

Thursday, 15 March 2012

LOCAL BUSINESSES IN INNER SYDNEY CAUGHT SELLING TOBACCO TO MINORS

A warning to all tobacco retail outlets within inner-city Sydney - if you sell tobacco products to children you are breaking the law and you can expect to be prosecuted.

A \$1000 fine given to a shop assistant of a convenience store in Sydney's Central Business District (CBD) and a \$500 fine to a Surry Hills tobacconist for selling cigarettes to a minor should send a strong message to retailers.

The fines were handed down in Downing Centre Court on 16 January for the convenience store in Sydney's Central Business District and on 14 March for the Surry Hills tobacconist store, following investigations by the South Eastern Sydney Illawarra Public Health Unit.

In addition, the Surry Hills tobacconist was fined \$500 for selling a fruit flavoured tobacco product, prohibited by the NSW Minister for Health because it is deemed to encourage young people to smoke.

When handing down the conviction, Magistrates for both cases noted the seriousness of the offence, emphasising the fine would be given as a deterrent and would send a strong message to other small business owners.

Under the *Public Health (Tobacco) Act 2008*, it is a criminal offence to sell cigarettes to people under the age of 18. The maximum fine for this offence is \$11,000 for an individual for a first offence, \$55,000 for any second or subsequent offence; \$55,000 in the case of a corporation for a first offence and \$110,000 for a second or subsequent offence.

Professor Mark Ferson, Director of the South Eastern Sydney Illawarra Public Health Unit said despite long efforts to educate and remind retailers, it is worrying that young people are still able to buy cigarettes from some shops.

"NSW Health has a compliance monitoring strategy in which volunteer young people attempt to buy cigarettes from local retailers," Professor Ferson said.

"It was this approach that led to the person being caught out. Everybody selling tobacco should already know their responsibilities under the law.

"There really should be no excuse. These laws have been in place for a long time. Retailers might think it's good for business but it's not good for our young people," he said.

The 2008 school students survey found that 17% of 12 to 17 year old students in NSW had smoked tobacco in the past twelve months and 7.3% considered themselves current smokers.*

"Teenage years are the most common time for taking up smoking, with 80% of current smokers saying they began smoking before age 20. The earlier one takes up smoking, the harder it is to quit. We must help our next generation of young people make better choices about their health," Professor Ferson said.

Members of the community can help reduce children's access to cigarettes by reporting possible breaches of the law to the Public Health Unit on 9382 8333 or to the Tobacco Information Line on 1800 357 412. All reports will be dealt with confidentially.

* *New South Wales School Students Health Behaviours Survey, 2008 Report: Tobacco*
http://www.health.nsw.gov.au/PublicHealth/surveys/hss/08/toc/t_s13_beh_tobacco.asp#Results

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