

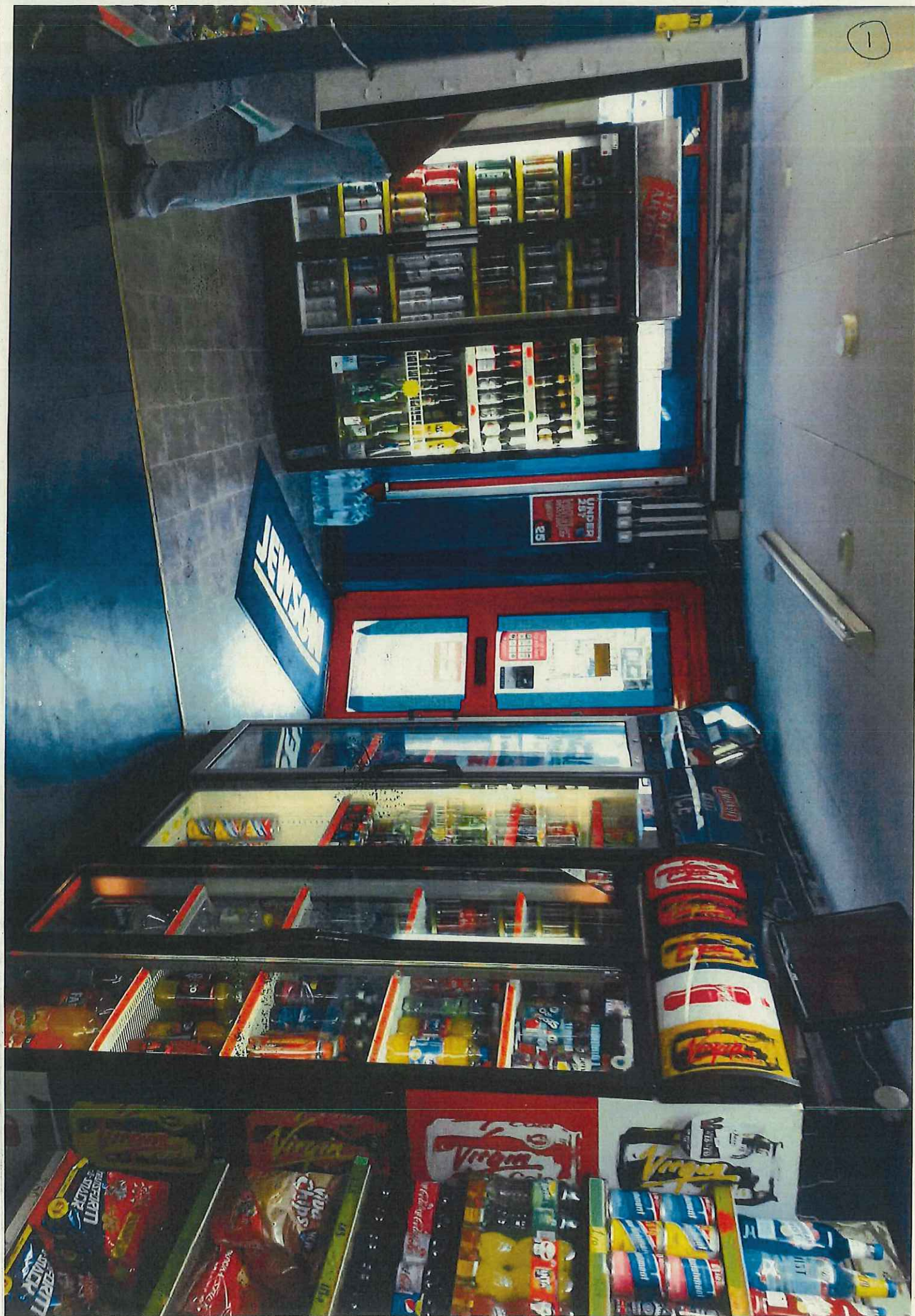
Licensing Act 2003 (Review) - D& B Wines 201 Dudley Road Birmingham B18

7QY

Monday 13th January 2020 Sub- Committee A

Supporting Documents - Trading Standards

1. Image of shop entrance
2. Image of shop counter area
3. Image of shop shelving
4. Image of bottle of WKD purchased by volunteer
5. Image of counterfeit tobacco found in fridge in shop
6. Statement confirming tobacco is counterfeit
7. Underage sale proforma document
8. Traders notice 13565 confirming sale on 02/11/2019
9. Traders notice 12689 – 19/01/2018
10. Traders notice 13037 – 18/09/2019
11. Trading standards complaint 9128646 – 01/10/2018 alleging 'fake' cigarettes
12. Trading standards complaint 9154759 – 19/10/2018 alleging attempted sales of single cigarettes
13. Trading standards job ref 9482445 – 02/09/2018 police referral re 15 year old girl being sold alcohol at D&B Wines.



2



3



4

SEAT
12771

SPECIAL PRICE
£2.99

DKW[®]

ALCOHOLIC MIX
BLUE
ORIGINAL



causes heart attacks

Get help to stop smoking at www.nhs.uk

AYM OYK 70B STH
BA042J6 1557

DUTY PAID



Smoking causes heart attacks

Get help to stop smoking at www.nhs.uk

AYM OYK 70B STH
BA042J6 1557

DUTY PAID



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AYM OYK 70B STH
BA042J6 1557

DUTY PAID



STATEMENT OF WITNESS

(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF SALVATORE LOSCALZO

Occupation of witness: Company Director

Age of witness: over 18

This statement consisting of 2 pages is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

- 1 I am employed by Attest U.K. Authentication Services Limited as a Director. The company's offices are situated at 19 St Christopher's Way, Patriot Way Business Park, Pride Park, Derby DE24 8JY. I have held this position for 5 years 8 months. In my role as Director for Attest U.K. Authentication Services Limited, I regularly assist tobacco producers in the identification of counterfeit tobacco products. I am authorised to make this declaration, which I do so from my own knowledge unless otherwise indicated.
- 2 I have been instructed by Imperial Tobacco to assist them in the identification of genuine and counterfeit Imperial Tobacco Ltd cigarettes and tobacco products.
- 3 On 9th December 2019, I received the following Exhibit from Martin Williams from Birmingham City Council Trading Standards:

Sealed bag with plastic seal reference 09798 containing 2 x 50g pouches of Golden Virginia hand rolling tobacco.
- 4 I examined these pouches of hand rolling tobacco.

I can confirm that the materials used in the pouches of hand rolling tobacco are not consistent with Imperial Tobacco Ltd specifications.

Consequently, I can state that the pouches of hand rolling tobacco which I have examined were not made by Imperial Tobacco Limited, nor did Imperial Tobacco Limited authorise their manufacture or sale.

They are in fact counterfeit.

UNDERAGE SALES
OBSERVING OFFICER – Pro-forma

TRADER		VOLUNTEER	
NAME: OAB WINES		SEX/F	Female
ADDRESS 201 Dudley Road Winsm Green Birmingham B18 7QY		DOB.	16/01/2005
		AGE	14
		changed 72.99	
PRODUCT TYPE	WKO blue 4% alcohol	MONEY GIVEN TO VOLUNTEER	710.00
OBSERVING OFFICER	M. Williams	PRODUCT SELECTED BY VOLUNTEER	WKO blue
TIME OF ENTRY	12.50	SEAL NUMBER	05752711
TIME OF EXIT	12.52		
<p>SKETCH LAYOUT, INCLUDE ENTRANCE, OWN POSITION, VOLUNTEER POSITION, POINT OF SALE, PRODUCT AREA, STAFF AND CUSTOMERS</p>			
ID/AGE REQUESTED?	No		
OTHER CONVERSATION (IF ANY)	No conversation at all He took bottle from her - scanned it - gave her bag but no conversation		
OTHER CUSTOMERS.....	No		
SELLER	(MARIUS MICLESCU - L. and H.W.)		
AGE	Adi Romulus ILEANA		
SEX	Male		
DESCRIPTION	short 5'6" - black hair		
OTHER STAFF PRESENT	No		
AMOUNT CHARGED	72.99	CHANGE GIVEN	yes
CCTV	No	TIME BACK INTO SHOP:	12.56



Birmingham
City Council

No. 13565

NO TOBACCO NOTICE, ROYAL
DUTY CIVILS ON SALE
NO CANTY.

MARIUS MIESCU
D3 B DRINSTOR LIMITED
31/10/14
M. Dr B WINES

Enquiries to:

PA ELLSON

Telephone: 0121

303-4332

Date:

2 NOV / 2014

Legislation:

LICENSING ACT 2003

05752771

SALE OF WRD 40, LARGE BOTTLE 294
12.50 PM. BY C GRANT ANTHONY ST. B66

ADI - ROMULUS ILEANA
ROMANIA ID. CNP 1731213167338

THIS SALE WAS MADE TO
14 YR OLD GIRL & OBSERVED
NO ID ASKED FOR / NO ID
CHECK - CHALLENGE 25 POSTED UP.
- MR ILEANA UNABLE / UNWILLING
TO ANSWER ANY QUESTIONS. THE
RESULT OF THIS SALE AN INVESTIGATION
WILL BE DONE ON MR ALLEGED OFFENCE
OFFENCE & A REVIEW OF LICENCE MAY BE DONE
ALSO. TOBACCO CANTY & NOTICE TO BE DONE;

Received by:

Authorised Officer:

Paul A H

SEE IMPORTANT NOTICE OVERLEAF

TRADING STANDARDS

Regulation and Enforcement

PO Box 16586

Birmingham

B33 3EH

3 PACKS OF TOBACCO G/VIRGINA IN FRIDGE
BY ROOM - TOBACCO CONTROL



CUSTOMER
SERVICE
EXCELLENCE



ES 26188

INVESTOR IN PEOPLE

The Government Standard

47.27

NO STATUTORY TOBACCO NOTICE ON PREMISES



Birmingham
City Council

MR MICLESSU
NOTICE 1154/3

No. 12689 + REFUSAL BOOT

POSTAL SIGN

9

M. D. B. WINES
201 DUDLEY ROAD
WINSON GREEN

Enquiries to: P. A. ELLSON

Telephone: 0121 303 9332

Date: 19/01/2015

Legislation:

TRADE ADVISORY NOTICE / WARNING
THIS DEPARTMENT HAS RECEIVED
INFORMATION THAT ILLICIT TOBACCO
& ALCOHOL IS BEING SOLD / SUPPLIED
FROM THIS PREMISES. THIS MUST
CEASE. WITNESSED A FARMER
SINGLE SALE OF CIGARETTE (ALCOHOL)
THIS IS ILLEGAL. NO. STANDARD. NOTICE
NOT ON PREMISE. NO REFUSAL BOOT
AT ALL AREA. ALL ILLICIT STOCKS OF
ALCOHOL & TOBACCO MUST BE REMOVED
& DESTROY. INFORMATION PACK GIVE

- 1) TOBACCO DISPLAY INFO
- 2) TOBACCO & NICOTINE INHALING PRODUCTS
- 3) TOBACCO ETC PACKAGING LABELLING
- 4) ALCOHOL SUNDRIES ACT SALE

Received by:

Authorised Officer:

SEE IMPORTANT NOTICE OVERLEAF

TRADING STANDARDS
Regulation and Enforcement
PO Box 16586
Birmingham
B33 3EH



BSI 26188

INVESTOR IN PEOPLE

CUSTOMER
SERVICE
EXCELLENCE



The Government Standard

47.27

FURTHER INSTRUCTIONS MAY BE GIVEN
YOUR PREMISES MAY BE SELECTED
INFRINGING MAY RESULT IN
CANCELLATION



Birmingham
City Council

No. 13037

10

Mr. MARIUS MICULESCU

DLB Wines

201 Dudley Road B187QY

Enquiries to: JOHN BRADBURY

Telephone: 0121- [REDACTED]

Date: 18/07/2019

Legislation:

We have received a complaint that alcohol has been sold to a 15 year old girl. This is a serious allegation. It is illegal to sell alcohol and cigarettes to under 18's. We regularly send underage who seem to buy and buy cigarettes and alcohol. If you sell, we will apply to have your alcohol licence revoked. Some of the items you sell are not priced - please ensure all goods have a price indication. I understand you are not in the UK at the moment. Please call me at your earliest convenience to discuss.

Received by:

Authorised Officer:

SEE IMPORTANT NOTICE OVERLEAF

TRADING STANDARDS
Regulation and Enforcement
PO Box 16586
Birmingham
B33 3EH



FS 26188



INVESTOR IN PEOPLE

CUSTOMER
SERVICE
EXCELLENCE



The Government Standard

4727

complaint Details - WK/009128646

Property			
Address D & B Wines, 201 Dudley Road, Birmingham, B18 7QY			
Telephone		Fax	
Area TS - Trading Standards			
Worksheet			
Source			
Name [REDACTED]			
Address			
Home Tel		Work Tel	
Fax		Mobile	
Email [REDACTED]		@gmail.com	
Department TS - Trading Standards		Date Recd 01/10/2018 Time 12:48	
Application CPTS - Request for Assistance TS		Method E - E-Mail	
Task Group A01 - Counterfeiting		Recd By JJO - J [REDACTED]	
Task 0113 - Tobacco		Source GP - General Public	
Details Fake Cigs - see remarks for further info.			
Message			
Officer BAB - [REDACTED] Ellison		Target	
Time Taken 100		First Response 08/10/2018	
Next Action		Completed 27/12/2018	
Due		Outcome JU07 - Justified Written Warning	
Allocated 01/10/2018		Actual 01/10/2018	
		23/10/2018	

References
No References set up

Complaints			
Subject Details			
Title	Initials	Tel	
First Name		Fax	
Family Name		Email	
Section			
Breach	Statute		
TS Category Enforcement	Cost of Goods		
Purchase Date	Purchase Time	Redress Value	
OFT (Goods/Services) CH01 - Cigarettes	OFT (Method of Selling) 021 - Trader Premises		
OFT (Complaint Type) 08G - Counterfeiting	Country of Origin GB - United Kingdom		
FSA Type			

Previous Complaints (Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
WK/009483904	03/09/2019	Underage sales to a girl of 15 who was later found unc.	Resp	JU07	JBR1
WK/007015717	18/12/2012	C is off licence. c needs a sales record register which	Resp	HO1	AA6
WK/004984091	21/04/2009	this should be 201 dudley rd I THINK.C states [REDACTED]	Resp	C001	SLA

Remarks

Please create RFA

[Redacted Name]

[Redacted Name]

Enforcement Officer
Trading Standards Service
Regulation and Enforcement
Place Directorate

Birmingham City Council
PO Box 16586
Birmingham
B33 3EH

Tel: 0121 303 0125

Email: **[Redacted Email]**@birmingham.gov.uk

Secure email: **[Redacted Email]**@birmingham.gcsx.gov.uk

Our Mission Statement: Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors
Web: <http://www.birmingham.gov.uk/regulatorycharter>

If you require consumer advice please contact The Citizens Advice Consumer Helpline on 03454 04 05 06.
Information can also be found on our website at <http://www.birmingham.gov.uk/tradingstandards>
Follow us on Twitter@bhamts

From: **[Redacted Name]** [mailto:**[Redacted Email]**@gmail.com]
Sent: Monday, October 01, 2018 10:39 AM
To: TradingStandards
Subject: Re: Fake fags

D&b drinkstop ltd 201 Dudley road Birmingham B18 7qy this is the one that also sells alcohol to underage

On Mon, 1 Oct 2018, 10:34 TradingStandards, <TradingStandards@birmingham.gov.uk> wrote:
Dear Sara

Thank you for your email.

Please can you provide the full address of the shop.

Regards

[Redacted Name]

[Redacted Name]

Enforcement Officer
Trading Standards Service
Regulation and Enforcement
Place Directorate

Birmingham City Council
PO Box 16586
Birmingham
B33 3EH

Tel: 0121 303 0125

Email: **[Redacted Email]**@birmingham.gov.uk

Secure email: **[Redacted Email]**@birmingham.gcsx.gov.uk

Property

Address D & B Wines, 201 Dudley Road, Birmingham, B18 7QY

Telephone

Fax

E-Mail

Area

TS - Trading Standards

Worksheet

Source

Name

Address D & B Wines, 201 Dudley Road, Birmingham, B18 7QY

Home Tel

Work Tel

0121

Department TS - Trading Standards

Insp Date

19/10/2018 Time 16:18

Application VSTG - Inspection - Trading Standards

Method

P - Personal Visit

Task Group OEV - Other Enforcement Visit

Recd By

BAB - Paul Ellison

Task OV02 - Complaint Visit

Source Type

T - Trader

Details Allegation of Counterfeit Tobacco and PE witnessed thre attempted single sales

Message

Officer BAB -

Allocated 23/10/2018

Target

Actual

Next Action

Due

First Response

Time Taken 125

Completed

24/10/2018

24/10/2018

Outcome

VS03 - Visit Written Warning

References

No references set up

TS Inspections & Risk Ratings

Date Rated

Officer

Risk Ratings

Score

Risk Group

Potential Risk to Public

Next Due

Frequency

Hazardous Activities

Complexity of Legislation

Revisit Date

Consumers Affected

Officer

Confidence in Control

Worksheet

Average Weight Packer

Primary No

Area TS - Trading Standards

Previous

Score

Risk

AW Trader Type No Type

AW Packer Type No Type

General Activities

Activity	Items Examined		Items Tested		Enforcement Action
	Correct	Incorrect	Correct	Incorrect	
AR1 - Tobacco Statutory Notice			1		ADV - Advice Given
GEN7 - Trader Advice Given	5				
AR3 - Tobacco Display	1				
UA3 - Tobacco			3		VER - Verbal Warning

Property

Address D & B Wines, 201 Dudley Road, Birmingham, B18 7QY

Telephone

Fax

Area SOH - *OLD*SOHO

Worksheet

Source

Name PC [REDACTED] John Moore

Address West Midlands Police, Response Team C, Newtown Police Station, Force Response, 204, Bridge Street

Home Tel

Work Tel

0345 123 4567

Mobile

Fax

Email

[REDACTED]@west-midlands.pnn.police.uk

Department LIC - Licensing

Date Recd

02/09/2019

Time

Application CPEH - Request for Assistance

Method

E - E-Mail

Task Group LCOM - Licensing Complaint

Recd By

ERP - [REDACTED]

Task LCA3 - Licensing Act 2003

Source Type

WMP - West Midlands Police

Details Conditions

Message

Officer BAI - [REDACTED]

Target

Actual

Time Taken 30

First Response

09/09/2019

02/09/2019

Next Task

Completed

28/10/2019

02/09/2019

Due

Allocated

02/09/2019

Outcome

RTOA - Referred to other agency

References

No references set up.

Complaints

Subject Details

Title

Initials

Telephone

First Name

Fax

Family Name

Email

Section

Offence

Statute

Purchase Date

Purchase Time

OFT (Product)

FSA Type

OFT (Condition)

Previous Complaints

(Last 10 not including this one)

Reference	Received	Details	Status	Outcome	Officer
WK/007555905	13/12/2013	FAFA8, visit to check for contaminated product	Comp	COMP	KAB
WK/007021126	20/12/2012	Black bag found to side on Winson Green Road	Comp	3	MNO
WK/006480235	14/11/2011	Licensing Act 2003 Inspection	Comp	3A	1ZS
WK/005914351	25/10/2010	Clear water in the cellar not sure where it is coming from	Comp	1A	KAB
WK/004552420	18/09/2008	LA 2003 Inspection	Comp	C001	1XQ

Comment Email to PC Moore
Dear PC Moore

I refer to your enquiry made to this service concerning the above premises. I have passed the details on to our Trading Standards Section who enforce age restricted sales legislation within the city. I shall however, carry out a licensing act inspection with regards to conditions attached to the premises licence to ensure compliance.

Kind regards



Licensing Enforcement Officer

Birmingham City Council Licensing Enforcement
Tel. 0121 303 9345 Fax. 0121 303 9982
Address: Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES

For information regarding the various licences issues please go to
www.birmingham.gov.uk/licensing

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to <http://publicregister.birmingham.gov.uk>

Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.
Follow us on Twitter @BCCLicensing

From: John Moore [mailto:@west-midlands.pnn.police.uk]
Sent: Monday, September 02, 2019 3:24 AM
To: Licensing
Subject: D & B WINES, 201Dudley Road, Winson Green, Birmingham.

Good morning,

I just wanted to make you are of the above premises which have served a 15 year old girl vodka and lambrini.

On the evening of 01/09/19 officers have been called to an incident in Summerfield Park and have found a 15 year old unconscious due to alcohol consumption.

Her friends had stated that she had gone into the shop herself and bought the alcohol. She is clearly underage and would in no way have passed the "Challenge 25" test for sellers.

Just thought I would make you aware in case you wanted to conduct a visit. I considered attending and having a word but we had to look after this girl and her friends and it would have given the owner and opportunity to get rid of the footage if he thought a visit was going to happen. The girl in question was white, 15 years old, not much over 5 foot tall, small blue jean material jacket, small black top and black leather bottoms with trainers and a cream handbag. She may have been with another ic1 girl. It would have been at some point on the later afternoon, evening of 01/09/19.

If you want any more information I would be happy to supply it, just let me know what you need.

Regards