

Tobacco Plain Packaging Enforcement Committee

Meeting 45 – 5 March 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 44 (04/02/15)

The Minutes from Meeting 44 were accepted without change.

3. Consideration of NMI reports

14-006 – s47(G)(1)(a)

The Committee noted that Health did not receive a reply to the letter sent on 19/02/15 attempting to arrange a visit to the store. The Committee agreed that the premises will be revisited when an NMI officer is in the area and also agreed that this matter will be reviewed in two months if no response is received.

Actions:

1. The NMI AO is to revisit the retailer, when in the area, to determine if and when the premises are open.
2. Health to review in two months if no response is received.

15-003: s47(G)(1)(a)

The Committee agreed that as this matter relates to s47(G)(1)(a) it will be considered at the next Enforcement Committee meeting with other matters relating to this company.

Actions:

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

15-004: s47(G)(1)(a)

The Committee noted that the complainant provided invoice documentation and photos as evidence of s47(G)(1)(a) selling non-compliant tobacco products. The

Committee agreed that s47E(d)

Actions:

4. s47E(d)
5. s47E(d)

15-005: s47(G)(1)(a)

The Committee noted that the complainant provided s47E(d)

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Committee agreed that s47E(d)

Actions:

6. s47E(d)
7. s47E(d)

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

The Committee agreed that as s47E(d)

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Actions:

8. NMI to arrange reinspection.

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

The Committee noted the inspection that occurred on 24/02/15 and that no non-compliant tobacco products were found. The Committee also noted the telephone conversation which occurred with the owner on 25/02/15 in which the owner stated that he is looking to develop his own plain packaging for shisha tobacco products. The Committee agreed that no further action will occur.

Actions:

9. No further action.

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

The Committee agreed that as the tobacco products only have non-compliant health warnings, s47E(d) The Committee agreed that no further action will occur in relation to plain packaging.

Actions:

10. No further action in relation to plain packaging.

11. s47E(d)

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

The Committee noted that non-compliant cigarette products were found during the inspection on 18/12/14. s47E(d)

The Committee agreed that a letter will be sent to the retailer pointing out the non-compliance and that a visit will occur in order to explain the nature of non-compliance to the retailer. Additionally, a letter will be sent to the importers/manufacturers of the non-compliant cigarette products.

A reinspection will occur at a time to be determined by the Enforcement Committee.

Actions:

12. Health to send letter to retailer pointing out the non-compliance associated with the packaging.

13. NMI to arrange visit in order to explain the nature of the non-compliance to the retailer.

14. Health to send letter to the importers/manufacturers of the non-compliant cigarette products.

15. Reinspection to occur at future date.

14-051: s47(G)(1)(a)

The Committee noted the inspection that occurred on 28/01/15 and that the AO was unable to find the s47(G)(1)(a) The Committee agreed that an NMI Authorised officer will revisit both locations to confirm the numbers of the store locations.

Actions:

16. NMI to revisit both store locations to confirm the numbers of the retailers.

13-013A: s47(G)(1)(a)

s47E(d)

This will be considered at the next Enforcement Committee meeting.

Actions:

17. s47E(d)

18. s47E(d)

13-013B: s47(G)(1)(a)

The Committee agreed that a case review will occur with this matter.

Actions:

19. Health to review case.

14-065D: s47(G)(1)(a)

The Committee noted the two complaints received on s47E(d)

The Committee agreed that evidence will be gathered from

s47E(d)

The Committee also agreed that a complaint will also be opened for s47E(d)

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Actions:

20. Inspection to occur at s47E(d)

21. NMI to arrange inspections at s47E(d)

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

The Committee noted the letter received by s47E(d)

Actions:

22. Inspection to be arranged on premises.

23. Educational visits to be scheduled in relation to s47E(d)

Educational Visits

s47(G)(1)(a)

The Committee agreed that this matter will be turned into a complaint and an inspection will be scheduled. A Section 80 Notice will also be considered for the inspection.

s47(G)(1)(a)

The Committee agreed that this matter will be turned into a complaint. An inspection will be scheduled before the end of April 2015.

It was noted that the first shisha compliance letter was sent to this supplier on 18/02/15.

4. Other Business

Next Meeting

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

The Committee agreed that there will be an ad-hoc meeting for complaints 15-004 and 15-005 if needed.

5. Close

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