

Be aware of Illegal Tobacco!

The illegal tobacco trade damages legitimate business and the community.

This information should help you avoid dealing in illegal tobacco and cigarettes.

If you become suspicious, report your concerns as soon as possible.

What is illegal tobacco?

Illegal tobacco can be:

- **Counterfeit:** these are illegally manufactured tobacco products which are often made abroad, but sometimes in the UK. They are sold cheaply and tax free and vast profits are made throughout the supply chain.
- **Bootlegged:** these are tobacco products which are purchased in a country with a low level of taxation and illegally brought into the UK, evading payment of tax.
- **Smuggled:** these are generally legitimately manufactured tobacco products which have evaded payment of tax by being illegally transported, distributed and sold.

How to spot it

Counterfeit

These are cheap cigarettes or hand rolling tobacco (HRT) packs that are made to look like popular UK brands. Things to look out for include one or more of the following:

- Often taste different to products made by genuine brands.
- Might be sold in boxes that feature spelling or grammatical mistakes.
- Might be sold in packets that feature misspelt, foreign or no safety warnings. The safety warning on genuine packets will always have a clear, white background.
- Are often sold in packaging that's been made by hand so the paper and glue used might be noticeably inferior.
- Often feature poor print quality.

- Cheaper prices – less than £3.50 per pack of 20 (or £7.50 for 50g HRT).

Bootlegged

This is tobacco usually brought into the UK in large quantities from countries with lower tax and illegally resold - as any cigarettes brought in from outside the UK should be for personal use only. Things to look out for include one or more of the following:

- Popular brands
- Foreign health warnings
- Cheaper prices - less than £3.50 for a pack of 20 (or £7.50 for 50g HRT)

Smuggled

These are (often) foreign brands brought into the UK illegally to be sold on the black market. Things to look out for include one or more of the following:

- Foreign brand names (often known as 'cheap whites') such as Palace and Jin Ling
- Cheaper prices - less than £3.50 for a pack of 20
- Foreign health warnings
- No picture health warnings
- Unusual taste

If your business includes the Sale of Tobacco

You must display a statutory notice at point of sale. In addition:

- Selling illegal tobacco contravenes the Tobacco Product Duties Act
- Selling counterfeit tobacco also contravenes the Trade Marks Act
- If you sell tobacco without the fiscal mark you face a fine
- People arriving in the UK can only bring tobacco for personal use. Resale is a criminal act
- Selling tobacco products to under 18's is illegal
- It's illegal to sell tobacco in the UK without the appropriate health warnings/labelling in English

If you commit any of the above offences you may face prosecution, heavy fines and potentially a prison sentence. If you have a premises license this may be subject to review which could lead to suspension or loss of your licence.

Report Concerns!

Genuine retailers can help the authorities to stamp out the trade in illegal tobacco.

If you are suspicious about anyone offering your business cheap cigarettes or tobacco for sale or if you have purchased (or see on sale elsewhere) products that you suspect may be illicit, report your concerns as soon as possible.

If you are able please consider the following if offered illegal tobacco

- Make a note of the time and date.
- If you can, be prepared to give a description of the person(s) who approached you and details of the products they were offering: type, brand, size, carton size, price, etc.
- If you have CCTV operating, move around to try and get clear images of your visitors on the recording.
- Say that you will think about it and try to get their phone number.
- If possible, try to get a description and registration number of any vehicle involved.

If your business doesn't include the Sale of Tobacco

Just because your business doesn't officially sell tobacco products doesn't mean your employees and customers aren't using your premises for illegal sales. It pays to be constantly vigilant. Employers found guilty of permitting illegal sales on their premises face a criminal prosecution, not to mention severe fines and damaging publicity. Employees found BUYING or SELLING face similar legal and financial repercussions.

To report any concerns, or if you need further help or advice about this leaflet, contact Derbyshire Trading Standards Service:

01629 533190 or trading.standards@derbyshire.gov.uk

Alternatively you can call Crimestoppers on 0800 555 111