

Date released: 16 May 2018

**1. What is the charge for anyone caught illegally selling DNP as a diet pill in the UK?**

Given the context of the question you may be asking under what legislation offences are committed: -

Section 7 of the Food Safety Act 1990.

Regulation 19(1) Food Safety & Hygiene (England) Regulations 2013

Article 14 of the General Food Law Regulation (EC) 178/2002 may apply.

Nutrition and Health Claims (England) Regulations 2007 may apply

**2. How many sellers of 2,4 Dinitrophenol (DNP) who have illegally sold DNP as diet pills, have been identified? i.e. Sellers who have taken payment and completed a delivery to any UK addresses?**

Six Dinitrophenol (2,4DNP) cases with confirmed payment and delivery to the UK have been identified

**3. Please list from which countries are those sellers who have been identified.**

Supply of DNP have been identified from: -

United Kingdom, Ukraine, Turkey, China and USA.

**4. Of those identified how many have been charged with an offence?**

Four persons have been charged with offences, linked to two sellers of DNP. Other investigations continue.

**5. Of those identified who have been charged with an offence, and of those how many have been prosecuted and convicted with an offence?**

The NFCU has been involved in a number of operations where large quantities of 2,4 DNP have been seized; one of which has led to the first conviction of a person selling DNP in the UK:

<https://www.food.gov.uk/news-updates/news/2016/15506/nfcu-operation-illegal-sale-of-dnp>

Other court cases are pending.

**6. Please provide details of what the FSA CU knows about the legislation in the UK, Ukraine, Turkey and the USA (UK, UKR, TU, USA) as to the sales of so called DNP diet pills? If it does not know, please say so.**

*That is to say:*

**a. As to whether it is an offence or not?**

**b. As to whether it is on their statute books?**

**c. As to whether its different to our controls and laws?**

- i. As to whether or not any action has been taken by any of those Countries (UK, UKR, TU, USA) in respect of Controls, changes to Laws or Prosecutions.**

UK legislation outlined in the answer to question 1.

Specific legislation covering DNP in the Ukraine, Turkey and the USA is not held by the NFCU and would have to be sought directly from those countries.

**7. What action is being taken to clamp down on search engine providers who facilitate the advertising of DNP so called diet pills?**

The NFCU proactively targets those suspected to be selling DNP to UK consumers. The unit regularly monitors the internet to identify websites that are marketing DNP for human consumption, and the people behind them. Where such people are traced to a UK address, we work with partners to develop investigations.

The NFCU has removed more than 35 websites and three social media outlets that have advertised DNP for sale, while five other websites have ceased selling DNP after NFCU intervention. The NFCU has developed relationships with social media and on-line auction sites to remove DNP postings quickly. We have not engaged with search engine providers but remain vigilant with any on-line material and target Abuse Complaints to shut sites down.

**8. What action is being taken to clamp down on banks and payment collection entities (i.e. PayPal) who facilitate the transacting of illegally sold DNP so called diet pills?**

Banks and other financial institutions have a statutory obligation under the Proceeds of Crime Act 2002 (POCA) to report suspicious financial activity to UK law enforcement. This is a legislative measure to combat money laundering and other illegal financial activity.