

Buckinghamshire & Surrey
trading standards

Tel: 01296 4632195
Email: /
General Enquiries: 01296 463200
www.bucksandsurreytradingstandards.gov.uk

Bobby's Food & Wine
High Street
Staines

TRADING STANDARDS

Walton Street Offices,
Aylesbury,
Buckinghamshire, HP20 1UP

Woodhatch Place, 11
Cockshot Hill, Reigate, Surrey
RH2 8EF

Your Ref:

Our Ref: /

11th December 2024

Dear Sirs

**Children and Families Act 2014
The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations
2015.**

This Service has received a complaint alleging that your business has supplied a nicotine inhaling product (E-Cigarette) to a person under the age of 18 years.

You are advised that it is a criminal offence to sell nicotine inhaling products to persons under 18 years of age and can lead to a fine of up to £2500.

A nicotine inhaling product is defined in the above Regulations as a nicotine inhaling device, nicotine cartridge or nicotine refill substance.

A nicotine inhaling device means a device which—

(a) is intended to enable nicotine to be inhaled through a mouth piece (regardless of whether the device is also intended to enable any other substance to be inhaled through a mouth piece), but

(b) is not tobacco, cigarette papers or a device intended to be used for the consumption of lit tobacco;



Chartered Trading
Standards Institute
corporate affiliate member



Buckinghamshire & Surrey trading standards

Trading Standards, Walton Street Offices, Aylesbury, Buckinghamshire HP20 1UA
Trading Standards, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey RH2 8EF

Telephone: 0300 123 2329

Email: trading.standards@surreycc.gov.uk
www.bucksandsurreytradingstandards.gov.uk

VISIT REPORT

Name of business Babbajis Food & Wine Date 11/12/2024 Time 14.30 hrs

Alternative name Babji Indian Ltd Contact name Pawandeep Bajji

Address High Street, Stevenage

Website E-mail

Reason for visit Was advance visit Tel. No.

Best practice advice/comment

Good and clean about storage and display

Potential breaches identified

Imported food was sold with no sufficient food information
no labelled for sale under a trade name in English with no no
Qr and displaying a stocking date on items

contrary to
and you are advised/required to take corrective action within days.

Officer (sign) (print name ...) (Contact)
Buckinghamshire & Surrey (print name ...) (Position)

V
Exhibit number
Signed
104

Signed
3

Page of

Date 17/11/2025
Issue October 2015



business companion

trading standards law explained

Tobacco and vapes

In the guide

What is meant by tobacco, tobacco products and vapes?

Age restriction on the sale of tobacco products

Age restriction on the sale of vapes

Age of the person making the sale

Persistent sales to under-18s

Proxy purchase of tobacco and vapes

Is it legal to sell single cigarettes?

Can tobacco be sold from vending machines?

Display and price marking of tobacco products

Cigarette lighter refills

Matches and lighters

Defences

Keeping within the law

Age verification checks

Operate a Challenge 21 or Challenge 25 policy

Staff training

Maintain a refusals log

Till prompts

Signage

Closed circuit television (CCTV)

Online sales

Packaging, labelling, advertising and tracking

Trading standards

In this update

Key legislation

This guidance is for England

Certain products cannot be sold to persons below a legal minimum age; for tobacco and vapes this legal minimum age is 18.

A packet of cigarettes must contain a minimum of 20 cigarettes and must only be sold in its original packaging. A notice must be displayed stating 'It is illegal to sell tobacco products to anyone under the age of 18'.

Tobacco products must not be on display in-store and there are also restrictions on how prices and price lists are displayed.

Young people should always be asked for proof of their age.

Note: in English and Welsh law, 'nicotine inhaling products' is the legal term used to describe vapes (which are sometimes also referred to as e-cigarettes) and associated products; the generic term 'vapes' is used in this guide.

What is meant by tobacco, tobacco products and vapes?

'Tobacco' is defined as including cigarettes, any product containing tobacco for oral or nasal use (for example, snuff) and smoking mixtures used as a substitute for tobacco (for example, herbal cigarettes). 'Cigarettes' include cut tobacco rolled up in paper, tobacco leaf and other material in a form that is capable of being immediately used for smoking.

A 'tobacco product' is defined as "a product consisting wholly or partly of tobacco and intended to be smoked, sniffed, sucked or chewed".

A 'nicotine inhaling product' means a nicotine inhaling device (used to inhale nicotine through a mouth piece), nicotine cartridge (contains nicotine and forms part of a nicotine inhaling device) or nicotine refill substance (generally known as e-liquid). Nicotine inhaling devices are commonly referred to as 'vapes' and the law covers both disposable and rechargeable types. In this guide, 'vapes' refers to all the products mentioned in this paragraph, not just the inhaling devices.

Age restriction on the sale of tobacco products

The law states that it is an offence for any person to sell any tobacco products (including cigarette papers) to a person under 18, whether or not it was for their own use. This is a strict liability offence, which means the owner of the business can be held responsible as well as the member of staff who made the sale. If you are charged with this offence, you have the defence that you took all reasonable precautions and exercised all due diligence to avoid committing the offence. This is commonly known as the 'due diligence' defence. The **'Keeping within the law'** section of this guide includes steps that can be taken to provide a 'due diligence' defence.

You must display a notice that states:

IT IS ILLEGAL TO SELL TOBACCO PRODUCTS TO ANYONE UNDER THE AGE OF 18

The notice must be displayed in a prominent position and be easily visible at the point of sale. The notice must be no less than 297 mm x 420 mm (A3) and the characters must be no less than 36 mm in height. Your local trading standards service or your tobacco supplier may be able to provide a notice for you to use. It is an offence if you do not have the required notice on display, although the 'due diligence' defence is available to you.

Age restriction on the sale of vapes

A person who sells a vape to someone under 18 commits an offence. This is a strict liability offence; the owner of the business can be held responsible as well as the member of staff who made the sale.

There is an exception for vapes that are licensed as medicines or medical devices. This exemption only applies to the extent to which the product is authorised.

If you sell vapes you might want to display a poster advising customers that you will not sell to under-18s:

If I sell vapes or nicotine refills to people under 18 TRADING STANDARDS WILL PROSECUTE ME

Note: unlike the tobacco poster, this is not a legal requirement and is simply suggested wording.

Single use, disposable vapes are increasingly popular with children, largely due to their bright colours, appealing flavours and price. You and your staff should be alert to attempts by children to buy these products and take extra care to avoid underage sales.

Additional guidance for pharmacies (and other retailers that have not traditionally sold age-restricted products) has been produced by the Department of Health and Social Care (which was known simply as the Department of Health at the time), the Medicines and Healthcare products Regulatory Agency and the Chartered Trading Standards Institute.

Age of the person making the sale

If you employ children in your business, it is not illegal for them to sell tobacco products, provided of course that the customer is not under 18. However, leaving unsupervised children selling tobacco is not recommended as they may find it difficult to refuse customers in their own age group.

Persistent sales to under-18s

If you are convicted of selling tobacco or vapes to persons under 18, and at least two other offences occurred in the preceding two years relating to the same premises, trading standards can make an application to a Magistrates' Court for a restricted premises order and/or a restricted sales order.

A restricted premises order prohibits the sale from the premises of any tobacco, cigarette papers or vapes to any person, by you or any of your staff for a period of up to one year. You are entitled to make representations to the court as to why they should not grant the order.

A restricted sales order prohibits a specified person who has been convicted of a tobacco or nicotine offence from selling any tobacco, cigarette papers or vapes to any person and from having any management function related to the sale of tobacco, cigarette papers or vapes for a period of up to one year.

Offences are committed if a person sells tobacco, cigarette papers or vapes when a restricted premises order is in place or if a person fails to comply with a restricted sales order.

Proxy purchase of tobacco and vapes

An adult who buys or attempts to buy tobacco, cigarette papers or vapes on behalf of someone under 18 commits an offence. This is called 'proxy purchasing'.

It is the buyer and not the trader who commits an offence under these circumstances. However, be aware of young people loitering outside your premises; they may ask adult customers to buy tobacco, cigarette papers or vapes for them. It is advisable to refuse such sales.

Is it legal to sell single cigarettes?

No. A packet of cigarettes must contain a minimum of 20 cigarettes. It is an offence to sell cigarettes to any person other than in their original package. This means you must not split a pack and sell in lesser

Operate a Challenge 21 or Challenge 25 policy

This means that if the person appears to be under 21 or 25, they will be asked to verify that they are 18 or over by showing valid proof of age.

Staff training

Make sure your staff are properly trained. They should know which products are age restricted, what the age restriction is and the action they must take if they believe a person under 18 is attempting to buy. It is important that you can prove your staff have understood what is required of them under the legislation. This can be done by keeping a record of the training and asking the member of staff to sign to say that they have understood it. These records should then be checked and signed on a regular basis by management or the owner.

Maintain a refusals log

All refusals of tobacco and tobacco products should be recorded (date, time, incident, description of potential buyer). Maintaining a refusals log will help to demonstrate that you actively refuse sales and have an effective system in place. Logs should be checked by the manager / owner to ensure that all members of staff are using them.

A specimen refusals log is attached.

Some tills have a refusals system built in. If using a till-based system, you should ensure that refusals can be retrieved at a later date. You should also be aware that some refusals are made before a product is scanned.

Till prompts

If you possess an EPoS system then it may be possible to use it to remind staff of age restrictions via a prompt. Alternatively, stickers can be used over certain product barcodes.

You should note that till prompts will not help you prevent offences under the Tobacco Advertising and Promotion (Display) (England) Regulations 2010 as the scan and prompt takes place after the display has been made.

Signage

You must display the legally required tobacco notice (see '**Age restriction on the sale of tobacco products**' above). It is not a legal requirement but you can, if you wish, display a poster advising customers that you will not sell e-cigarettes or nicotine refills to under-18s (see '**Age restriction on the sale of vapes**' above). These should deter potential purchasers and act as reminders to staff.

Closed circuit television (CCTV)

A CCTV system may act as a deterrent and reduce the number of incidents of underage sales.

Online sales

If you sell by distance means, such as online or via a catalogue, you should set up an effective system capable of verifying the age of potential purchasers. Please see 'Online sales of age-restricted products' for more information.

Packaging, labelling, advertising and tracking

For information on the requirements regarding packaging etc, see 'Tobacco, vapes, etc: packaging, labelling, advertising and tracking'.

Trading standards

For more information on the work of trading standards services - and the possible consequences of not abiding by the law - please see 'Trading standards: powers, enforcement and penalties'.

In this update

Terminology changed from the legal name to the more commonly used 'vapes'.

Last reviewed / updated: December 2022

Key legislation

Children and Young Persons Act 1933

Children and Young Persons (Protection from Tobacco) Act 1991

Cigarette Lighter Refill (Safety) Regulations 1999

Tobacco Advertising and Promotion Act 2002

Protection from Tobacco (Sales from Vending Machines) (England) Regulations 2010

Tobacco Advertising and Promotion (Display) (England) Regulations 2010

Tobacco Advertising and Promotion (Display of Prices) (England) Regulations 2010

Children and Families Act 2014

Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015

Standardised Packaging of Tobacco Products Regulations 2015

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 changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

© 2023 Chartered Trading Standards Institute

Source URL: <https://www.businesscompanion.info/en/quick-guides/underage-sales/tobacco-and-vapes>

Buckinghamshire & Surrey trading standards

Trading Standards, Walton Street Offices, Aylesbury, Buckinghamshire HP20 1UA
Trading Standards, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey RH2 8EF

Telephone: 0300 123 2329

Email: trading.standards@surreycc.gov.uk

www.bucksandsurreytradingstandards.gov.uk

VISIT REPORT

Name of business Bobbi's Fizz & More Date 16/04/25 Time 14:30 hrs

Alternative name Contact name

Address High Street, Stanmore

Website E-mail

Reason for visit Short Price Check Tel. No.

Best practice advice/comment

1) Imported food without mandatory food information - Nimbooz Yip Blue & Green Fanta bottles. Think up 2. Dr & Pek bottles with sweets & hidden sweets to eat - these must be removed from sale until such time all mandatory food information is in the correct format in English with any & allergens emphasised in the ingredient list with an required 'hazardity' warning PLAT or non-UK address. Re the UK Importer - you have been advised previously.

2) I am requiring copy invoices showing the supply of local monkey vapors - to be provided by 3/5/25 at least

Potential breaches Identified

- 1) Sale of 21 units of cigarettes - (Top Gun & Rockstar Blends) not fully packed/cigarettes
- 2) Sale of 18 vapes - in breach of labelling requirement
- 3) Large number of vapors - remove from sale & return to supplier - current registration has been revoked so these are not legal
- 4) You are displaying a statutory tobacco notice - you have been advised previously

contrary to Health & Safety at Work etc Act 1974 section 13
and you are advised/required to take corrective action within 15 days.

Officer (sign) (print name) Contact Position Sales

Buckinghamshire & Surrey trading standards 1 (print name) Position Sales

Exhibit number 406

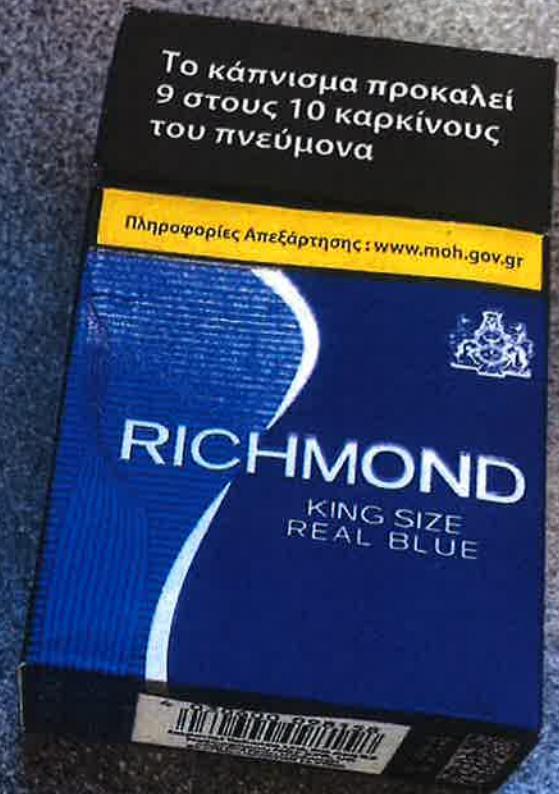
Signed 17/11/2025

Page of



Date 17/11/2025
Issue October 2015







Buckinghamshire & Surrey trading standards

Email: general.enquiries@bucksandsurreytradingstandards.gov.uk

General Enquiries: 0300 123 2329

www.bucksandsurreytradingstandards.gov.uk

Mr Pawandeep Bajaj
Bajaj Investments Ltd
163 High Street
STAINES UPON THAMES
Surrey
TW18 4PA

TRADING STANDARDS

Walton Street Offices
Aylesbury
Buckinghamshire HP20 1UP

Woodhatch Place
11 Cockshot Hill, Reigate
Surrey RH2 8EF

09 July 2025

Dear Mr Pawandeep Bajaj

ADVISORY LETTER

Tobacco and Related Products Regulations 2016 Standardised Packaging of Tobacco Products Regulations 2015

I am writing to you following the seizure of tobacco from your shop, Bobby's Food & Wine, in relation to offences committed under the above legislation.

I have now reviewed the investigation report from Senior Trading Standards Officer, Catriona Macbeth, in relation to a seizure of products that occurred from your shop, Bobby's Food & Wine, High Street, Staines.

On 16th April 2025 an inspection was undertaken at your shop and Ms Macbeth checked the compliance of the tobacco with the above mentioned legislation.

20 Richmond cigarettes, 1 Top Gun cigarette and 1 cigar were seized as evidence as these products breached Part 2 The Tobacco and Related Products Regulations 2016 and in particular Regulation 9 and Regulation 11; a person is guilty of an offence if that person breaches any part of Part 2. The cigarettes also breached Part 2 The Standardised Packaging of Tobacco Products Regulations 2015; a person is guilty of an offence if they breach any part of these regulations.

What happens now to the products seized from your premises?



Chartered Trading
Standards Institute
corporate affiliate member



Buckinghamshire & Surrey trading standards

The non-compliances detected are likely to amount to criminal offences. If prosecuted and found guilty, you could face an unlimited fine and even imprisonment.

However, on this occasion this Authority does not intend to take formal action and is willing to work with you so that you understand the law; it is unlikely that the same approach will be taken again.

Return of Seized Products

None of the products seized can be altered to bring them into compliance, therefore they will not be returned to you.

You also need to be aware as the premises are licensed for the sale of alcohol, under the Secretary of States S182 Guidance the use of licensed premises for the storage or sale of smuggled tobacco is grounds for a Review of the Premises Licence with revocation of the premises licence appropriate even on the first occasion.

Action requested of you

Please can you sign both copies of this letter and return one to us at your earliest convenience and in any event no later than 22 July 2025 in the stamped addressed envelope that has been provided. The second copy should be retained for your records.

Please can you also sign the enclosed waiver form and return it to us with the signed letter. Failure to sign and return the waiver form may result in an application to the Court for forfeiture and a cost order against you.

If you are unsure about any of the content in this letter, please contact me at

I look forward to hearing from you.

Yours sincerely,

Supervisor - Trading Standards

Enclosed: a letter to be signed (and one copy for your records), waiver form and envelope. Business Guidance.

Cc:



Chartered Trading
Standards Institute
corporate affiliate member



Buckinghamshire & Surrey trading standards

Buckinghamshire & Surrey Trading Standards
Woodhatch Place, 11 Cockshot Hill, Reigate Surrey RH2 8EF

Tobacco and Related Products Regulations 2016

General Product Safety Regulations 2005

Classification, Labelling and Presentation of Substances and Mixtures Regulations

I confirm that I have received this Warning letter from Buckinghamshire and Surrey Trading Standards and that I understand that:

If I commit any offences under the above legislation, Trading Standards may investigate and consider taking formal legal action against me whether as an individual, sole trader, partner in a business or a company director in line with their enforcement policy.

Signed:

Name: Mr Pawandeep Bajaj

Dated:



Chartered Trading
Standards Institute
corporate affiliate member



Buckinghamshire & Surrey trading standards

Buckinghamshire & Surrey Trading Standards
Woodhatch Place 11 Cockshot Hill, Reigate Surrey RH2 8EF

Tobacco and Related Products Regulations 2016
General Product Safety Regulations 2005
Classification, Labelling and Presentation of Substances and Mixtures Regulations

I confirm that I have received this Warning letter from Buckinghamshire and Surrey Trading Standards and that I understand that:

If I commit any offences under the above legislation, Trading Standards may investigate and consider taking formal legal action against me whether as an individual, sole trader, partner in a business or a company director in line with their enforcement policy.

Signed:

Name: Mr Pawandeep Bajaj

Dated:



Chartered Trading
Standards Institute
corporate affiliate member







Buckinghamshire & Surrey
trading standards

v
Exhibit number

Signed

Date 17/11/2025
Issue October 2025

BUCKINGHAMSHIRE COUNTY COUNCIL
SURREY COUNTY COUNCIL





Buckinghamshire & Surrey
trading standards

V
Exhibit number
13

Signed

Date 17/11/2023
Issue October 2015



This pro
nicotine v
addictiv



तम्बाकू सेवन यानि अकाल मृत्यु

आज ही छोड़ें, कॉल करें 1800-11-2356

COOL *Lip*
Gulf Tobacco



TEJ RAM CHHABRI PATEL
VILLAGE KOTHEWALI, KOTHEWALI
AJMER - 305001
For feedback and
complaints, call 1800-11-2356
or write to the following address:
M.R.D. Head Office, 1st Floor
Unit No. 101, Sector 12
Pune - 411001
Email: cool@coolcigarettes.com
Best Before 15/09/2015
Expiry Date 15/09/2015
THIS PRODUCT FALLS UNDER COTPA 2011 (Tobacco Act) यहां से अपने स्वास्थ्य के लिए बचें।





Buckinghamshire & Surrey
trading standards

V
Exhibit number

16

Signed

Date 17/11/2025
Issue October 2015



