

# Food Advisory Group

Food advisory

PRECISE. PROVEN. PERFORMANCE.

## Peanut contamination alert

In recent weeks certain shipments of powdered cumin have been found to be contaminated by ground peanut shells. This has led to withdrawal of certain prepared foods with cumin as an ingredient in the USA and the UK due to the allergen risk to consumers, particularly those with aggressive peanut allergies. The write-off of shipments and processed foods has major consequential loss implications. Our team has significant experience in helping food producers and processors identify and recover consequential losses in such circumstances.

### Meet the team



#### **Charles Lazarevic – Partner, Forensic Accounting**

Charles Lazarevic heads the firm's forensic accounting practice in London, having qualified with a Big 4 firm in 1980 in the City of London. He has spent his professional career in practice in the City, advising a wide range of private and listed companies, and a variety of major publicly funded bodies on financial reporting and M&A issues. His experience includes acting as an expert in disputes involving food product recalls, farm accidents, breaches of EU quotas (including beef and fish), compensation due to recreational fisheries in England, the impact of foot and mouth, the rearing and retailing of quality meats and consequential losses for business disruptions of dairy farms and milk distributors. He has acted as an expert witness and assisted his instructing party and barristers prepare evidence and strategy in over 400 civil and regulatory cases, and complex fraud trials.

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#### **Case study: Sudan 1 dye claim**

A sizable number of food products had to be cleared from supermarket shelves upon notification that the flavours provided contained Sudan I dye. Charles was requested by solicitors acting for the flavourings supplier's insurers to prepare an expert report into these major proceedings. Charles' work resulted in 60% of the claims made by food manufacturers to recover losses being rejected. The solicitors noted that without Charles' extensive forensic examination, parts of the claim might have gone unchallenged. The client thanked Charles for "dealing professionally with a very special approach shown by the claimant-side."

Charles advised the supplier that there was sufficient evidence to bring a claim against the original supplier of the contaminated materials. Charles prepared a second report and assisted with negotiation of recoveries against the original supplier.

**Duncan Swift – Head of Food Advisory Group**

Duncan has worked in the UK food supply sector for over 20 years and heads Moore Stephens' Food Advisory Group. Duncan holds an MSc degree in Agricultural Business Management and has particular expertise in assisting owners and other stakeholders involved in financially challenged food production (agriculture, horticulture) and food processing businesses. He particularly enjoys success in helping food producer and food processor businesses to survive and thrive in their dealings with major supermarket buyers. His views and experience on ensuring fair-dealing between food suppliers and supermarket buyers have been well reported in the media over the last ten years; cited by Andrew Simms in 'Tesco: How one shop came out on top and why it matters' (2007), and referenced in the Competition Commission's Groceries Market Review 2006-2008 findings and recommendations. Duncan is a regular conference speaker on corporate governance matters in the food supply chain and has recently been appointed to the Advisory Board of the Institute of Food Safety, Integrity & Protection and has been widely quoted in the recent Tesco case.

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**John Baker – Director, Counter-Fraud & Bribery**

John has over 18 years' experience in countering fraud and corruption. He advises clients on the effectiveness of their anti-fraud/corruption arrangements and is a regular public speaker in the UK and overseas. John has extensive experience gained from working on a wide range of projects in the public, private and not-for-profit sectors.

John sits on the Advisory Panel of Portsmouth University's Centre for Counter Fraud Studies, on the Editorial Board for the 'Fraud Intelligence' magazine, on the National Fraud Authority's 'Fighting Fraud Locally (FFL)' Steering Committee and is Vice-Chair of the London Audit Fraud Group. Until recently, he was a Director of the London Fraud Forum and an Executive Committee member of the Institute of Counter Fraud Specialists. John co-wrote the food fraud article 'Eating the elephant – procurement protection in the food supply chain'.

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**Please contact any of the team above for further information and if you wish to have a confidential, no-obligation discussion of your business' exposure to this food fraud.**

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