

STATEMENT OF GURDEV SINGH KHAKH

I, Gurdev Singh Khakh will say as follows:

1. My business address is DrinksRus at 3 Little Bromwich Road, Birmingham B9 5JU and I am the Premises Licence Holder and DPS. I have been a licence holder since 1984 and my Personal Licence was granted on conversion as I was an existing licence holder and I have not attended a licensing course.
2. In about 2001 I extended the premises to their current size by way of an application to Birmingham Magistrates Court and subsequently converted that licence under the Licensing Act 2003 with the new Licence taking effect on 6th November 2005.
3. On 6th October 2010 A Mr Sajid Mahmood applied for a Premises Licence for the next door premises T & S Stores, 189 Bordesley Green East, Birmingham B9 5SR. I objected and put in a written representation but the Licence was granted on 29th November 2010 and he commenced trading as a licensed convenience store. It appears that trade was not good and at some stage Mr Mahmood offered me his entire stock which I took off him and paid about £2,500 cash for it. I did not check the stock in any detail and took it in one lot and it was a good deal and some went on the shelves and some into my store room.
4. At no time other than the above deal have I ever purchased any alcohol from anyone but recognised cash and carry outlets such as Maini and Bestway.
5. Sajid Mahmood subsequently disappeared and the business has been taken over by someone else who does not sell alcohol although I understand the Licence has not been surrendered and is still current.
6. On a date which is difficult to read but would appear to be 5th December 2012 I received a visit from Trading Standards who saw my stock and handed me the document referred to and made no further comment although he must have seen the stock that I had in the premises.
7. I was present in the shop on 1st August 2017 when Mr Paul Ellson from Trading Standards Regulation attended at the premises and produced document No. 00141 and seized that product detailed in document 12342, 12343, 12344 and 12345 and took the products away as detailed and handed me the document "Tobacco etc". At no stage did he ask where the product had come from and I did not give him an explanation. At no time have I ever been asked to attend a PACE interview about this. I absolutely deny that any vodka was ever sold to the public for consumption in the shop as is alleged.

8. I was also present on the second occasion that Mr Ellson attended on 18th September 2018. He seized the product referred to in search book No. 120. That which he took had been left or missed on the previous visit of 1st August 2017. I can say there were also some other questionable items which were the balance of the purchase from Mr Mahmood both in the shop and in the store room which he left at the shop. On advice I have removed them from sale and from the shop completely. Again I was not asked where the product had come from? So far as the product is concerned we refer over to the evidence and items seized on 1st August 2017 there is 12 of them and I have written by the side of them where they came from.

No. 1 – bought Mahmood

No. 2 – bought Mahmood

No. 3 – bought Mahmood

No. 4 – old stock 5 – 10 years old

No. 5 – old stock duty paid

No. 6 – old stock duty paid

No. 7 – a slow seller and probably purchased from a cash and carry

No. 8 – old stock purchased from a cash and carry

No. 9 – bought Mahmood

No. 10 – bought Mahmood

No. 11 – bought Mahmood

No. 12 – I deny that any alcohol was sold for consumption on the premises as is alleged

No. 13 – Cigarettes all duty paid which was to go back to the supplier

No. 14 – bought from Mahmood

9. Revisit on 18th September

No. 1 – bought from Mahmood

No. 2 – bought from Mahmood

No. 3 – bought from Mahmood

No. 4 – old stock duty paid

No. 5 – bought from Mahmood

10. If my licence was revoked it would have a catastrophic effect on my business. I have a mortgage of in the region of £200,000 paying £2,000 a month and wife who works in the shop and two dependant children. We also have two members of staff who work at Drinks R Us, one man who has a family with children who are still dependent on him financially. Also, a single older lady, [REDACTED] who does not claim any benefits as such and solely relies on this job as her source of income. The revocation of my Licence would not only have an effect on me, my family and my customers, the community livelihood but also my staff members would be left without a job. I have owned the store since 1986 and have integrated into the community and my store has become part of the local community.

Jacqui Kennedy
Director of Regulation and Enforcement

(822)
M.R. GUARDEV SINGH KURATH

Enquiries to: *Steve Corley*

DRINKS R US

Telephone:

8 LITTLE GLOMINCH ROAD B39 5TD Date: *31st December 2012*

Legislation: *Preventing Illegal Sales*

The above trader has received the trader information pack relating to age restricted sales and has signed this notice agreeing to be a responsible retailer under the above initiative.

Please ensure all staff and yourself are aware of the current legislation with regards to age restricted products.

from time to time trading Standards Complaints Indrago Sales to assess compliance with the above.

Reprints Book issued

Received by: *Dalinderjit*

Authorised Officer: *[Signature]*

DALINDERJIT

SEE IMPORTANT NOTICE OVERLEAF

U V Lamp, Maple

TRADER INFORMATION LEAFLET



Fight the Fakes – illegal alcohol

In 2011, Trading Standards and Environmental Health officers from the Central England region, accompanied by officers from HMRC, visited over 879 licensed premises. More than 25% of these premises were found to be selling illegal alcohol. Over £150,000 worth of illegal alcohol was seized with many premises facing further investigations, including prosecution and licence review.

Trading Standards/Environmental Health are determined to stamp out this problem and would like your help.

This leaflet contains advice on the problems associated with illegal alcohol and includes tips on how retailers can avoid selling illegal alcohol.

What is illegal alcohol?

Any alcohol which is not supplied via a legitimate supplier is likely to be illegal for sale. Illegal alcohol generally falls into one of three categories:

- 1) bootleg / illicit brands – these are unknown brand names which are produced illegally.
- 2) counterfeit goods – these are produced illegally, but labelled with copies of known brands, e.g. Smirnoff, Glens.
- 3) smuggled goods – these are genuine spirits which are not UK Duty Paid. They may, however, carry a counterfeit UK Duty Stamp

Problems with stocking illegal alcohol:

- 1) Safety of the drink – counterfeit and illicit brands are likely to have been produced with little or no regard for the safety of the drink. Last year we found chemicals including chloroform and high levels of methanol, to be present in counterfeit and illicit spirits. These can cause symptoms of nausea, dizziness, blurred vision and coma. Long term effects can include kidney and liver damage, or blindness.
- 2) Misleading your customers.
- 3) Financial – the trade in illegal alcohol boosts profits of organised criminals and causes huge losses to UK tax revenues.
- 4) Unfair competition for legitimate, honest, traders.

- 5) Risk of prosecution, confiscation of assets and losing your alcohol licence.

How to avoid stocking illegal alcohol:

- **Never buy alcohol, from anyone who brings the goods to the shop.** The drink will undoubtedly be illegal in some way – smuggled, bootleg, counterfeit or stolen – and may be unsafe for people to consume. You should be very careful buying any goods in this manner – without a means of contacting the seller the responsibility for any offence will be yours alone. Counterfeit cigarettes, tobacco, batteries, condoms, DVDs and unsafe cosmetics are also sold in this manner.
- **Only deal with reputable traders** and get proper invoices. Cash and carry businesses have been known to deal in illicit goods, so you must still check purchased goods, especially if the seller is not a business you know and trust. If smuggled, bootleg or counterfeit goods are found then we will expect you to be able to produce these invoices.
- **Control your stock** so you can be sure what goods come from where eg. mark boxes of alcohol with the supplier and date of purchase. Be careful about accepting returns from customers who have changed their minds.

How do I tell if alcohol is illegal?

It is not always easy to tell if goods are illegal as the methods used change over time. However, the below checks are relevant and will assist in identifying illegal alcohol:

1. Check the Duty stamp

Is a duty stamp required? Spirits must carry a UK Duty stamp, normally on the back label if:

- the alcohol content is at least 30% alcohol by volume (abv)
- the bottle size is at least 35cl.

- 2. Does it fluoresce?** The stamp will be pink in colour, but will glow white, yellow or green when ultra violet (UV) light is shined on it. It should not reflect blue / violet and any stamp that does is likely to be fake. UV lights are easy and cheap to buy and checking your stock with such a light is a sensible precaution, although please note that some fakes are good enough to have stamps that do glow as if genuine.

3. **Check the label:** When possible compare with a bottle which you know to be genuine. Warning signs that should make you suspicious are:

- Poor printing or spelling errors on the label.
- If the label is crooked or bumpy where it has not been stuck on properly.
- If the label is not in English, it was clearly not produced for the UK market.
- Back labels stuck over another label, labels without duty stamps used on export stock are often replaced with labels with fake duty stamps on.



Example

of a UK Duty
stamp

4. **Is the case resealed?** If spirits are sold in cases that have been resealed with tape or have the 'UK Duty Paid' statement crossed through – indicating that export bottles may have been removed to have their back label changed for one carrying the UK Duty Stamp – don't buy them.
5. **Is anything about the deal odd?** Is the price too low? The excise duty on a bottle of wine is £1.81 (£10.86 per case of 6) and £7.15 on a standard bottle of spirits (£10.21 per litre). This has to be added to the cost of the product; transportation costs and VAT.

We Want Your Help.

As a retailer you have responsibility for ensuring that the stock you sell is legal for sale. However, at Trading Standards/Environmental Health we appreciate that the problem of illegal alcohol exists further up the supply chain and whenever possible we will take action at the source of the problem. For this to happen we need intelligence on how the supply is taking place and who is supplying the illegal goods. If you are offered any products which you suspect may be illegal please contact us using the details below with as much information as possible about the seller, including a description, and any information you have about addresses or vehicles used.

Birmingham City Council
Regulation And Enforcement
c/o 21/22 Calthorpe Road
Edgbaston
Birmingham
B15 1RP

Tobacco etc – labelling, packaging & advertising

A guide to the law on the packaging of tobacco products and the distribution and advertising of e-cigarettes

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This guidance is for England, Scotland & Wales

There are Regulations in place that are designed to reduce the appeal of tobacco products (particularly to young people), to prevent misleading claims about benefits of tobacco products and to make the required health warnings more noticeable. The overall aim is to reduce rates of smoking.

The law

The Tobacco and Related Products Regulations 2016 deal with the manufacture, presentation and sale of tobacco and related products, including herbal products for smoking, e-cigarettes and refill containers as well as smokeless and novel tobacco products.

The Standardised Packaging of Tobacco Products Regulations 2015 standardize the packaging of certain tobacco products by requiring the removal of all promotional features. The brand name and variant name, number of cigarettes, weight of the hand-rolling tobacco product, producer details, barcode and calibration mark are permitted but must be in a standardized format and the UK

duty-paid mark must be displayed. The packaging must be a specific shape and in a certain colour; all other colours, trademarks, logos and promotional graphics are prohibited.

This guide will help you to understand your obligations to ensure that all tobacco and related products that you offer for supply or sale in the UK comply with the Regulations. There are some general rules that apply to all tobacco products, which you will find at the beginning of the guide. For ease of reference, the other key requirements of both Regulations have been combined in a way that clearly identifies how they apply to each type of product.

It may be useful for you to refer to the illustration below, which shows a typical cigarette pack that is fully compliant with both Regulations:



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General labelling requirements

General conditions for all health warnings

Warnings on tobacco products make users aware of the health risks associated with smoking. There are new rules that apply to all health warnings on tobacco products:

- a health warning must cover the entire area that is reserved for it and must not be commented on or altered in any way

- it must be in English, fully visible, permanent, irremovably printed on the pack and surrounded by a black border. For a unit pack of a tobacco product other than cigarettes or hand-rolling tobacco in a pouch, the warning may be printed on a sticker fixed to the pack as long as the sticker is irremovable
- a health warning must remain intact when the pack is opened. However, the combined health warning (described in more detail below) may be split in the case of a unit pack with a flip-top lid. This is fine as long as the graphical integrity, visibility of the text and smoking cessation information remains in place

A health warning must not:

- be partially or totally hidden or interrupted by wrappers, jackets or boxes (except when a unit pack is inside a container pack)
- be partially or totally interrupted by any other item such as a tax stamp, price mark or security feature
- partially or totally hide or interrupt any tax stamp, price mark, tracking and tracing mark, security feature or any other mark required by law

General rules about the presentation of all tobacco products

These are rules that prohibit the packaging of tobacco products from misleading consumers.

No one may produce or supply a tobacco product where the package labelling or the product itself contains the following elements or features (including texts, symbols, names, trademarks, figurative signs and other types of sign):

- promotes a tobacco product or encourages its consumption by creating a false impression about its characteristics, health effects, risks or emissions
- information about the nicotine, tar or carbon monoxide content
- suggests that the tobacco product:
 - is less harmful than others
 - aims to reduce harmful effects of smoke
 - has vitalising, energising, healing, rejuvenating, natural or organic properties or has other health or lifestyle benefits
- refers to taste, smell, flavourings or additives or their absence (flavours are permitted in tobacco products other than cigarettes and hand-rolling tobacco, and cigarettes may have menthol flavour until 2020, but these are *not* permitted to be depicted or mentioned on the packets)
- resembles a food or a cosmetic product
- suggests a particular product has improved biodegradability or other environmental advantage

- must not contain printed vouchers or offer discounts, free distribution, two-for-one or similar offers

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Labelling requirements by product

Tobacco products for smoking

(does not include large cigars, individually wrapped cigars or cigarillos)

Combined health warnings:

- a unit pack (single pack) and any container pack (multi-pack) of a tobacco product for smoking must carry a combined health warning consisting of a text warning and a colour photograph, as well as the smoking cessation statement 'Get help to stop smoking at www.nhs.uk/quit (<http://www.nhs.uk/quit>)'
- it must appear on the front and back surfaces of the unit pack and any container pack using the same warning and photograph on each surface and in a format that includes the requirement to cover 65% of the area of the surface on which it appears
- the EU has laid out technical specifications for the layout, design and shape of the combined health warnings
- the photographs used as part of the combined health warning must be selected from a set specified for the production year during which the pack is produced

General warnings and information messages:

- a unit pack and any container pack of a tobacco product for smoking must carry the general health warning 'Smoking kills - quit now' and an information message 'Tobacco smoke contains over 70 substances known to cause cancer'
- the format for the health warning includes a requirement that it must cover 50% of the area of the surface on which it appears:
 - on most unit packs of cigarettes this means the general warning must appear on one secondary surface of the pack and the information message must appear on the other secondary surface
 - on a unit pack of cigarettes or hand-rolling tobacco in a shoulder box, the general warning and the information message must be complete on the larger of the two split parts of the box
 - on a cylindrical unit pack of hand-rolling tobacco that has a lid, the general warning must appear on the outside of the lid and the information message

must appear on the inside surface of the lid

- there are specific rules that apply to the general warning and information message that appears on a unit pack of hand-rolling tobacco in the form of a rectangular pouch

Large cigars & individually wrapped cigars & cigarillos

The Regulations only apply to a unit pack or container pack that contains a single cigar or cigarillo, or two or more cigars each with a unit weight of more than three grams.

A unit pack and any container pack must carry the general health warning 'Smoking kills - quit now' and one of the text warnings that is listed in [annex I \(<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1464017278967&uri=CELEX:02014L0040-20150106>\)](http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1464017278967&uri=CELEX:02014L0040-20150106) of the EU directive on tobacco products (please scroll down the linked web page to see the annexes).

There are rules that cover the rotational use of text warnings by producers.

The format for the general health warning includes a requirement that it must appear on the most visible surface of the pack and cover 30% of that area.

The text warning must appear on the next most visible surface (or if the pack has a hinged lid, the surface that appears when the pack is opened) and cover 40% of that area.

Smokeless tobacco products

This means a tobacco product that is consumed in a way that does not involve a combustion process. It includes chewing tobacco and nasal tobacco.

Health warnings:

- a unit pack and any container pack of a smokeless tobacco product must carry the health warning 'This tobacco product damages your health and is addictive'
- the format for the health warning includes a requirement that it appears on both the front and back surfaces of the pack and covers 30% of that area

Herbal products for smoking

Herbal products for smoking are defined as products based on plants, herbs or fruits that do not contain tobacco and can be consumed via a combustion process.

The Standardised Packaging of Tobacco Products Regulations 2015 do not apply to herbal products for smoking but the Tobacco and Related Products Regulations 2016 introduce new requirements as set out below.

Health warnings:

- a unit pack and any container pack of a herbal product for smoking must carry the health warning 'Smoking this product damages your health'
- the format for the health warning includes a requirement that it appears on both the front and back surfaces of the unit pack and any container pack and covers 30% of that area

A unit pack and any container pack of a herbal product for smoking must not state that it is free of additives or flavourings. Nor must it include any element or feature (including texts, symbols, names, trade marks, figurative signs or other types of sign) that:

- promotes or encourages the consumption of a herbal product for smoking by creating a false impression about its characteristics, health effects, risks or emissions
- includes any information about nicotine, tar or carbon monoxide content
- resembles a food or cosmetic product
- suggests a particular herbal product for smoking is:
 - less harmful than other herbal products for smoking
 - aims to reduce the effect of some harmful components of smoke
 - has vitalising, energising, healing, rejuvenating, natural or organic properties
 - has other health or lifestyle benefits

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Standardized packaging requirements

Cigarette packs, individual cigarette sticks and hand-rolling tobacco packs must be produced and supplied in standardized packaging, which means they have to meet requirements laid down in the Standardised Packaging of Tobacco Products Regulations 2015.

Cigarette packs:

- the only permitted colour for the external packaging of a unit or container packet of cigarettes is Pantone 448C (drab dark brown) with a matt finish
- the internal packaging must be either white or Pantone 448C with a matt finish
- unit packets must be made of carton or soft material and cuboid in shape (bevelled or rounded edges are permitted)

- the packaging's surface must be smooth and flat and have no irregularities of shape or texture
- flip-top or shoulder boxed lids are permitted
- slim packets are prohibited but slim individual cigarette sticks are allowed
- inserts and additional material are prohibited
- any internal lining must be silver coloured foil (with no variation in tone or shade) with a white paper backing
- wrappers must be clear and transparent, not coloured or marked (except for any black marks required to cover a barcode), smooth and flat with no irregularity of shape or texture

A unit packet of cigarettes must contain a minimum of 20 cigarettes.

Individual cigarette sticks:

- cigarette paper, filter, casing or other material forming part of a cigarette must be plain white with a matt finish, apart from the end of the cigarette, the colour of which can imitate cork
- brand and variant names are permitted on the cigarette itself, subject to conditions

Hand-rolling tobacco:

- the only permitted colour or shade for the external packaging of a unit or container pack of hand-rolling tobacco is Pantone 448C (drab dark brown) with a matt finish
- the internal packaging must be either white or Pantone 448C with a matt finish
- unit packets may be cuboid (bevelled or rounded edges are permitted), cylindrical or take the form of a pouch
- packets must be smooth and flat (if cuboid in shape) with no irregularities of shape or texture
- wrappers must be clear and transparent and not coloured or marked with no irregularities or shape or texture
- the internal packaging must be either white or Pantone 448C with a matt finish
- inserts and additional materials are prohibited, except for cigarette papers or filters as long as they are not visible before the packet is opened
- any tabs for resealing the packet must be clear and transparent and not coloured or marked
- any foil seal that forms part of the internal packaging must be silver coloured with no variation in tone or shade

A unit packet of hand-rolling tobacco must contain at least 30 grams of tobacco.

The packaging of cigarette packs, individual cigarette sticks or hand-rolling tobacco must not make a noise, nor contain or produce a smell that is not normally associated with the product. In addition, packaging must not change after retail sale; this means that features such as heat activated inks, inks that appear fluorescent in certain light and removable tabs are not allowed.

The brand name and variant name, number of cigarettes, weight of the hand-rolling tobacco product, producer details, barcode, and calibration mark are permitted on the packaging but must be in a standardized format and the UK duty-paid mark must be displayed.

Take note that whilst large cigars, individually wrapped cigars and cigarillos must carry health warnings, the standardized packaging requirements do not apply to cigars and cigarillos, nor are there any restrictions on the number of these products in a unit packet.

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Other requirements

Images of tobacco products aimed at consumers

Be aware that if you publish an image of a unit or container pack of a tobacco product (when it is lawful to do so according to tobacco advertising rules), the pack must comply with all the labelling and packaging requirements set out in both Regulations.

No vitamins, colourings or prohibited additives in tobacco products

No one may produce or supply a tobacco product containing:

- vitamins or other additives that create an impression that it has health benefits or reduces health risks
- caffeine, taurine or other additives or stimulants that are associated with energy and vitality
- additives that give colouring effects to any emissions
- additives that aid inhalation or nicotine uptake in the case of tobacco products for smoking
- additives with CMR properties or that can affect CMR properties (carcinogenic, mutagenic or toxic for reproduction)

No flavoured cigarettes or hand-rolling tobacco

Cigarette packs, individual cigarette sticks or hand-rolling tobacco, including any filter, paper, package or capsule component of the product, must not be produced or supplied with a characterising flavour. A filter, paper or capsule must not contain tobacco or nicotine and any technical features that would modify the smell, taste or smoke intensity of a product are not allowed.

These rules do not apply to menthol cigarettes until 20 May 2020.

Cross-border distance sales of tobacco products & e-cigarettes

If a retailer wants to sell tobacco products and e-cigarettes to consumers elsewhere in the European Economic Area (EEA) they must register (<https://www.gov.uk/government/publications/tobacco-products-and-e-cigarette-cross-border-sales-registration>) their intention with the UK government. As part of this registration, a retailer must operate an age verification system that confirms that before or at the time of sale the consumer's age is not lower than the minimum age in the EU country where the consumer is located.

If a retailer outside the UK wants to sell tobacco products and e-cigarettes to consumers within the UK they must register (<https://www.gov.uk/government/publications/tobacco-products-and-e-cigarette-cross-border-sales-registration>) their intention with the UK government.

The European Commission will make available a list of all countries that have banned such sales and details of the registration schemes in operation in other countries.

Product requirements

The Tobacco and Related Products Regulations 2016 set out new rules covering e-cigarettes. No one must produce or supply an e-cigarette or refill container unless they meet the following requirements:

- nicotine-containing liquid for retail sale must be in a dedicated refill container in a maximum volume of 10ml or in a disposable e-cigarette, single use cartridge or a tank in a maximum volume of 2ml
- the capacity of the tank of a refillable e-cigarette must not be more than 2ml
- there is a nicotine limit of 20mg per ml that applies to nicotine-containing liquids in an e-cigarette or refill container

Nicotine-containing liquid must:

- be manufactured using only ingredients of high purity
- not contain certain additives (the **'No vitamins, colourings or prohibited additives in tobacco products'** section of this guide gives more details) but can contain flavours
- not contain substances other than the ingredients that were part of the formal notification process laid down in the Regulations
- not include ingredients (except nicotine) that pose a risk to human health

In normal use the e-cigarette must deliver a consistent dose of nicotine.

An e-cigarette or refill container must be child-resistant and tamper-evident, protect against breakage and leakage and have a mechanism to ensure that refilling can take place without leakage (this does not apply to disposable e-cigarettes).

Information & labelling

No one may produce or supply an e-cigarette or refill container unless they meet the requirements set out below:

- each unit packet of the e-cigarette or refill container must include a leaflet with the following information:
 - instructions for storage and use, including a reference that the product is not recommended for use by young people and non-smokers
 - contra-indications
 - warnings for specific risk groups of people
 - possible adverse effects
 - addictiveness and toxicity
 - the producer's contact details (if the producer is not based in the EU then a contact person within the EU)
- each unit packet of the e-cigarette or refill container must include:
 - a list of all ingredients in descending order by weight
 - nicotine content and delivery per dose
 - batch number
 - recommendations to keep the product out of reach of children
- each unit packet and any container pack must carry the health warning 'This product contains nicotine which is a highly addictive substance'. It must appear on the front and back surfaces and cover 30% of that area

Product presentation

An e-cigarette or refill container must meet the following requirements before it is produced or supplied. The unit packet and any container pack may not include any element or feature (including text, symbols, names, trademarks, figurative or other types of sign) which:

- promotes or encourages consumption by creating a false impression about its characteristics, health effects, risks or emissions
- suggests it is less harmful than other e-cigarettes or refill containers, has vitalising, energising, healing, rejuvenating, natural or organic properties or has other lifestyle benefits
- refers to taste, smell or other additives (except flavourings) or their absence
- suggests that a particular e-cigarette or refill container has improved biodegradability or other environmental advantage
- must not contain printed vouchers, offer discounts, free distribution, two-for-one or other similar offers

E-cigarette advertising

E-cigarettes and refill containers cannot be advertised or promoted, directly or indirectly:

- on TV or on-demand TV
- on radio
- through internet advertising, commercial email and any other information society services
- in certain printed publications, such as newspapers, magazines and periodicals

The following activities are also prohibited:

- sponsorship of television and radio programmes that promote e-cigarettes
- product placement of e-cigarettes
- sponsorship of cross-border activities or events (those that have an effect in two or more EEA countries) or individuals that take part in cross-border activities or events

The rules on advertising do not prevent you from supplying information about e-cigarettes and refill containers as long as it is supplied at the request of a consumer and given in a non-promotional manner.

The requirements of the Standardised Packaging of Tobacco Products Regulations 2015 do not apply to e-cigarettes or refill containers.

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Offences & defences

Tobacco and Related Products Regulations 2016

A person is guilty of an offence if they breach a provision of the Tobacco and Related Products Regulations 2016. A producer or retailer is guilty of an offence if they knowingly or recklessly provide information that is false or misleading to someone who has obligations under the Regulations.

There is a general defence available to suppliers of tobacco or other related products that they exercised all due diligence to avoid committing the offence. The same defence is available to anyone who has committed an offence related to advertising and sponsorship. There are further defences available to anyone who has committed offences relating to e-cigarette advertising: that they did not know and had no reason to suspect that the advertisement was an e-cigarette advertisement or that the newspaper, periodical or magazine contained an e-cigarette advertisement.

Standardised Packaging of Tobacco Products Regulations 2015

A person who produces or supplies a tobacco product in breach of the Standardised Packaging of Tobacco Products Regulations 2015 is guilty of an offence. It is a defence if the person neither knew nor had reasonable grounds for suspecting that the tobacco product was supplied in breach of the 2015 Regulations.

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Penalties

The maximum penalty is a fine and two years' imprisonment.

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Further reading

Brief [guidance on standardized packaging \(https://www.acs.org.uk/advice/tobacco/\)](https://www.acs.org.uk/advice/tobacco/) has been produced by the Association of Convenience Stores and is available on its website.

More detailed [guidance on the packaging of tobacco products](https://www.gov.uk/government/publications/packaging-of-tobacco-products) (<https://www.gov.uk/government/publications/packaging-of-tobacco-products>) and [guidance on the distribution and advertising of e-cigarettes](https://www.gov.uk/government/publications/proposals-for-uk-law-on-the-advertising-of-e-cigarettes) (<https://www.gov.uk/government/publications/proposals-for-uk-law-on-the-advertising-of-e-cigarettes>) has been produced by the Department of Health.

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Key legislation

[Standardised Packaging of Tobacco Products Regulations 2015](http://www.legislation.gov.uk/uksi/2015/829/contents/made)

(<http://www.legislation.gov.uk/uksi/2015/829/contents/made>)

[Tobacco and Related Products Regulations 2016](http://www.legislation.gov.uk/uksi/2016/507/contents/made)

(<http://www.legislation.gov.uk/uksi/2016/507/contents/made>)

Last reviewed / updated: May 2017

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on amendments to UK legislation can be found on each link's 'More Resources' tab; amendments to EU legislation are usually incorporated into the text.

Related Quick Guides

[Underage sales](https://www.businesscompanion.info/en/quick-guides/underage-sales) (<https://www.businesscompanion.info/en/quick-guides/underage-sales>)

[Miscellaneous](https://www.businesscompanion.info/en/quick-guides/miscellaneous) (<https://www.businesscompanion.info/en/quick-guides/miscellaneous>)

What type of feedback would you like to leave *

- ask a particular question
- provide feedback on the content on this page
- provide feedback about this website
- raise some other sort of issue

Business enquiries are dealt with by your local council. Use the Chartered Trading Standards Institute's [postcode finder](https://www.tradingstandards.uk/consumers#postcodesearchform) (<https://www.tradingstandards.uk/consumers#postcodesearchform>) to locate your local trading standards team.

I'm not a robot

reCAPTCHA
[Privacy - Terms](#)

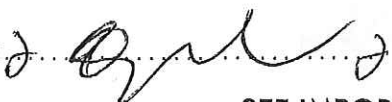
Submit

Mr GURDEV SINGH KHAKH.
M. DRINK R U S Enquiries to: P. A. ELLSON
3 LITTLE BROMWICH ROAD Telephone:
B9 5QU Date: 1/8/2017

Legislation: STANDARDISED PACKAGING AND
TOBACCO PRODUCTS DIRECTIVE.

This department has received information
that packs of 10's cigarettes are
being supplied / sold from your premises.
Upon entry to the premises and being
informed of the complaint you volunteered
to 4 packs of 10 Soft Cut that you
had on the tobacco display rack. These
items were removed from sale. Such product
can not be sold from your premises under
the new Standardised Packaging and Tobacco
Products Directive.

Info given: 1) ACS - STANDARDISED PACKAGING
2) Tobacco labelling - (B/C).

Received by: 

Authorised Officer: P. A. Ellson

SEE IMPORTANT NOTICE OVERLEAF

9 PACKS SEIZED - 04869025

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



FS 26188



INVESTOR IN PEOPLE

CUSTOMER
SERVICE
EXCELLENCE



The Government Standard

47.27



822-LICENCE 1238/1. LICENCE.

M. GURDEV SINGH KHAKH

Enquiries to: P. A. ELLSON

DRINK R US

Telephone:

3 LITTLE BROMWICH W
B9 5JU

Date: 1/8/2017

Legislation: CONSUMER PROTECTION ACT 1987, CONSUMER
PROTECTION FROM UNFAIR TRADING REGULATIONS
2008, TRADE MARKS ACT 1994, LICENSING
ACT 2003, FOOD SAFETY ACT 1990

FOLLOWING ITEMS HAVE BEEN REMOVED...

AFTER THE NOTICE OF POWOW & HUNDY.

& CONSUMER RIGHTS & INFORMATION ISSUES

ITEMS SUSPENDED ILLICIT.

1.) 10P SHELF 1 LITRE HIGH COMMISSION

(SOME HIDDEN) BEHIND COUNTER.

10x 1L HIGH COMMISSION - 06054076

10x 1L H/C - 06054101, 10x 1L H/C 06054049

10x 1L H/C - 06054071, 10x 1L H/C 06054068

10x 1L H/C - 06054067, 10x 1L H/C 06054069

10x 1L H/C - 06054080, 8x 1L H/C 06054079.

Received by:

Authorised Officer:

Paul A. Ellson

SEE IMPORTANT NOTICE OVERLEAF



M.....
CONTINUUM PHUM
12343


Enquiries to: P. A. ELLSON

Telephone:

Date: 1/8/2017

Legislation:

- 2) 70 CL HIGH COMMISSIONER
10x 06054096, 10x 06054176 (20)
- 3) GLANS VODKA 70CL 13x 06054110
13x 0605 4078 (26)
- 4) HATCHES WHISKY 1Ltr 8x 06054077
8x 06054066 (16)
- 5) BUKUT SPIRIT 70CL 12x 06054065
- 6) LARLOW GIN x2 06054092
- 7) WOODS RUM x2 06054095
- 8) CIROC X9 06054094
- 9) MANDARIN NAPOLCON XL - 06054093
- 10) BUKUT LGA FAGE COLD PATCH CIGS ⁰⁶⁰⁵⁴⁰⁷³ x15
- 11) 4x ROYALS 06054072
- 12) 11x MANLABORO CIGS 06054075
- 13) NATIONWIDE CATN BUCKEN M. A. NORTON. FOUNDS
BLIND S CHCEN

Received by:  Authorised Officer: Paul A. Ellson

SEE IMPORTANT NOTICE OVERLEAF

14) BACARDI CANTA BLANCA 4x 06054109
RUM

15) 4x GLANS (NOW)
1Ltr 06054097



DATE REPT 01/1, CLONS 166



Birmingham
City Council

No. 12345

BELLS 7000
R13-44

PRICES. CLONS £11.00 TEACHING ~~£10.00~~ £18.00
VODKA.

HIGH COMMISSION £5.50

M.....

Enquiries to: P. A. ELSON

CONTINUING 12343

Telephone: 0.....

Date: 1/8/17

Legislation:

16) CLONS VODKA (NEW) ^{x1} LU-06054/07

17) BAND AID ^{x1} 06054/08

18) RUAM STOUT ROOM BELLS WINDUP 7000

X6 06054049

4) Photo of 2 CL/20 PART USED VODKA

CLONS & SMIRNOFF + PLASTIC CUPS + COLA

(UPON) 06054098

~~Advice told me
not to sell
empty cups
every shop selling
courage cup~~

Received by:

Authorised Officer: Paul A. Elson

SEE IMPORTANT NOTICE OVERLEAF

RADING STANDARDS
egulation and Enforcement
O Box 16586
irmingham
33 3EH



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Regulation and Enforcement**Inspection of Premises by Officer using statutory powers
With/Without Warrant****NOTICE OF POWERS AND RIGHTS**

Issued in accordance with Paragraph 6.7 of Code of Practice B of the Police and Criminal Evidence Act 1984.

Your premises are being inspected because the officer in charge suspects that an offence may have been committed. Your rights and the officer's powers are explained overleaf.

Address of Premises to be inspected:

DRINKS R U.S
3 LITTLE BROMWICH ROAD
B4 5JU

Entry Warrant used (tick box) ☐

Statutory powers under which this inspection is made are contained within the Acts indicated below or Regulations made under them:

- ☐ Consumer Credit Act 1974
- ☒ Consumer Protection Act 1987
- ☐ European Communities Act 1972
- ☐ Fair Trading Act 1973
- ☐ Hallmarking Act 1973
- ☐ Prices Act 1974/75
- ☒ The Consumer Protection from Unfair Trading Regulation 2008
- ☐ The Business Protection from Misleading Marketing Regulation 2008

- ☐ Timeshare Act 1992
- ☐ Trade Descriptions Act 1968
- ☒ Trade Marks Act 1994
- ☐ Video Recordings Act 1984
- ☐ Weights and Measures Act 1985
- ☐ Other

LICENSING ACT

Name of person given notice: GURDEV SINGH KHAKH

Signature: _____

Status relevant to premises: OWNER

Authorised Officer: Paul. A. ELSON

Other Officers & persons present: _____

Date & Time of inspection 1/8/12 1145.

NOTICE OF POWERS AND RIGHTS POWER OF ENTRY NOT UNDER WARRANT

Protection of Freedoms Act 2012 Consumer Rights Act 2015

This notice is issued by Trading Standards under the above legislation to advise you of your rights, and of the officer's powers, during this inspection/visit to your premises.

Name and address of premises:

GURDEV SINGH KHARKH
DRINKS R US
34 LITTLE BROMWICH ROAD

This inspection/visit is being carried out using statutory powers contained within the legislation detailed below. The statutory powers available may vary depending upon the legislation concerned. Some of the powers the officer may wish to exercise have been summarised, as far as practicable, on the reverse of this notice, together with a summary of your rights. This inspection/visit is being conducted under powers contained within the following legislation:

Consumer Rights Act 2015 (specify any other legislation below):

LICENSING ACT 2003

The purpose of the inspection/visit is:

INSPECTION FOLLOWING A COMPLAINT

Inspection/visit date:

1/8/17

Inspection/visit time:

1145

Where possible, Trading Standards will make reasonable effort to seek your consent to enter your premises for the purpose of this inspection/visit. However, you should be aware that a statutory power may exist to enter your premises without your consent. You should also be advised that obstructing a duly authorised officer is a criminal offence. Obstruction includes where a person intentionally obstructs an officer, intentionally fails to comply with instructions given by an officer, without good reason fails to give an officer assistance or information reasonably required and/or makes a statement or a reckless statement which they know is false or misleading.

I have read and understood the details contained within this notice and have received a copy for my records. I give my consent to officers from Birmingham City Council Trading Standards to enter my premises for the purposes of this inspection/visit.

Signed:

Print name:

ASIAH

Position:

OWNER

Authorised officer:

Signed:

Print name:

PAUL ELSON

Position:

ENFORCEMENT OFFICER

NOTICE OF POWERS AND RIGHTS 238/1
POWERS OF ENTRY WITH / WITHOUT WARRANT BCC ISSUED**Police and Criminal Evidence Act 1984, Code of Practice B**
Consumer Rights Act 2015

This notice is issued under the above legislation to advise you of your rights, and of the officer's powers, during this inspection of your premises. Your premises are being inspected because the officer in charge suspects that a criminal offence may have been committed.

Name and Address of Premises:

DRINK R US
3 LITTLE BROMWICH ROAD

This inspection is being carried out using statutory powers contained within the legislation detailed below. The statutory powers available may vary depending upon the legislation concerned. Some of the powers the officer may wish to exercise have been summarised, as far as practicable, on the reverse of this notice, together with a summary of your rights.

This inspection is being conducted under powers contained within the following legislation:

TRADE MARKS ACT 1994
CRIMINAL PRODUCT SAFETY REGS 2005.

The purpose of the inspection is:

INSPECTION FOR ILLICIT ALCOHOL & TOBACCO

Date of Inspection:

Time of Inspection:

Entry Warrant Used:

18/9/2018

14.30

Yes ☐

No ☒

You should be advised that obstructing a duly authorised officer is a criminal offence. Obstruction includes where a person intentionally obstructs an officer, intentionally fails to comply with instructions given by an officer, without good reason fails to give an officer assistance or information reasonably required and/or makes a statement or a reckless statement which they know is false or misleading.

I have read and understood the details contained within this notice and have received a copy for my records.

Signed:

[Signature]

Print Name:

P. A. ELLSON

Position:

WIFE OF LICENCE HOLDER

Authorised Officer Signature:

Paul A. Ellson

Print Name:

P. A. ELLSON

Position:

ENFORCEMENT

LICENCE NO. PREMISES, 922

SEIZED PROPERTY RECORD

Occupier's Name:

Date:

DRINKS R US

18/4/2018

Premises Name and Address:

3 LITTLE BROWN H ROAD
GURDEV SINGH KHAKHI.

Officer in Charge Name:

Officer in Charge Telephone:

P. A. ELLSON

Exhibit Ref	Description	Location Found	Time Found	Seal Number	S.50/51 Seizure
	11 BOTTLES OF CLON 700L	ON SHELF BEHIND TILL.	1440	0487 - 457137 31385 0487, 1700	
	12 BOTTLES OF CLON 1Lb	ON SHELF BEHIND TILL.	1445	0487 31385 0487, 1700	
	1x BENTLEY SPIRIT	ON SHELF BEHIND TILL	1450	0487 31385	
	CLON VODKA ^{OPEN} BOX 20 x 700L	IN REAR STOCK ROOM BOX	1500	0487 3060	
	OPEN BOX CLON VODKA 10 x 700L + ONE H/C COMBINATION	IN REAR STOCK ROOM BOX	1500	0487 3056	
	FLATIST + 38 H/C LEFT ON PREM.		1500		

Exhibits Officer's Signature:

Occupier's Signature:

P. A. Ellson



