

ORIGINAL

Buckinghamshire & Surrey
trading standards

Tel: 01294 632195
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www.bucksandsurreytradingstandards.gov.uk

Bobby's Food & Wine
High Street
Staircase

TRADING STANDARDS

Walton Street Offices,
Aylesbury,
Buckinghamshire, HP20 1UP

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

Your Ref:

Our Ref: C

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;



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Date

Issue October 2015



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Trading Standards, Walton Street Offices, Aylesbury, Buckinghamshire HP20 1UA
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Telephone: 0300 123 2329

Email: trading.standards@surreycc.gov.uk

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VISIT REPORT

Name of business Bobby's Food & Wine Date 11/12/2024 Time 14.30 hrs

Alternative name Bobby's Food & Wine Ltd Contact name Penny Leap B-J

Address High Street, Staines

Website E-mail

Reason for visit W/S advice visit Tel. No.

Best practice advice/comment

Food label with no better about underage sales & alcohol guidelines

Potential breaches identified

- ① Imported food on sale with non-sufficient food information not labelled for sale - made 2.00 in English with none
- ② No meat display & labelling to be done

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

Officer (sign) (print name)

..... (print name)

.....) Contact

.....) Position

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Date 17/11/2025
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businesscompanion

trading standards law explained

Tobacco and vapes

Buckinghamshire & Surrey
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Signed [Signature]

Date 17/11/2025
Issue October 2015

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.

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VISIT REPORT

Name of business Batley's Food & Wine Date 16/04/25 Time 14:30 hrs

Alternative name Contact name

Address High Street, Stevenage

Website E-mail

Reason for visit Food & Wine Tel. No.

Best practice advice/comment

5. Imported food without mandatory food information - Numbuz Zup, Blue + Green forte bottles, Think up 2.0 + forte bottles, USA smooths + liquid smooths/creams. These must be removed from sale until such time all mandatory food information is in the correct format in English with any allergens emphasized in the ingredients list with any required hypersensitivity warning PLUS a nonot address for the importer - you have been advised previously.

5. I am requiring copy invoices showing the supply of local monkey vapes - to be provided by 3/5/25 when you supply.

Potential breaches identified

1. Seizure of 21 sticks of cigarettes - (Top Gun + Red Bull Blue) nonot, partial (unavailable)
2. Seizure of 12 cigars - breach of labelling requirement
3. Local monkey vapes - remove from sale + return to supplier - initial registration has been revoked so these can not be sold
4. You must display a statutory tobacco notice - you have been advised previously.

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

Officer (sign) (print name Contact

..... (print name Position Sales

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Exhibit number

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Date 17/11/2025
Issue October 2015



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Exhibit number

Signed *[Signature]* /108

Date *1/11/2025*
Issue October 2018

Email: _____
General Enquiries: 0300 123 2329
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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?



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



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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:



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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

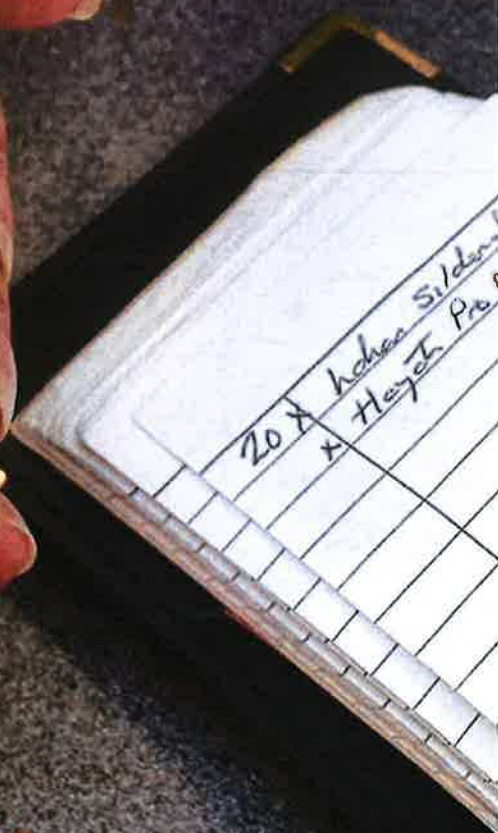
I confirm that I have received this Warning letter from Buckinghamshire and Surrey Trading Standards and that I understand that:

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:





20
MG



MESH COIL

PRO MAX

10.0
ML

 **HAYATI**
PRO MAX



Scratch and Check

 **MADE BY PAX**

Buckinghamshire & Surrey
trading standards

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Date 17/11/2025

Issue October 2015

This product contains
nicotine which is
addictive

20 sigara

2.3g
SUGAR

CRUNCH

20 x hoken
x Hely

20 sigara

20 sigara

This product contains nicotine which is a highly addictive substance

2.3g SUGAR

CRUNCH

HAYATI
PRO MAX

KINDLY READ THE INFORMATION ON THE LEAFLET BEFORE USING THIS PRODUCT.

Instructions:

Take device out from candy bag & just inhale until the device battery stops working. Depending on the size of inhales, device varies from 3500 - 4000+ deep inhales to around 4000 - 4500 puffs smaller inhales. (This varies upon use).

Ingredients:

Vegetable Glycerine, Propylene Glycol, Natural & Artificial Flavors, Nicotine Salt

WARNING:

Not for sale to those under the age of 18 and not suitable for pregnant and breastfeeding women. Keep away from children and pets. If you are not a nicotine user, kindly do not use this particular product. If you are allergic to any one of the ingredients mentioned, or if you are not sure, kindly do not use this product. This product contains nicotine which is highly toxic. If consumed orally, especially if the consumer is an infant, seek medical advice and contact your local poison center or physician immediately and keep this product's information with you.

Nicotine: 20mg/ml
122µg Nicotine Per Puff

Product of:

PAX Innovations (Shenzhen) Limited
Address: RM B08, Block A, Bldg 2,
Tongtai Times Centre, Haoyu Rd,
Bao'an District, Shenzhen, China
E-mail: info@pax-in.com
Website: www.hayatlvapor.com
WhatsApp: +86 17722690972



MADE BY PAX



DANGER



THE CRYSTAL

CE UK CA

This product contains nicotine which is a highly addictive substance

Buckinghamshire & Surrey trading standards

Exhibit number

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Signature

Date 17/11/2025

Issue October 2016



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x Han



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Date 17/11/2023

Issue October 2015



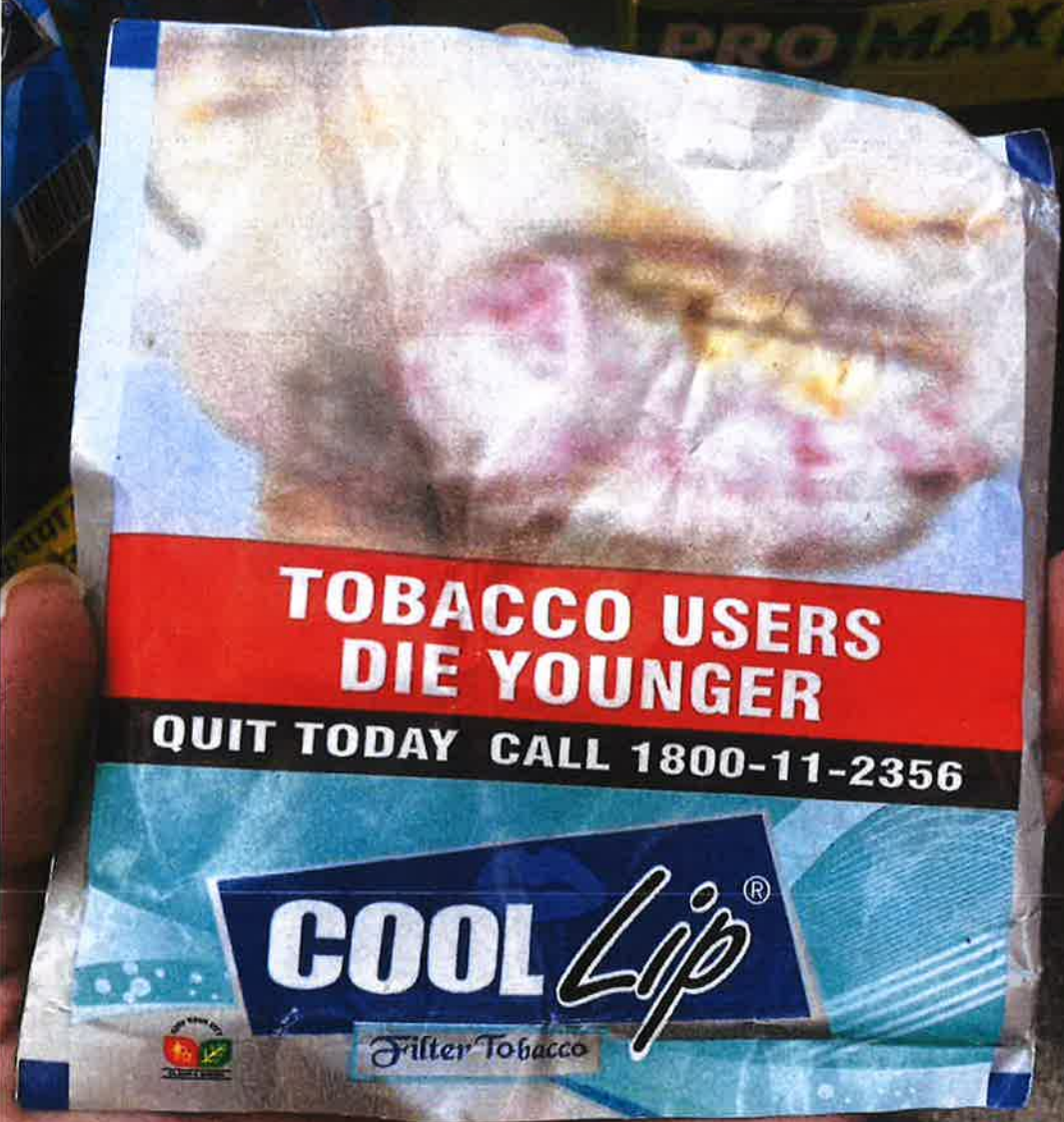
This product contains nicotine and is addictive

Enjoy Hayati? Enjoy Life
HAYATI
HAYATI

PRO MAX

Sigara içmek kan
akışını yavaşlatır
cinsel iktidarsız
neden olur.
A.D. 1/1 Sigara Bırak

Sigara iç
hemen



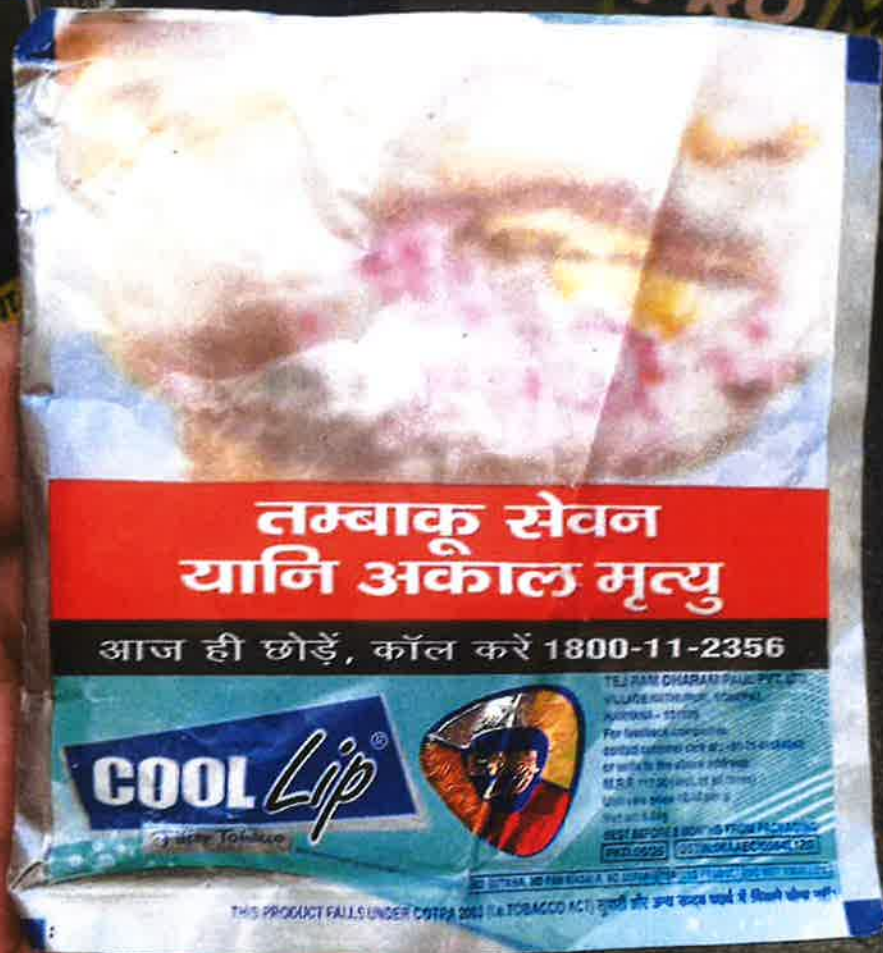
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Date 11/11/2025
Issue October 2019



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Date 17/11/2015
Issue October 2015

 SURREY

EN
This to
damage
MAN



ENGLISH

This tobacco products can damage your health and is addictive.



GERMAN

Dit tabaksproduct kan uw gezondheid schaden en is verslavend



FRENCH

Ce Produit du, tabac peut nuire à santé et créer une dépendance

ORIGINAL

Uda Panchhi

Tobacco

NEW PACK



SPIT TOBACCO

Uda
Panchhi
Tobacco
Spit

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Date 17/11/2025

Issue October 2015



SNICKERS



ओरिजनल

3इत्ता पंक्का TM



NET WT. 15g (0.529 OZ) When Packed, TOBACCO TAX CLASS C
CONTAINS TOBACCO NOT A FOOD PRODUCT खादक पदार्थ नहीं
This product falls under COTPA 2003 (I.e. Tobacco Act)
Line in Extra Tube NOT FOR MINORS PRODUCT OF INDIA



Archit



INDUSTRIES

Mfd. By : **SHIV TOBACCO CO.**
DAMKORA ROAD, TOHANA (HARYANA)

GSTIN : 06AYIPS0302B220

Customer Care No. 09354404713 / E-mail: archit@shivtobacco.com
For Pkd. & Batch No. See The Back of This Packet

NOT FOR MINORS

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Exhibit number _____ 2/17
Signed _____
Date 17/11/2025
Issue October 2015

