

Trading Standards Tobacco Highlights

BACKGROUND

London Borough of Newham has the third-highest smoking prevalence rate within London. Smoking is currently the biggest cause of death within Newham, with approximately 40,000 residents smoking. This represents 14% of the adult population, with prevalence amongst those with mental health conditions, at approximately 26%. Between 2017-2020, 245 young people between 12-25 registered with a pharmacy within Newham for "Stop Smoking Services". Whilst declining, the London Borough of Newham is approximately 20 years behind the government's current "smoke-free" target of 2030.

"A survey in 2012 carried out by the Royal College of Physicians, found that young people who either played truant from school or who had been excluded from school in the past 12 months were almost twice as likely to smoke, when compared to those who had never been excluded or played truant".

London Borough of Newham Trading Standards currently conducts a robust and ambitious programme of underage tobacco test-purchasing, underage illicit tobacco test-purchasing, and illicit tobacco enforcement. This is to prevent the sale of age-restricted products, prevent the sale of illicit tobacco products, disrupt organised criminal groups, reduce smoking prevalence, and reduce crime and anti-social behaviour (associated with smoking/illicit tobacco products) within the borough.

Newham Trading Standards, also intend to conduct illicit tobacco test purchase operations using a specialist officer to target Eastern European businesses within the borough. These operations will be intelligence-led, whereby it has proven difficult to obtain a successful purchase of illicit tobacco products, from officers that are not of Eastern European heritage/ descent. This requires specialist officers, due to the Eastern European community at times being a closed community, which is sometimes operated by Organised Criminal Groups (OCG's), and facilitates criminal activity/ conduct.

HIGHLIGHTS (19/05/2021- 03/09/2022):

From 19/05/2022- 03/09/2022 (illicit tobacco underage visits), Newham Trading Standards conducted, 2 illicit tobacco test purchase operations (19/05/2022, 19/08/2022), with a total of 20 visits, resulting in 2 reported failures (10.00%). As a result, there are currently 2 investigations in progress, and 2 written warnings issued.

From 19/05/2022- 21/08/2022 (VAPE visits), (Newham Trading Standards conducted 2 VAPE & Tobacco test purchase operations 19/08/2022, 21/08/2022), inclusive of 14 VAPE visits, resulting in 2 failures (14.29%). As a result, there are currently 2 investigations in progress.

From 19/05/2022- 03/09/2022 (Sniffer dog visits), Newham Trading Standards conducted 2 sniffer dog operations in conjunction with Wagtails (02/09/2022, 03/09/2022), with a total of 13 visits, inclusive of 6 seizures. (40.00%) Previous/ current Intel produced results at 5 of the 6 failed business premises (83.33%). Newham Trading Standards seized a total of 28,440 tobacco sticks (1,422 packets), 2.0kg snuff, 320g hand rolling tobacco (HRT), 2.3kg Chewing tobacco, 178 non-compliant Vape pens. 600g Shisha, 46 packets of Bedi (unknown weight). As a result, all investigations are currently live. Please see photographs of the seized goods below at **fig 1- fig 1.2**.

Total approximate value of illicit tobacco and alcohol products removed off the London Borough of Newham Streets (17/06/2022- 03/09/2022):

Tobacco Sticks (28,440) (1,422 packs): £18,486.00, Snuff (2.00kg): £571.00, Chewing Tobacco (2.3kg): £368.00, Bedi: UNKNOWN (46 small packets), Shisha (600g): £104.93, HRT (320g): £188.26, Vapes (178 pens): £3,026.00

Total: **£22,749.00**

Combined Total (03/06/2021-03/09/2022): **£271,937.33**

From 28/07/2022- 03/09/2022, Newham conducted 1 days of action in High Street North, East Ham E6 (East Ham Central Ward), with a total of 5 formal inspections completed. Trading Standards, issued comprehensive advice and guidance documents to 100% of businesses inspected.

During the inspections, Trading Standards identified a number of non-compliance issues, and breaches of legislation enforced by Trading Standards. In particular, breaches of The Tobacco and Related Products Regulations 2016, General Product Safety Regulations 2005, Trade Marks Act 1994, Consumer Protection from Unfair Trading Regulations 2008, Consumer Rights Act 2015.

As a result, Trading Standards requested the immediate removal from sale of approximately 1,000 Vape Pens/ devices, and approximately, 1.5kg of Shisha, and other smokeless related tobacco products. It was noted that there were a number of VAPE devices, that had 1,500 puffs (ELUX, DLUX, ELF BAR, and Solo Legend), which exceeded the permitted 600 puffs limit. Please see photographs of the seized goods below in **fig 3- fig 3.26**.

The above actions were proportionately considered in line with the local authority enforcement policy, and the need to support local businesses.

Trading Standards have further planned days of action on Wednesday 21st September 2022, Thursday 22nd September 2022, and Wednesday 28th September 2022.

CONCLUSION:

Intelligence led operations, and data analysis provides that there are notable identified concerns within the following wards, Stratford (6), Forest Gate South (7), Maryland (1), Green Street East (10), Green Street West (3), Canning Town North (previous significant intelligence), Plaistow North (1) East Ham (5), Manor Park (4), and Little Ilford (3). Please see **fig 2- 2.1** for further mapping information.

The identified wards are in close proximity to the following schools/ colleges, Tunmarsh school, Little Ilford School, St Bonaventure's school, St Angela's school, Rokeby, Stratford school, East Ham college, and New Vic VI form college. Please be aware that the above listed school information is not exhaustive.

PRESS RELEASES:

There are currently 2 pending press releases, which are currently with the London Borough of Newham's communications team for their consideration and approval. Please see below draft for information purposes only.

Newham Council Public website:

1) £25,000 of illegal tobacco seized in Newham Operation CeCe visits

Newham Council's Trading Standards teamed up with specialist detection dogs to track down and seize illegal tobacco worth £25,000 at the weekend.

The crackdown was part of Operation CeCe, a national campaign that focuses on joint working between Trading Standards and HM Revenue and Customs.

The investigations remain ongoing and the seized products will now be fully assessed as part of the inquiry to determine the exact offences that have been committed.

Councillor Carleene Lee- Phakoe said: "Illegal tobacco is dangerous and through our Trading Standards operations, we are taking direct action to protect our residents by removing these harmful substances".

Anyone who is prosecuted and convicted of being involved in selling or supplying illegal tobacco can face penalties including up to 10 years in prison and an unlimited fine.

If you have any information about the sale of illegal tobacco in Newham, please report it via the Citizens Advice Consumer Advice Line on 0808 223 1133.

2) Local businesses tested for underage alcohol and vape compliance

Trading Standards Officers from Newham Council carried out test purchase operations to ensure that local businesses were not selling alcohol, and vapes to young people.

The operations on 17th, 19th, and 21st August 2022, saw young persons, under the age of 18, attempting to purchase alcohol, and vapes from a number of different businesses in the borough.

Overall the planned test purchase operations were a success for the Trading Standards team, with a total of 31 businesses visited passing successfully, and preventing the sale of age-restricted products. Unfortunately, on this occasion, 5 businesses failed to prevent the sale of alcohol or vape products to minors.

The failed business premises will now be investigated as part of Trading Standards ongoing enquiries.

It's illegal for anyone under the age of 18 to purchase any type of alcohol, or vapes, in England, and local businesses overall in Newham have proved they're following the rules by not selling to youngsters.

Councillor Carleene Lee- Phakoe, Cabinet Member for Crime & Community Safety said: "It's pleasing to see that the majority of businesses tested and successfully refused the sale of age-restricted products to minors.

"Businesses need to be extra vigilant and prevent the sale of such products to those who are underage, and I'm glad to see that our local businesses are."

The council will continue to run these test purchase operations and has noticed that the level of compliance has increased since last year.

PHOTOGRAPHS:

(02/03/2022- 03/08/2022)

Seizure of illicit tobacco/ cigarettes, HRT, Vape Pens, Shisha, Chewing Tobacco, and Bedi products (London Borough of Newham).

Fig 1



Fig 1.1



Fig 1.2



TEST PURCHASE FAILURE/ SEIZURE MAPPING (TOBACCO/ VAPE) MAPPING:

(Period 19/05/2022- 01/09/2022)

Fig 2

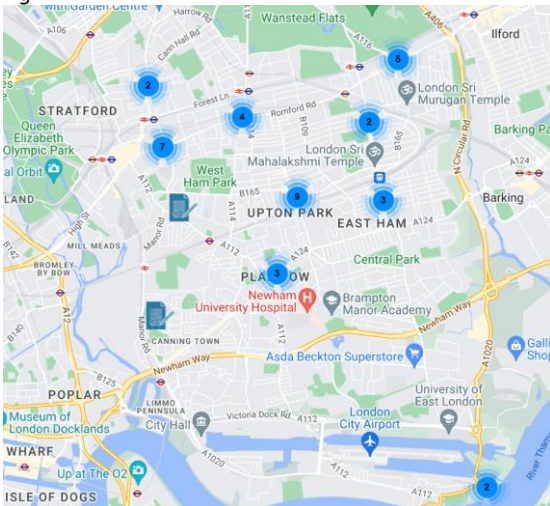
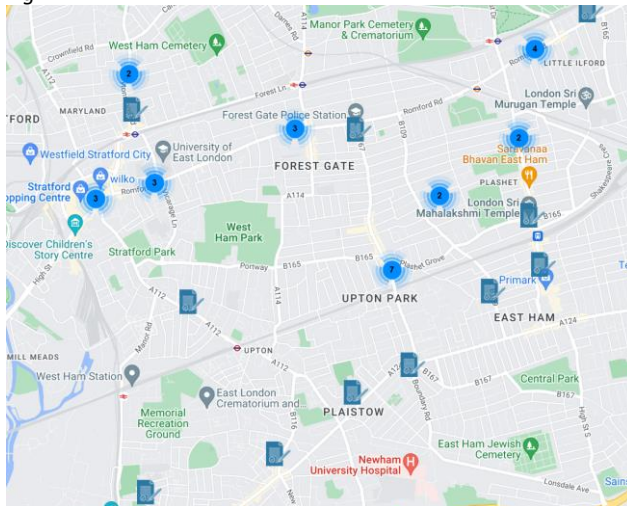


Fig 2.1



NON-COMPLIANT PRODUCTS IDENTIFIED DURING DAY OF ACTION (28.07.2022)

Fig 3.



Fig 3.1



Fig 3.2



Fig 3.3



Fig 3.4



Fig 3.5



Fig 3.6

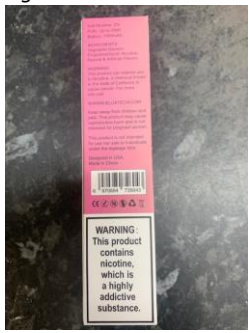


Fig 3.7



Fig 3.8



Fig 3.9



Fig 3.10



Fig 3.11



Fig 3.12



Fig 3.13



Fig 3.14



Fig 3.15



