

Friday 8 November, 2019

Local business fined for selling e-cigarettes and tobacco to minors

Tobacco retailers in South Eastern Sydney are being warned they may face heavy fines and bans if they sell electronic cigarettes or tobacco products to minors.

The warning from South Eastern Sydney Local Health District (SESLHD) comes after the proprietor of Cignall Miranda was fined \$1,000 for multiple offences of selling electronic cigarettes, vaping liquids and tobacco to children as young as 14. The retailer was also fined for selling single cigarettes and for failing to conceal tobacco, electronic cigarettes and their accessories from public view.

The fine was handed down on Wednesday 6 November, 2019 at Sutherland Local Court. The retailer may also be banned from selling tobacco products for 12 months.

Professor Mark Ferson, Director, SESLHD Public Health Unit, said complaints from a concerned parent and local police led to the successful prosecution.

“Most smokers start the habit before they are 18 and it has been shown that the younger a person is when they start smoking, the less likely it is that they will ever quit,” Professor Ferson said.

“Shops that sell single cigarettes are clearly inviting people, including minors, to smoke. For as little as \$1 each, single cigarettes are affordable to children, the most price-sensitive group of tobacco buyers. It also means customers do not see the graphic health warnings required on cigarette packs.

“There is also evidence that vaping devices and their confectionary flavours may be very harmful to health and that they can be a gateway for children to start smoking tobacco.”

Under the Public Health (Tobacco) Act 2008, it is an offence to sell tobacco, e-cigarettes and their accessories to minors, or to sell single cigarettes or tobacco products without appropriate health warnings. The maximum penalty for a first offence is \$11,000 for an individual, increasing to \$55,000 for repeated breaches, and up to \$110,000 for corporations.

“Compliance with the legislation is closely monitored. Authorised Officers from the SESLHD Public Health Unit conduct random inspections and can issue warnings or initiate prosecutions against retailers that break the law,” Professor Ferson said.

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. The NSW Ministry of Health and Cancer Institute NSW are investing \$17.3 million on tobacco control in 2019-20. 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 seen a consistent downward trend in the prevalence of smoking. Among NSW adults, smoking has decreased from 22.5% in 2002 to 14.8% in 2018.

Pleasingly, fewer young people are smoking in general, with rates declining from 10.3% in 2005 to 6.4% in 2017.

All members of the community can help reduce children's access to cigarettes and vapes, and the sale of unbranded tobacco, by reporting suspected breaches of the law to the Public Health Unit on 9382 8333 or to the Tobacco Information Line on 1800 357 412. All complaints are dealt with confidentially.

To seek help to quit smoking, visit icanquit.com.au or call the Quitline on 13 78 48.