12 July, 2019

Local business fined $80,000 for selling illegal cigarettes

Tobacco retailers in South Eastern Sydney are being warned they may face heavy fines if they sell chewing tobacco or packets of cigarettes that do not display the required health warnings.

The warning from South Eastern Sydney Local Health District (SESLHD) comes after a tobacco retailer in Penshurst was fined $80,000 for illegally selling chewing tobacco as well as selling packets of cigarettes without health warnings. The fine was handed down on Wednesday 26 June 2019 at Sutherland Local Court.

Professor Mark Ferson, Director of the SESLHD Public Health Unit, said the $80,000 fine against St George Groceries is the largest fine ever imposed on a business for selling chewing tobacco and illegal cigarettes in NSW.

"An inspection undertaken in March by our Public Health Officers in response to a tip off from a member of the public found 87 packets of chewing tobacco and six packets of cigarettes without required health warnings behind the shop's serving counter," Professor Ferson said.

Under the Public Health (Tobacco) Act 2008, it is an offence to sell chewing tobacco, with a maximum fine of $110,000 per tobacco brand.

"Given the amount of chewing tobacco discovered by our officers, the owner of the business could have faced an enormous maximum fine of $770,000, as well as a further maximum fine of $55,000 for selling cigarettes without the required health warnings," Professor Ferson said.

"Compliance with the legislation is closely monitored. Authorised Officers from the Public Health Unit conduct random inspections and can issue warnings, fines or initiate prosecutions against retailers that break the law."

The NSW Government is committed to reducing the prevalence of smoking and protecting people from second-hand smoke and the sale of illegal and unbranded cigarettes.

Over the past 10 years, the NSW Government, through the Cancer Institute NSW, has invested more than $106 million on anti-tobacco public education campaigns and tobacco control initiatives. This includes: public awareness and education campaigns; quit smoking support; compliance and enforcement of strong smoke-free and retailing laws; and targeted programs for vulnerable groups with high smoking rates.

NSW has experienced a consistent downward trend in the prevalence of smoking, with current smoking among NSW adults decreasing from 22.5% in 2002 to 14.8% in 2018.

Pleasingly, fewer young people are smoking in general, with smoking rates among students aged 12-17 years declining from 27.3 per cent in 1984 to 6.4 per cent in 2017.
All members of the community can help reduce the sale of chewing and unbranded tobacco by reporting suspected breaches of the law to the local Public Health Unit on 1300 066 055 or to the Tobacco Information Line on 1800 357 412. All complaints are dealt with confidentially.