

# Tobacco Plain Packaging Enforcement Committee

## Meeting 44 – 4 February 2015

### *Minutes*

#### *Attendees*

- s22(1)(a)(ii) – Director, Compliance and Enforcement Section, Health (Chair).  
s22(1)(a)(ii) – Manager, Trade Measurement Services, NMI.  
s22(1)(a)(ii) – Assistant Director, Compliance and Enforcement Section, Health.  
s22(1)(a)(ii) – Departmental Officer, Compliance and Enforcement Section, Health.

#### **1. Welcome**

#### **2. Minutes from meeting 43 (15/12/14)**

The Minutes from Meeting 43 were accepted without change.

#### **3. Consideration of NMI reports**

14-006 – s47(G)(1)(a)

The Committee noted that the store was closed both times the AO visited and that the AO waited an hour for it on both occasions. The Committee agreed that Health will contact the store owner to arrange a suitable time for a reinspection. Once a time is arranged, Health will inform NMI when the reinspection should occur.

#### Actions:

1. Health to contact store owner and arrange a suitable time for a reinspection.
2. Health to inform NMI of the nominated time.

14-011: s47(G)(1)(a)

The Committee noted the inspection that occurred on 11/12/14 and that no non-compliant tobacco products were found. The Committee agreed that no further action will occur.

#### Actions:

3. No further action.

14-012: s47(G)(1)(a)

The Committee noted the inspection that occurred on 09/10/14 and that no non-compliant tobacco products were found. The Committee agreed that no further action will occur.

Actions:

4. No further action.

14-014: s47(G)(1)(a)

The Committee noted the inspection that occurred on 11/12/14 and that no non-compliant tobacco products were found. The Committee agreed that no further action will occur.

Actions:

5. No further action.

14-045: s47(G)(1)(a)

The Committee noted the clarification of the AO's visit to the store on 09/10/14 and that no non-compliant tobacco products were found (the non-compliant tobacco products were already removed from sale during the AO's educational visit on 01/08/14). The Committee agreed to change the decision made on 15/12/14 (that a reinspection will occur) to no further action required.

Actions:

6. No further action.

14-007: s47(G)(1)(a)

The Committee noted the inspection that occurred on 22/01/15 and that no non-compliant tobacco products were found. The Committee agreed that no further action will occur.

Actions:

7. No further action.

15-001: s47(G)(1)(a)

The Committee noted that the investigation is ongoing meaning that the matter will be considered at the next or a later Enforcement Committee meeting as appropriate.

Actions:

8. To be considered at the next or a later Enforcement Committee meeting as appropriate.

14-052: s47(G)(1)(a)

The Committee noted the inspection that occurred on 08/01/15 and that s47(G)(1)(a)

— s47E(d)

The Committee agreed that no further action will occur in relation to plain packaging s47E(d)

Actions:

9. No further action in relation to plain packaging.

10. s47E(d)

14-015: s47(G)(1)(a)

The Committee noted the attempted inspection that occurred on 11/12/14 and that the store was empty and closed for business. The Committee agreed that no further action is necessary.

Actions:

11. No further action.

14-021: s47(G)(1)(a)

The Committee noted that non-compliant shisha tobacco products were for sale during the inspection on 17/12/14. The Committee agreed the retailer will be sent the letter on shisha tobacco packaging, the translated version of the supplement, a warning letter and a reinspection will occur 4 – 6 weeks after the warning letter is sent.

Actions:

12. Health to send letter on shisha tobacco packaging.

13. Health to send translated version of supplement.

14. Health to send a warning letter to retailer.

15. NMI to schedule reinspection 4 – 6 weeks after the warning letter is sent.

14-024: s47(G)(1)(a)

The Committee noted that the cigar products found during the visit on 08/12/14 may not satisfy the health warning requirements. The Committee agreed that the health warnings will be considered s47E(d) and that the matter will be considered at the next Enforcement Committee meeting.

Actions:

16. To be considered at the next Enforcement Committee meeting.

14-025: s47(G)(1)(a)

The Committee noted that non-compliant cigarette products were found during the inspection on 18/12/14. The Committee agreed the retailer will be sent a warning letter and a reinspection will occur 4 – 6 weeks after the letter is sent.

Actions:

17. Health to send a warning letter to retailer.
18. NMI to schedule reinspection 4 – 6 weeks after the warning letter is sent.

13-065D: s47(G)(1)(a)

The Committee agreed to change the last Enforcement Committee's decisions to have an AO to return to the retailer in complaint 13-048, and to ask questions about the possible supply of s47(G)(1)(a) products during educational visits to specialist retailers.

The Committee agreed that s47E(d)

Actions:

19. Health and NMI to identify a business supplied with s47(G)(1)(a) tobacco products.
20. s47E(d)

14-043: s47(G)(1)(a)

The Committee noted that the investigation is ongoing meaning that the matter will be considered at the next or a later Enforcement Committee meeting as appropriate.

Actions:

21. To be considered at the next or a later Enforcement Committee meeting as appropriate.

#### **4. Other Business**

##### *Next Meeting*

The Committee agreed that the next Enforcement Committee meeting will be held as required in 2-4 weeks.

#### **5. Close**