

To Recognize the “Made in Italy”

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1. INTRODUCTION

One of the main strengths of Italy is constituted by the heritage of agro-food substantial, which is envied around the world. The quality of the Italian food product is represented by its great reputation, which implies that there is a great demand of products all over the world, and that the field of Italian food may constitute a positive element in the balance of payments.

This huge demand for Italian products, can be the subject of considerable counterfeits and imitations, which brings to significant adverse effects on the economy.

Italian products can reach various international markets, registering great success, being competitive in terms of its price and quality.

The Italian specialties that are successful in the world are:

1. Brand-name products
2. Typical Products (close link with the territory)

The Italian typical productions, which have significant success are:

- The traditional products: which are the ones having methods of processing, meaning the preservation and traditional seasoning that are now consolidated.
- Typical products: are those protected by European certifications, or rather those which are of protected origin (DOP, IGP), products with certification of specificity (SGT), and wines with a typical geographical indication (Igt), controlled origin denomination (Doc) and guaranteed (Docg).

Many of these products are recognized and highly appreciated and are the ones that most fall in the phenomena of counterfeiting and imitation.

The Italian food products are of vital importance in exports, in fact they have a value of approximately 12.6 billion euros. Among the various products that fall in the so-called 'Made in Italy', we can find:

- Wine
- Pasta
- Cheese
- Olive oil
- Confectionery
- Cold cuts

Worldwide are appreciated those genuine products, which have a strong link with the territory in which they are produced, i.e. the Italian territory.

1.1 Development of the behavior of counterfeit and imitation: the food-piracy

The food-piracy refers to the practices of counterfeiting and forgery in the food products, that have as purpose to give the product an identity which is different from the one possessed.

The term of food-piracy is generally used, but it can have different practices:

1. *Falsification of the identity of goods of the product*: based on the use of raw materials, semi-finished products, with a value for quality and less costs, compared to the authentic products and the use of productive processes intended to contain the costs of production, rather than the circumvention of mandatory rules, offering a product which has a lower quality than the one declared.
2. *Falsification of the corporate identity of a product*, where the external features presume a different manufacturer, comparing to the real one.
3. *The counterfeiting of the geographical origin of a product*, which concerns the provenance highlights of the raw materials or localization of the production process.
4. *The imitation of the characteristic features of the product*, tended to evoke a national identity different than that of the source. This practice, referring particularly to the Italian food and agricultural products, is approached as the “imitation Italian sounding”.

The food-piracy has to do with either the practices of falsification or imitation. Furthermore, forgery refers to the fraudulent actions that will fly right to intellectual and industrial property.

The practice of imitation has as its purpose to introduce on the market products that are similar, but not identical to the original ones. This practice has as final aim to deceive the consumer and to create in him/her expectations that are not real. Practices of this type of food-piracy do not violate any intellectual or industrial property but it happens that it is in accordance with the law referring to the actions of unfair competition, which lead only to a looming confusion.

The element that distinguishes these practices among them are represented by the people who are engaged in. Those who typically implement piracy or food-piracy are subject to non-entrepreneurs, of whom the activities are unlawful.

The imitation is accomplished by small business local advertising, national companies or multinational corporations.

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The practice of food-piracy, on the theoretical level can be framed into a failure to do market, which takes back at the presence of alterations of shape information accentuated by the presence of protective barriers and high transaction costs.

The quality of the product cannot be evaluated on price, which is something that interest the consumer, who then make his/her on the expected quality rather than the actual one. A consequence of the spread of piracy were:

- The expansion markets due to globalization
- Growth in e-commerce
- Availability to reproduce the distinctive features of the products

The presence of tariff barriers and the remoteness of markets prevent the products from reaching the internal market, which provokes an increase of the practices of counterfeiting and imitation.

The food-piracy is distinguished primarily by two characteristics:

1. The falsification of the Indications and Designation of Origin, and original “brands”
2. The practices of imitation "Italian Sounding", that recurs to specific references of misleading geographical Italian areas, using names, images or symbols that recall Italy.

The food-piracy continues to be a growing phenomenon and accomplishes a greater turnover comparing to the one accomplished by the real and authentic Italian food products.

1.2 The damages and possible consequences of infringement

The counterfeiting phenomenon can lead to various consequences for different categories of actors, namely to:

- Companies
- Consumer
- State
- Public health

When the counterfeiting of the product concerns its origin and source, this is non-toxic, while if it affects its quality, it can become harmful to people's health.

Counterfeit products do not lead companies to be competitive on the market and to remunerate the investment costs, and so to undermine, in the future, the possibility of earning a slice of the market.

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For the State this kind of practices are very destructive, due to the failure to increase the values of our high-quality products. This might impact adversely on the possible expansion, with a decrease on the quantity of exports, leading to less innovation and products improvement.

Especially counterfeit refers to products that are certified, have high reputation and are competitive in the international market.

The area characterized by an increase in counterfeiting of food products is represented by north-America, where the fake products can reach nearly 70% of the sales. For the imitation Italian Sounding, the area of the community to be most affected with 25 billion euros, remains in the pole position of North America, where we can find only 1/10 of the originals products, while the fake ones are about 20 billion euro.

Consumers who do not notice a counterfeit, are those who do not pay attention to the importance of the authenticity of the product, and in the absence of the word 'Made in Italy' or “Imported from Italy”, they refer to generic signals to identify the product.

The distribution of counterfeit products takes place through two main channels:

- *Clandestine circuit*: organized in the streets, outside the regular market, on the internet, etc.
- *Commercial circuit*: these are markets in which the sold products are original and next to them are inserted the counterfeit ones. This type of channel carries significant risks for the consumer due to its official channels of sale that constitute a higher reliability for the consumer who is this way, misled. These types of market sell merchandise that shows the trademarks and distinctive signs of counterfeit (Italian sounding).

1.3 Traceability of Italian food products

Trace a food product means identifying the path, starting from the raw materials until the sale to the consumer. This implies that there is a lot of information to preserve and maintain for each step that will lead to the final product.

The Reg. (EC) 178/2002 provides that there is for each food, the so-called “process tracking” tool, which lets consumers know the product and allows them to make informed choices.

Each step that takes the product from the operator of a supply chain to the other, must be registered and accompanied by the registration of the products in the entrance, allowing the company to go back to the raw materials source.

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The company that sells the finished product must “create” the codes for each product placed on the market that contains information regarding the date of production and ingredients used to produce it, which then should be recorded.

From 2016, made entry the Package “Hygiene”, which involves the obligation of the traceability of food products. The necessary requirements for the application of traceability are specified in the Agreement of July 28th 2005 between Governments, Regions and Autonomous Provinces. Those rules have, in the meantime, identified also specific requirements concerning traceability of products of animal origin with the commission implementing Regulation (EU) 931/2011.

2. THE EUROPEAN LEGISLATION ON THE LABELLING OF FOOD PRODUCTS

The novelty introduced by the European system refers to the Regulation (EU) 1169/2011 on food information to consumers, which provides the obligation for manufacturers to indicate:

- The nutritional values and fundamental health impact
- Indication of the presence of allergens
- Prohibition of misleading information, with the requirement that labels to have a minimum size to be easily readable
- Obligation to indicate the origin on the label of meat of sheep, swine, and poultry

The Regulation provides that the European Commission should verify the cost and the possibility of extending the mandatory indication of the country of origin for meat used as an ingredient; leaving still excluded from this requirement foods such as milk, milk products, and other categories of products food.

Among the other novelties that have been introduced by the Regulation, we have:

1. *The mandatory nutrition declaration, the content of energy and fat, saturated fat, carbohydrate, sugars, protein and salt.* All the above characteristics should be reported in the packaging, in a table that is understandable for the consumer. All the information must be expressed per 100g and 100ml or expressed per portion.
2. *Highlighting the presence of allergens:* by the regulation are laid down in different modes to indicate the allergens highlighted in the ingredients list, allowing the consumer to find them more easily.
3. *Prohibition of misleading information on the label:* the consumer should not be deceived by the packaging of the product. While regarding the phenomenon of the imitation of food products, it is provided that similar food products, with different ingredients, must be easy to locate.

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4. *Minimum size to make readable the label:* the wording on the labels must be in lettering not smaller than 1.2 mm or 0.9 mm, if the packs have a surface area of less than 80cm². In case of a surface of the package and the bottom of 10 cm², therefore the label should just bring back the main information arranged in a favorable position.
5. *Expiry date of foods:* the expiration date must also be indicated on products that are individually wrapped.

2.1 Four important tips to recognize counterfeit products

To avoid purchasing counterfeit products it is necessary that you follow the following tips:

- Carefully read the labels of food products
- Pay attention to the provenance of the product
- Pay attention to the quality-price ratio
- Collaborate with the competent actors in case you notice some abnormalities

The measures listed above should be followed particularly, for fruits and vegetables packed, trying to pay attention to the label as already mentioned before.

3. EXAMPLES OF SOME FOOD PRODUCTS MOST COUNTERFEIT

3.1 Mozzarella

Already in 2008, appeared the scandal of the dioxins mozzarellas in Campania, and then the following year, those obtained with the “*somatotropin*”, used to induce cows to produce more milk, but still a carcinogen to humans.

2010 has been the year of the 'blue mozzarellas' that have been found in supermarkets and edible for the fault of a bacterium. The mozzarellas were produced with cow's milk or with milk which was not of geographical origin different from the one declared and that did not belong to the area of PDO production.

3.2 Fish

Fish products are those that record more irregularities compared to other foods. Fish products may be subjected to practices that lead to deterioration of the product as:

- The fish can be thawed and refrozen
- The mussels farmed in waters putrid
- Fish sourced from outside Europe with a storage period expired, it is repackaged and relabeled by moving the expiry date.

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On the labels there are a number of irregularities with regard the veracity and traceability of the product.

These practices may constitute a danger for the consumer health, damage to the environment, aggravation of the pollution of seas and rivers, because of the bacteria and heavy metals that are dumped into the sea.

For this reason, there is the risk that to assist in the dissemination of the parasite “anisakis” (which is present in the bowels of the fish products), which can infect the man, if you eat raw fish or smoked. This problem may get worse with the opening of Japanese restaurants that offer raw fish in all the sauces. To reduce risks, it is necessary to freeze products at a temperature of -20C for 24h. This is true not only for sushi, but also for those Italian products that are salted and smoked, as herring, anchovies, mackerel, etc.

It is also the company's care to verify the possible contamination while buying the fish products assess raw materials and ingredients. To work in this specific area, we need to make a thorough check, (on the basis of experience) before the purchase and use of food for culinary purposes.

3.3 Tomatoes

The tomato is one of the most exported Italian products. In Italy there are five hundred species of tomatoes, some protected, such as the “San Marzano” from the ARGO SANARESE –NOCERINO DOP.

In the past there were striking cases of tomatoes counterfeit; 34 tons of tomatoes, also did not come from the established areas (Naples /Salerno), but they were poor quality and derived from other areas.

The tomato paste derived from China and was labeled as an Italian product, not knowing the substances and the production processes used to make it.

3.4 Wine

The wine market is in continuous growth and expansion abroad, but it also grows counterfeits.

The various methods of adulteration of the product are:

- Wide choice of rectified concentrated must
- Watering or sugaring
- Treatments with prohibited substances, or if they are present in quantities exceeding those established by law
- The sale of wines such as IGP or DOP, when you do not accomplish the requirements, or lack of permission for the use of the endorsements on the part of the Italian consortia.

3.5 Honey

One of the food more easy to counterfeit, is honey. Within honey you can find harmful substances, such as:

- Syrup of sucrose
- Glucose syrup
- Artificial sweeteners, sugar beet or sugar cane

3.6 Truffle Oil

This type of oil, when it is faked, it doesn't actually contain truffles, but vine flavored with the union of olive oil with aroma-based oil (2, 4 – dithiapentane). It is very important, in this case, reading the labels and the ingredients with which it is made, not having to purchase essential oils, with generic labels.

3.7 Milk

In the milk there may be harmful ingredients, such as:

- Melamine
- Formaldehyde
- Urea
- Hydrogen peroxide
- Detergent
- Caustic Soda
- Starch
- Non-potable water
- Lard
- Fat cow

This product is highly counterfeited and requires a great deal of attention from consumers, while reading the labels of origin of the food.

3.8 Blueberries

Also the blueberries may be the subject of counterfeiting in the form of a simple fruit, this is not true for the other industrial products to the taste of blueberry.

Some of the products that can be the subject of forgery are:

- Bars

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- Sweets
- Products with blueberries counterfeit which may contain a mix of sugar, glucose syrup, starch, and oils

3.9 Coffee

The coffee is not exempt from the techniques of counterfeiting. A greater danger is expected regarding the instant coffee, because it is possible to find toasted soya bean, potatoes, caramel, glucose, starch, twigs, rye, etc.

3.10 Extra Virgin Olive Oil

The olive oil is a product of great importance for the Italian economy. Often the extra virgin olive oil is the result of the transformation of oil seeds (with origins unknown and untraceable), more beta carotene, and chlorophyll, purchased abroad and then passed to the companies, which provide color in the oil, bottle it and distribute it.

To recognize the true olive oil, it is possible to adopt some small improvements, namely:

- Do not buy oils that have a cost that does not even cover the cost of collection of the olives, except in the case of promotions or special offers with a price that cannot be less than 6 €/l.
- Fragrance, taste, and smell: it is important to check the fragrance of the oil, the taste must be bitter and pungent and the smell must be the one of the olive oil.

Adulteration or counterfeiting concerns always the appearance and the color of the product, but it cannot replicate the quality.

You should always rely on recognized brands with labels talkative, and also it must be specified in label with transparency and plenty of detail.

- The origin of the olives
- Method of squeezing
- The region of production with consortia to promote the protection of the DOP brand

More information on the label means more transparency on the part of the manufacturer. And preferable to choose organic products, which are more rigorous on the method of production and control.

On the labels of the oils you often find descriptions such as: “gentle”, gentle classic, used by manufacturers to describe the taste of the oil for commercial purposes. These definitions do not fit into the features provided by the law, according to which the extra virgin olive oil is defined only as:

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- Bitter
- Sweet
- Balanced
- Fruity
- Spicy

The law provides that to be classified as extra virgin the oil must be fruity, and shall not exhibit defects in olfaction or taste.

3.11 Meat

Can't be allowed the sale of meat from animals made you fat with substances that are not allowed, then they are rich in water and during cooking drying-up considerably. The same thing also applies to the meat containing residues of medicinal products, the treatment of which was not declared. It is not permitted to the sale of cuts less valuable as precious.