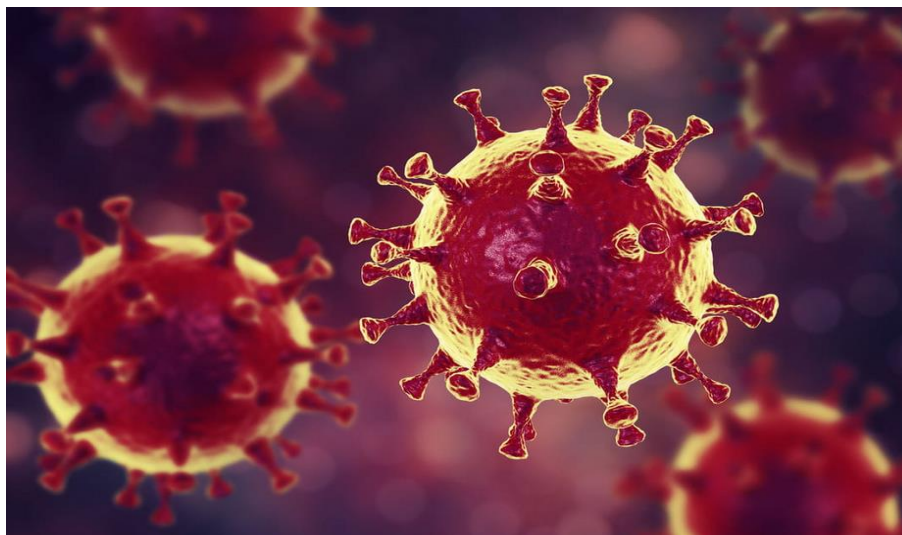


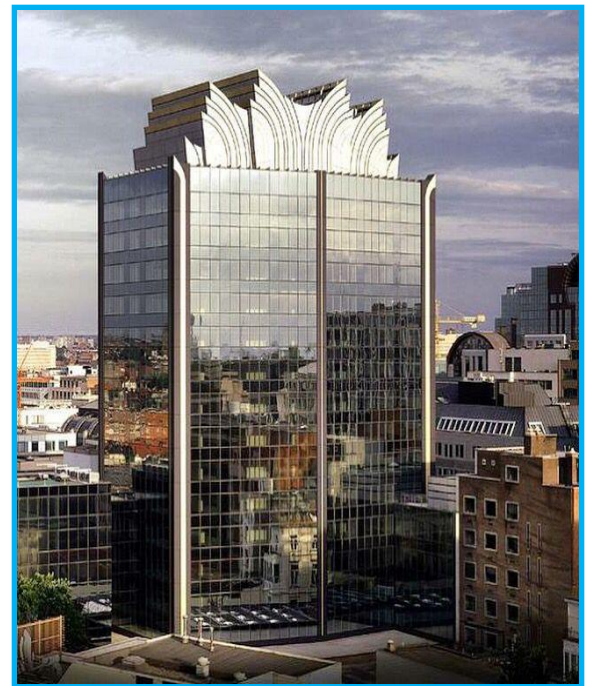
# Issues and Trends in IP Crime during the COVID-19 Pandemic



Martin Fischer  
Unit B.2 Illicit Trade, Health & Environment  
29/06/2021

# Content

- **OLAF Mission and Mandate**
- **OLAF Investigations COVID-19**
- **Cooperation**



# OLAF Mission and Mandate

## Fight against illicit trade:

- Regulation (EU) 515/1997:
  - Imported goods subject to restriction, prohibition;
  - Goods non-compliant with EU standards;
  - Counterfeit goods;

## Fight against IPR infringement:

- Regulation (EU) 608/2013:
  - concerning customs enforcement of intellectual property rights (including infringements to protected geographical indications).



# OLAF Mission and Mandate

Intellectual property **(IP) Action Plan** adopted on 25.11.2020:

*"The Commission plans to strengthen the enforcement of IPRs at EU level, by broadening the Commission's mandate and assigning it to the European Anti-Fraud Office (OLAF), so that the latter does not only prevent counterfeit goods from entering the Single Market but can also act against illicit production of counterfeit goods **within** the EU."*



# OLAF Mission and Mandate

- **OLAF cases**

- ▶ Investigations
- ▶ Coordination

- **Cooperation**

- ▶ Within the EU

- Authorities – customs, market surveillance, police
- Right holders

- ▶ International cooperation

- OLAF Liaison Officers – China, Ukraine, United Arab Emirates
- Mutual Administrative Assistance Agreements
- JCO/JCPO



# OLAF Mission and Mandate

- OLAF investigations target a broad range of counterfeit/substandard products dangerous for the health/public safety/environment:

- ▶ Alcoholic beverages
- ▶ Daily care products
- ▶ Food products
- ▶ Household products
- ▶ Mechanical products
- ▶ Medicines
- ▶ Pesticides
- ▶ Refrigerant gas
- ▶ Toys



# OLAF investigative tools

Investigation activities:

- Interviews
- Inspections of premises
- On-the-spot checks
- Forensic operations
- Investigative missions
- Access to documents
- Taking and checking of samples





# OLAF Investigations COVID-19

19 March 2020

## ► Target:

- Illicit trade of medical supplies used to suppress COVID-19 infection;

## ► Objective:

- Preventing illicit goods entering EU;
- Dismantling illegal factories manufacturing illicit products;

## ► OLAF's work in practice:

- Exchange of intelligence in real time;
- Cooperation with right holders;





# OLAF Investigations COVID-19

## ► Origin

- China and South Asia, Ukraine, Turkey;

## ► Routes

- Airfreight
- Online sales

## ► Actors involved

- Often long chains of shell companies;

# OLAF Investigations COVID-19

## Fraud typologies:

- ▶ Counterfeit
- ▶ Substandard
- ▶ Scams
- ▶ Fake Certificates



# OLAF Investigations COVID-19

## Case study: Counterfeit hand sanitiser



- ▶ Danish authorities informed OLAF about the seizure of 6.000 litres of dangerous hand sanitiser from Turkey;
- ▶ OLAF identified a suspicious shipment heading for Ireland;
- ▶ Irish authorities discovered contaminated sanitisers in storage shipped by the same freight forwarding company;
- ▶ OLAF investigations revealed that several companies in different MS had ordered hand sanitisers from the same Turkish company;

→ Seizure of **140.000 litres!**

# OLAF Investigations COVID-19

## Results to date:

- ▶ Seizure of ca. **52 Mio.** substandard/fake medical products:

- Face masks
- Hand sanitisers
- Test kits
- Falsified medicines
- ...



- ▶ Identification of ca. **1.150** suspicious operators

# OLAF Investigations COVID-19

## Vaccines:

- ▶ **Awareness raising**

Series of webinars for LEA's, MSA, Online Marketplaces, Manufacturers etc.



- ▶ **Detected fraud schemes:**

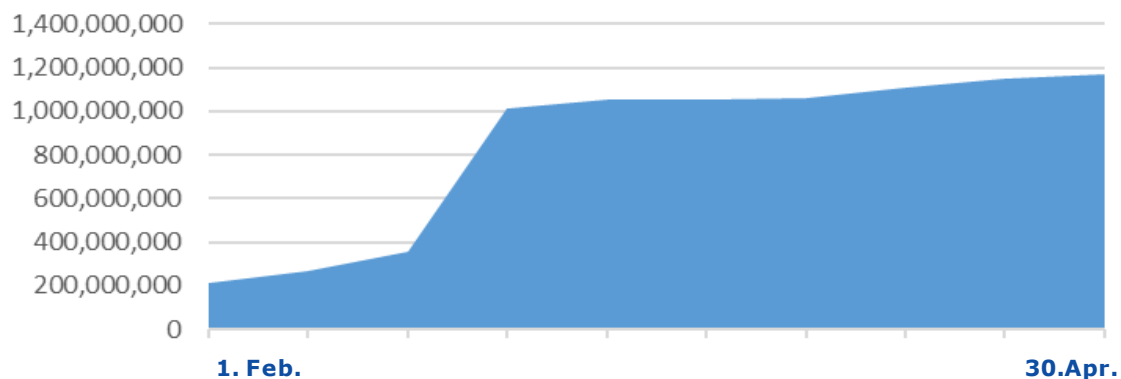
Fake **offers** of vaccines to authorities:

- ca. 1.100.000.000 doses of vaccine
- total asking price of ca. EUR 16.000.000.000

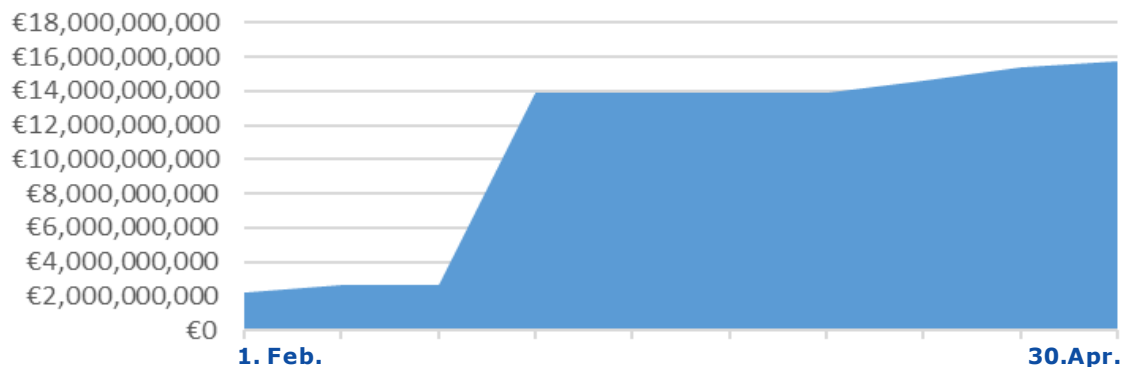
# OLAF Investigations COVID-19

## Fraudulent Vaccine offers:

Evolution in number of offered doses



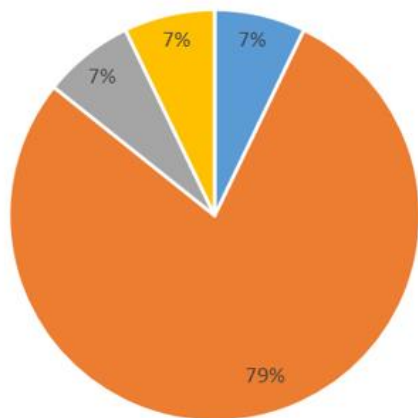
Evolution of total asking price



# OLAF Investigations COVID-19

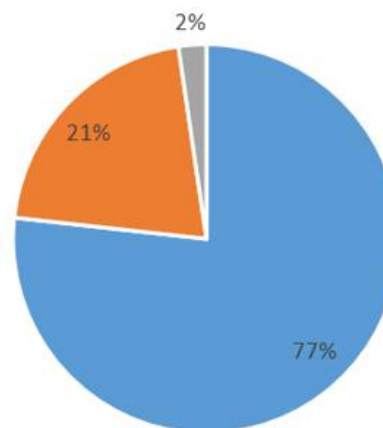
## Fraudulent Vaccine offers:

Offer made to type of authority



■ EU body ■ national authority ■ regional authority ■ local authority

Type of approach



■ e-mail only ■ phone call and e-mail ■ letter

# Cooperation

## Stakeholders:





# Cooperation

- **Operation STOP**

- ▶ Counterfeit, illicit and substandard medicines, including all goods related to COVID-19 pandemic
  - 11 May – 12 July 2020

- **Operation SHIELD**

- ▶ Coordination of one action
  - 8 – 18 June 2020



- **Operation S' CARE FACE**

- ▶ Map the routes and controls carried out
  - 18 January 2021 – 12 March 2021

# Thanks for your attention!



**EUROPEAN COMMISSION  
EUROPEAN ANTI-FRAUD OFFICE (OLAF)  
Operations and Investigations  
Unit B.2. 002 IPR, Health and Environment  
Martin-Richard.FISCHER@ec.europa.eu**

