designed to protect both consumers and the seafood industry by requiring that fish and fish products for human consumption are traceable through all stages of production, processing, and distribution. The EU Food Information to Consumers regulation (FIC, Regulation (EU) No 1169/2011) also strengthens rules to prevent misleading practices and fraud.

However these rules are not always respected; on the contrary, seafood fraud is a common practice throughout Europe. Seafood fraud is the practice of misleading consumers about their seafood in order to increase profits, for instance by mislabelling a fish as a different one, often cheaper, less well-known or even illegal.

On top of the economic fraud, fish substitution is an environmental problem as illegal fish and/or threatened and protected species can enter the market. Additionally, it carries a health risk for consumers since non-traceable fish may not have been subjected to regular health and sanitary checks.



© OCEANA – Steamed cod served in a restaurant



### WHY THE EU IMPORTS FISH

EU fish stocks are in an alarming situation. 48% of North East Atlantic stocks and 93% of Mediterranean ones are overexploited. As fish availability decreases and fish consumption increases, the demand for fish and fish products within the EU is met through imports. More than 65% of the fish consumed in the EU is imported.

An enormous variety of fish species are sold in the EU and consumers understandably need and want more information on fish labelling. It is an essential right for consumers to have access to clear, honest and comprehensive information about the food they buy.

## SEAFOOD FRAUD IN THE HEART OF EUROPE: 2015 TESTING IN BRUSSELS

Oceana carried out DNA testing on 280 fish samples collected from major restaurants and EU institutions canteens in Brussels - facilities used by EU civil servants and politicians. The testing focused on commonly served fish species under the denomination of cod (*Gadus* spp.), common sole (*Solea solea*) and bluefin tuna (*Thunnus thynnus*), and aimed at verifying the exact species sold and its origin in comparison to EU and Belgian law. Samples were analysed by the Laboratory of Biodiversity and Evolutionary Genomics from the Katholieke Universiteit of Leuven.

The results show an overall 31.8% of clear cases of mislabelling based on information gathered from either the menu or from restaurant staff. More than 77% of samples focused on popular restaurants from the EU districts and the city centre, with a particular focus on specialized fish restaurants. 15% of samples came from within the EU institution's own canteens (EU Commission and European Parliament), while the remaining covered sushi restaurants.

### RESULTS: WIDESPREAD MISLABELLING IN BRUSSELS

- 95% fraud of bluefin tuna. This scarce and expensive species was frequently substituted in most of the cases by the more common and cheaper yellowfin tuna (*Thunnus albacares*), 72% of cases, and the overfished bigeye tuna (*Thunnus obesus*), 22% of cases. Both of them are tropical tuna species.
- 11% fraud of sole. Cases found which have been substituted for other flatfish species (yellowfin sole) and the freshwater farmed fish commonly known as catfish or pangasius (*Pangasius hypophthalmus*)
- 13% fraud in cod. Replaced by as many as 7 different species, most often pangasius, saithe (*Pollachius virens*) and hake (*Merluccius merluccius*)

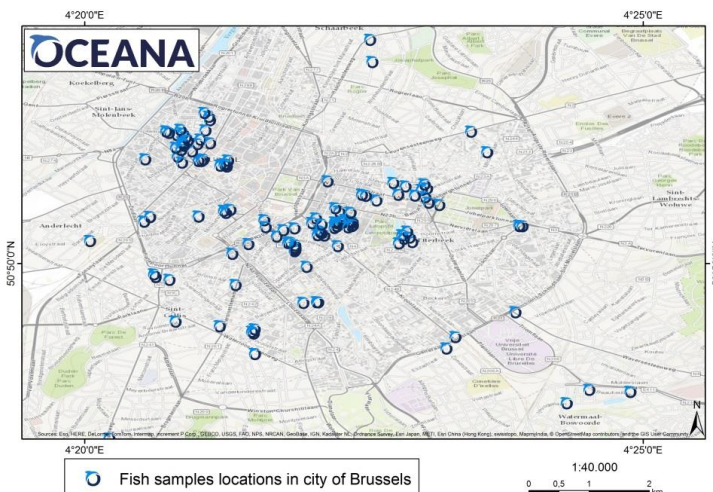
*DNA tests by Oceana found 31.8% all fish served was mislabelled, reaching 95% for bluefin tuna*

### TOO CHEAP TO BE TRUE

Oceana investigations show that actual Common Sole (*Solea solea*) served in restaurants costs on average €27. Mislabelled soles were on average sold at €17, well below the market price for actual European sole, and were replaced by cheaper substitutes such as Yellowfin sole (*Limanda aspera*); Northern rock sole from the Pacific (*Lepidopsetta polyxystra*), or farmed Pangasius (*Pangasianodon hypophthalmus*), amongst others

What we found is beyond dispute - sometimes what you eat is too cheap to be true, regardless of information you may receive from the waiter.

### FISH SAMPLES LOCATION



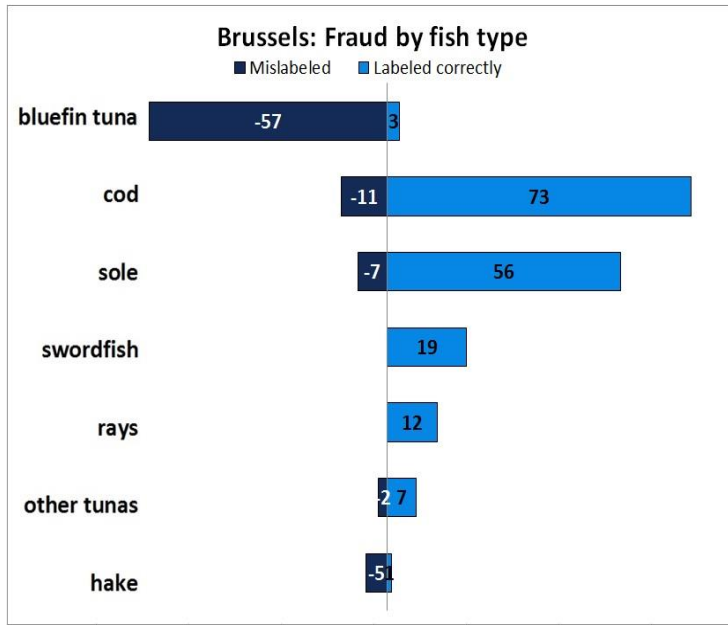


Fig 1: Extent of mislabeling by species; values refer to the total numbers of samples screened per species.

## THE DIFFERENT IDENTITIES OF A SINGLE FISH: PANGASIUUS

The freshwater fish Pangasius (*Pangasianodon hypophthalmus*) farmed in Southeast Asia is the most profitable option for substitutions. With a price tag of €4/kg in supermarkets, and even cheaper at wholesale, its white flesh is well suited for fraud by swapping with more expensive cod or sole sold between €20-25 in restaurants.

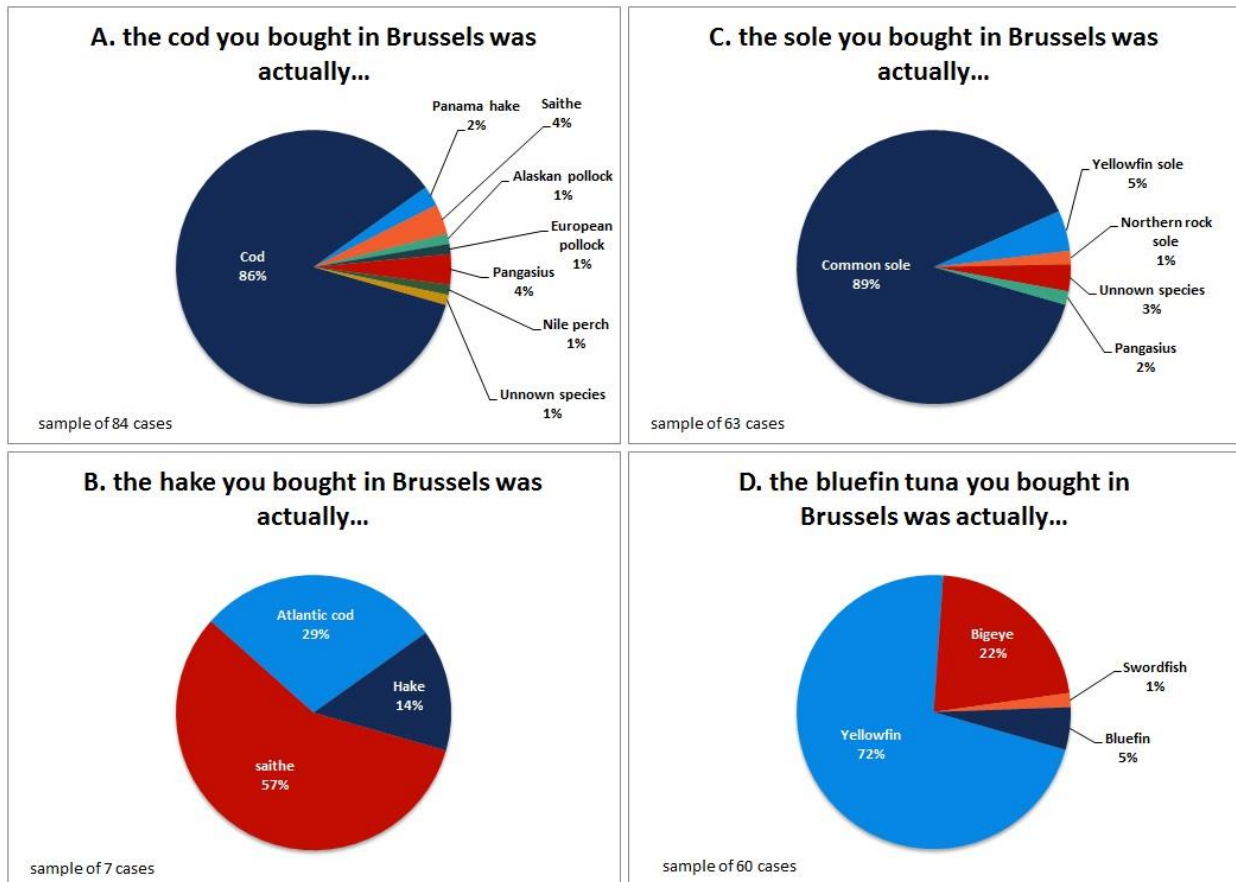


Fig 2: Range of substituted species for A) cod, B) hake, C) sole, and D) bluefin tuna; % refer to mislabelling

## THE TUNA LABELLING LOOPHOLE

Most commercial fish names legislations in Member States, including the Belgian one, authorise several species\* of tuna to be sold under the same name of “tuna”, despite up to 40% price difference between species, for instance between bluefin and bigeye tuna. This ambiguity creates a strong incentive to substitute the species and deceive consumers.

\* Albacore tuna (*Thunnus alalunga*); Bigeye tuna (*Thunnus obesus*); Yellowfin tuna (*Thunnus albacares*); Bluefin tuna (*Thunnus thynnus*)

**38%**

*of fraud found in EU institutions*

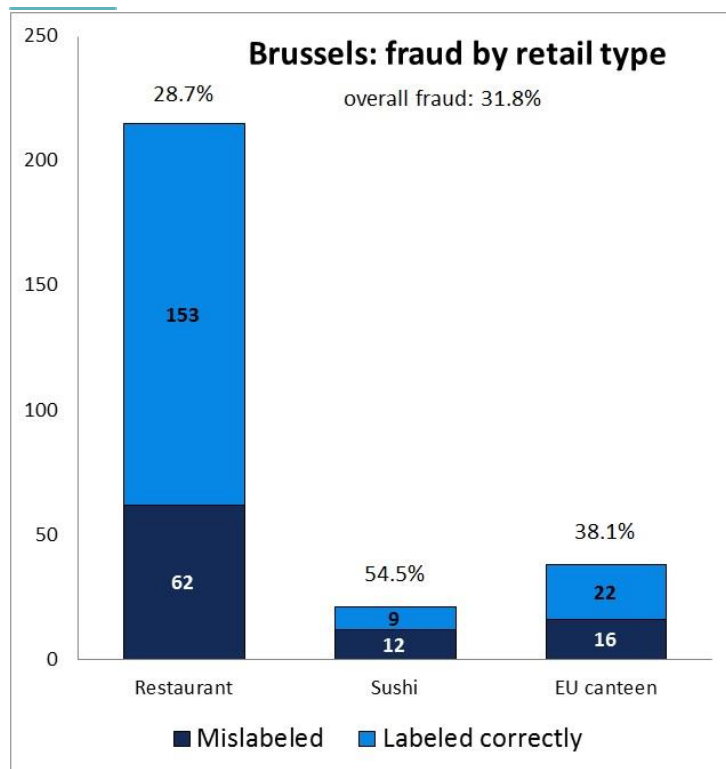


Fig 3: Seafood fraud by type of restaurant

**54%**

*of fraud found in sushi restaurants*

**29%**

*of fraud found in touristic fish restaurants*

## CONCLUSIONS BY TYPE OF RESTAURANT

- In EU Institution canteens, where fisheries management decision makers get their meals, 38.1% level of fraud was discovered (out of 38 samples) primarily related to cod, saithe, pollock and hake. Even decision makers who set fisheries policy are tricked and there is seafood fraud everywhere.
- For sushi restaurants, a 54.5% level of fraud was found (out of 21 samples), mainly due to the common substitution of premium Atlantic bluefin tuna by other cheaper tropical tuna species.
- In touristic fish restaurants, fraud affected all species covered by this study in 28.7% of cases (out of 215 samples).

## OCEANA CONCLUSIONS

Our study shows generalised breaches of fish labelling which indicates weaknesses of seafood labelling and traceability systems. Negligent, if not fraudulent, mislabelling is widespread across Brussels. Generally fish labels on menus were too simplistic to respect minimum requirements of commercial denomination. The multiplicity of designations is often confusing for consumers. Also, many restaurant managers/owners take deliberate advantage of the system by selling the wrong fish with the intention of financial gain through consumer deception.

Feedback from our investigation shows a striking lack of basic knowledge about fish species and their biological characteristics from all levels of the seafood restaurant/catering industry, including restaurant managers, waiters and chefs. In most cases information about the exact species or its geographic origin proved to be wrong or misleading confirming the considerable confusion and misinformation about seafood information found in restaurants.

For Oceana, **a comprehensive labelling paired with traceability can help our oceans, our wallets and our health, while restoring confidence to consumers.**

- EU governments should guarantee a comprehensive and transparent traceability scheme and clear labelling that allows for informed choices about which seafood is safe and sustainably sourced from boat to plate.
- The EU should expand detailed fish labelling rules in all retailers, in particular restaurants and caterers, to allow customers to make informed decision about fish they eat.

**Consumers also have a role to play.** They cannot make informed choices if they do not have the information. Therefore we advise consumers to:

- Know the fish you eat - show real interest and try to learn more: what kind of fish is it, where and how was it caught? Is it sustainable and legal? Ask questions to the person who serves you. This can trigger a chain reaction towards the seafood supplier.
- Check prices - each fish has a corresponding environment cost associated. If a seafood item is being sold at a price that seems too good to be true, probably it is not.



## MORE ABOUT LABELING RULES

**FIC Regulation:** Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004. OJ L 304, 22.11.2011, p. 18–63

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