

DIRECT MARKETING

Fighting Menu Fraud

Farmers Lyle and Fiona Young noticed their duck was featured on the menu. Surprising, since they weren't selling duck to that restaurant. They aren't the only farmers getting ripped off.

BY DON GENOVA

The duck breast was moist, tender and flavourful, one of those dishes that makes you smack your lips after every bite. Each deliberately-speared forkful was carefully swirled around the plate to mop up the sauce, and after leaning back in my chair at one of Victoria, BC's top restaurants, there was just one lingering question I needed to have answered.

"Where does this duck breast come from?" It was an innocent and totally appropriate question. But before I knew it, the answer found me digging into a controversy that affects everyone in the food business, from the farmer, to the distributor and retailers, to the chef and the consumers.

The answer was one I was expecting. My server said, "Oh, it's from Cowichan Bay." Living just down the road from Cowichan Bay Farm, the only farm in the Bay that raises ducks for the restaurant trade, I was familiar with Lyle and Fiona Young's excellent chicken and duck products. A few days later, inspired by my meal, I was buying some duck breasts at the farm when Lyle Young popped his head into the farm sales shop. I told him how much I had enjoyed the fruits of his labour at the restaurant, but instead of the smile I expected, his face fell. "I'm glad you enjoyed that meal, but it wasn't our duck. We don't sell to that restaurant."

Today's Canadian cuisine, especially in fine dining restaurants, is becoming more of a market for individual producers. Chefs seek out farmers, or distributors, with products of particularly high quality or of an unusual nature, then proudly trumpet the name of the farm, or even the farmer, on their menus. Restaurant patrons learn to look for these 'designations', especially when service staff are primed to pump the names when describing menu items. With recent concerns over BSE and avian flu, and environmental groups targeting the farmed salmon industry, consumers are turning to labels and descriptions to help them choose the food they eat.

Menu fraud has always existed in restaurants, but these days the stakes are higher, as small farmers and producers struggle to survive against industrialized agriculture. Evidence suggests it occurs across the country—and the perpetrators include mom and dad cafes as well as top-end restaurants.

Ontario farmer and former restaurateur David Cohlmeier had been regularly selling several hundred dollars a week of gourmet greens from his 50 acre operation to a well known Toronto hotel when the orders dropped to a miniscule \$35/week. Cohlmeier knew that the hotel, which still proudly boasted his reknowned Cookstown Greens on the menu, had to be using more greens than he was supplying. When he investigated he was told that his product was inferior. "I thought, 'If the quality isn't good enough why do you want to use my name?'" Cohlmeier recalls. Further questioning revealed a minor fraud: the chef was sprinkling a few of Cohlmeier's greens over a heap of cheaper commercially grown produce, then passing everything off as "Cookstown" quality.

Cohlmeyer, who has been featured in numerous shows and magazines, says he has discovered a number of restaurants on the internet that claim to offer his produce yet do not purchase from him, and he has heard of others from food critics. “They say, ‘We had some of your salad greens at a restaurant.’ But I’ve never sold them any greens.”

As Lyle Young perfected his pasture-raised poultry methods, his reputation as a producer of chicken with incredible flavour spread throughout Vancouver Island and the BC Lower Mainland. But then some disturbing reports started coming in. A butcher shop in Victoria was selling their chicken, even though he doesn’t sell to that shop. A Victoria food writer bought a turkey, reported to be from Cowichan Bay Farm; he’s never sold that shop a turkey. The writer went back to the butcher, but they said the young person selling it didn’t know what he was talking about. Lyle and Fiona were having dinner in Shawnigan Lake one night, and their duck was on the menu. Surprising, since they weren’t selling duck to that restaurant. In each case, the managers or chefs claimed the servers ‘made a mistake’, that they were misinformed, that there was no actual intent to deceive the consumer.

While it’s said imitation is the sincerest form of flattery, what if those imitations don’t match up to the real thing? A farmer’s reputation could be severely damaged and a great deal of income lost. In many instances, the product portrayed as the real thing is cheaper and inferior to the original.

That’s a pet peeve of Mark Hills, of Hill’s Foods in Coquitlam, BC. His company supplies wild game meats, organic meats, and specialty products to chefs, restaurants, retailers and wholesalers around the world. “What happens to it once I deliver it isn’t really my responsibility, but I hate seeing the products misrepresented,” says Hills. He listed lots of examples for me, from restaurants serving imitation crab in dishes and not telling people it’s really imitation crab, serving venison leg meat but calling it loin meat, to even one restaurant selling beef burgers and calling them bison burgers. “There’s no policing of it. In many cases, people don’t even know they’re being fooled.”

From the chef’s perspective, says Hills, it is wise to isolate a menu item to a specific farm; it is a good sales point for the server to make, and it supports community farmers. It makes for a more colourful, appealing menu, and can give consumers comfort. “But the farmer also needs to have the business acumen that if he pushed to have his farm or name on the menu, he has to be able to be consistent, with quality and supply,” remarks Hills. In other words, farmers who expect a restaurant to commit to purchasing their products need to commit to providing those products.

To be fair, this *is* a two-way street. A farmer could fool a chef. Lyle Young told me about a farmer who buys factory-raised, medicated chickens, keeps them on his farm for two weeks, then has them butchered and sells them as “non-medicated” chickens. And David Cohlmeyer, of Cookstown Greens, suspects that a substantial amount of beef that is marketed as organic is, by strict definition, not organically grown.

Then there’s BC’s Salt Spring Island Lamb. Farmers have promoted this lamb as having a better flavour, since the lambs are raised on the salt-spray-lashed

grasses of Salt Spring Island. But if you just truck your lambs over for a few weeks to finish them on the grasses, can you call them Salt Spring Island Lambs? Many Vancouver Island sheep farmers question the ability of Salt Spring Island farms to raise all the lamb that is marketed as Salt Spring Lamb.

Certified organic products are another example. There are rules and certifications, but who polices it? How can you guarantee a consumer that what they're buying is organic? Mark Hills looks them in the eye and says, "I can't. But I've been to the farms, talked to the people, I've developed a relationship of trust."

Alastair Robertson of Cumbrae Farms hasn't had to deal directly with menu fraud in the past. He raises additive-free chicken, beef and lamb near Lake Eire, Ontario. He's not aware of restaurants or butcher shops selling someone else's product as being from Cumbrae Farms, but he battles a slightly different form of fraud. "People keep labeling our product as being organic. I've never told people that it is, only that it's naturally fed and naturally grown." It follows that people who insist on organic food are being misled by the mislabelling.

I also spoke with Rob Feenie about the menu fraud issue. Feenie is one of Canada's most famous chefs, with a Food Network cooking show and one of the country's top restaurants, Lumiere, in Vancouver. His success depends on sourcing the best ingredients. Feenie is proudest of his menu when the bulk of the ingredients come from Canada's finest producers. But even he has problems sourcing what he wants when he wants it, and then he has to be careful about what he puts on the menu. "We are a restaurant that wants to be Canadian, but there are some parts of the year when I can't source Canadian lamb, or Canadian beef at a price point that allows me to keep my price the same on the menu. Then I tell all the servers, 'You *must* tell our customers that the lamb is from Australia, or the beef is from the US' because our clientele wants that information and it wants the right information."

Of course it would be difficult to find any chef to admit to menu fraud. So what does a farmer or producer do when they become aware of such a situation?

Mark Hills: "If they're passionate about their products, they have to confront the individual that is doing them wrong, don't sit back and do nothing. Challenge them in a nice way, don't come out swinging."

Lyle Young: "I talked to the chef that was buying the chicken that was purported to be non-medicated. I said, 'Do you know what you're actually buying?' It made the chef very uncomfortable...a very touchy situation."

For Young, the key issue is that if consumers want to encourage specialty production and food choices, they have to be clear what they're talking about, and support exactly who they want to. "The farmers that make the effort to provide quality products won't stay in business if they get taken advantage of. What it all comes down to is trying to both educate the public and un muddy the water."

Young is a proponent of appellation systems in use in countries like France and Italy, advocating support of the 'terroir', the soils and conditions that can make each product unique to its region. "Let's have some regulations to help us name these things, and a means of policing it."

Given the bureaucratic wrangling that surrounds even the simplest changes to regulations in this country, in the short term it seems as though Canadian farmers

will have to not only grow or raise fine products, but be educators, detectives, and experts in dispute resolution as well.

Pullquote1:

Menu fraud has always existed in restaurants, but these days the stakes are higher, as small farmers and producers struggle to survive against industrialized agriculture.

Pullquote2:

Ontario farmer David Cohlmeier knew that the hotel, which still proudly boasted his renown Cookstown Greens on the menu, had to be using more greens than he was supplying.

CAPTIONS

Menupic1 and menu pic2:

Chef Rob Feenie: "I tell my servers, 'You *must* tell our customers that the lamb is from Australia, or the beef is from the US.'"

Menu3

Farmer Lyle Young saw that the menu featured his duck. Surprising, since he didn't sell duck to that restaurant.

Menu4a and 4b:

Some farmers think it is time to start policing restaurants.

Menu5:

Under the current system there is no way to know if produce is as billed, or if it is fraudulent.

Menu6

No caption

Menupic7: JAMES, CAN YOU PUT THE WORD 'FRAUD' OVER THE IMAGE?