

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9)

Statement of: Ian Smith**Age of Witness:** Over 18

(If over 18, enter "Over 18")

This statement (consisting of 5 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: _____

15th JUNE 2021

Signature: _____

I am employed by Surrey County Council as Supervisor for the Trading Standards Regulation Team based at County Hall, Walton Street, Aylesbury HP20 1UP and I am authorised for the purposes of the Trade Marks Act 1994 and Food Safety Act 1990. On Saturday 19th September 2020 I joined PS2484 Dunlop, PC40786 Sadler, PCSO Bushnell, Emma Gower – North Surrey Drug Liaison Officer together with two test purchasers both under the age of 18 years on a test purchasing exercise for Nitrous Oxide. During the course of the exercise Sunbury Food and Wine, 13 Staines Road West, Sunbury on Thames. TW16 7AB was visited and a purchase of Nitrous Oxide and balloons made by the two test purchasers. Following the test purchase together with Emma Gower and PS Dunlop I entered the premises and introduced myself and the other officers to an Asian male who appeared to be the only person tending the premises who I now know to be Mandeep Singh Soni. I explained to Mr Soni that a test purchase exercise had just been carried out at his premises in relation to the sale of Nitrous Oxide and that he had failed in that he had supplied Nitrous Oxide

Signature: _____

Signature witnessed by: _____

canisters and balloons to two young test purchasers. I also informed Mr Soni that I intended to carry out an inspection of his shop premises and asked that I be allowed access behind the counter area, to which he agreed. I went behind the counter and found a small yellow bag hanging to the side of where a person serving at the counter would have stood. Inside the bag I found 29 x Packets of NZ Black brand cigarettes and 5 x Packets of Benson and Hedges cigarettes. The colour of the packets of NZ brand cigarettes were not of the required colour nor did they display the required warnings I was of the opinion that these were smuggled cigarettes. The Benson and Hedges cigarettes had the appearance of genuine cigarettes sold in the UK but upon examination had some slight differences to that which may be expected with genuine Benson & Hedges cigarettes and I was of the opinion that they were likely to be counterfeit. I seized the yellow bag and the packets of cigarettes that it contained and produce these as exhibit IS/4/SFW. On the floor behind the counter near to the area the yellow bag had been hung was a large cardboard box that looked new and indicated that it contained an inflatable 'Boxing Tower' punch bag. Upon looking inside this box I found that it contained 3 x cartons of 10 x packets of 20 Benson and Hedges cigarettes that appeared to be identical to those I had found in the yellow bag. The dimensions of the box perfectly fitted the dimensions of the cartons of cigarettes. Also behind the counter, but near to where the area behind the counter was accessed was a step up to the raised counter area. I looked under this step and saw that, apparently hidden, under it was a further 'Boxing Tower' box. I pulled this out and noted that it was still sealed with shrink wrap. I broke the seal and opened the box. This box contained 5 cartons of 10 x packets of 20 Benson and Hedges cigarettes and perfectly fitted the space in the

Signature: _____

Signature witnessed by: _____

box. I produce as exhibit IS/2/SFW the two 'Boxing Tower' boxes containing Benson and Hedges cigarettes that I found. To the side of the entrance to the area behind the counter I noted a Glen's branded box that contained 19 x 35cl bottles of Glen's brand vodka. I examined the bottles of vodka in the box and noted some differences with what would be expected to be found with genuine Glen's brand vodka. I was of the opinion that these were also counterfeit. I checked the shelves behind the counter and amongst other, apparently genuine bottles of Glen's Vodka, I found a further 2 x 35cl bottles of that I believed to be counterfeit. The shelf with the 35cl bottles of Glen's vodka had a price marker indicating that they were offered for sale at £7.99. I seized the box of 19 bottles of Glen's vodka which I produce as exhibit IS/3/SFW and the 2 from the shelves behind the counter which I produce as exhibit IS/1/SFW. Near to the box of Glen's vodka I found a package containing 8 x 30g Pouches of Pueblo brand hand rolling tobacco, I examined these and considered that they may be counterfeit so seized them for further examination and identified them as exhibit IS/5/SFW. While I was looked behind the counter I found a number of boxes of Nitrous Oxide bottles often placed in dark coloured plastic bags. These had been placed in various areas behind the counter and behind other boxes on the floor beneath the shelves. I passed these to Emma Gower when I found them. I conducted an inspection of the rest of the premises and found in the storeroom at the rear of the premises a cardboard box that contained 64 DVDs but consisted of apparently only 2 different titles, the covers for which indicated that they were pornographic films. I noted that the packaging of the DVDs did not include the required classification markings and seized the DVDs for that reason and identified them as exhibit IS/6/SFW. At the conclusion of my inspection I asked Mr Soni

Signature:

Signature witnessed by: _____

whether he could produce invoices showing his purchase of cigarettes, Glen's vodka and the hand rolling tobacco. Mr Soni indicated that he kept them in a cardboard box behind the till and showed me the box. The box contained a considerable number of printed invoices and receipts. I informed Mr Soni that I would seized the box of papers for further examination which I did and identified these as exhibit IS/7/SFW. I made out a record of the items that I had sized, a copy of which I handed to Mr Soni. I produce a copy of the record of items seized as exhibit IS/8/SFW. I also made out a visit form that gave the reason I had seized the items listed and gave a copy to Mr Soni. I produce a copy of the visit form as exhibit IS/9/SFW. I also completed a notice of Powers and Rights form and handed a copy of this to Mr Soni. I have noted that the date that I filled in on the forms, namely 20/9/20, is incorrect and should read 19/9/20 The items that had been seized were then removed from the shop premises and taken to Sunbury Police Station where they were placed into secure storage. The items seized by myself were then subsequently transported to County Hall, Aylesbury where they were also placed into secure storage. On the 23rd September 2020 I attended Sunbury Police Station where, together with PC 40786 Sadler, I conducted an interview under the provisions of the Police and Criminal Evidence Act 1984 with Mr Mandeep Singh Soni in the presence of his solicitor Ian Wilson. I produce as exhibit IS/10/SFW a transcript of the interview. On the 1st October 2020 I posted to Euan Birrell, Group Governance Manager, Catrine Bonded Warehouse, 7 Lagh Road, Catrine, Ayresshire, Scotland examples of the 35cl bottles of Glen's vodka that I had seized from Sunbury Food and Wine for examination for authenticity. The examples I sent to Euan Birrell for examination comprised of 4x bottles, namely both bottles identified as IS/1/SFW

Signature: _____

Signature witnessed by: _____

and two bottles from the box containing 19 bottles which I identified as exhibits IS/3/SFW/A and IS/3/SFW/B. With regard to the Benson and Hedges cigarettes that I had seized I asked my colleague Giuseppe Venniri to send some examples to the brand owner for examination which he agreed to do. I produce as exhibit IS/11/SFW photographs I have taken of an example of the NZ black cigarettes which were included in exhibit IS/4/SFW and examples the Benson and Hedges cigarettes concealed in the Boxing Tower Boxes included in exhibit IS/2/SFW. The NZ black cigarettes shown as pictures a – d inclusive in exhibit IS/11/SFW do not comply with the requirements of The Standardised Packaging of Tobacco Products Regulations 2015, Regulation 3 as the colour of the external packaging is not of Pantone 448C with a Matt finish as required. The NZ black cigarettes also do not comply with the Tobacco and Related Products Regulations 2016, Regulations 5 and 11 as the text and picture used for the combined warning is not in English or one of those listed in Annexes I or II of Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC.

Signature: _____

Signature witnessed by: _____

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9)

Statement of: Ian Smith**Age of Witness:** Over 18

(If over 18, enter "Over 18")

This statement (consisting of 1 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: 17th September 2021

Signature: _____

I am employed by Surrey County Council as Supervisor for the Trading Standards Regulation Team based at County Hall, Walton Street, Aylesbury HP20 1UP and I am authorised for the purposes of the Trade Marks Act 1994 and Food Safety Act 1990. Further to my statement of the 15th June 2021 I produce as exhibit IS/12/SFW three photographs that I have taken of counterfeit Glen's Vodka seized from the premises of Sunbury Food and Wine, 13 Staines Road West, Sunbury on Thames.

Signature: _____

Signature witnessed by: _____

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9)

Statement of: Giuseppe Venniri

Age of Witness: Over 18
(If over 18, enter "Over 18")

This statement (consisting of 1 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: _____ 27 May 2021 _____

Signature: _____

On the 28th September 2020 I opened evidence bag P00612377 Exhibit IS/4/SFW which contained Benson and Hedges Cigarettes which had been seized from Sunbury Food & Wine. I selected 2 x 20 Benson and Hedges Cigarettes from the sealed exhibit and sent them off for authenticity checks to their brand holder Japan Tobacco International trading as Gallaher Limited. The samples were sealed in evidence bag M06650660 which I exhibit as GV/01.

Once the authenticity checks had been completed the remaining cigarettes were returned under seal number 0593733 and placed in the secure property store at County Hall, Walton Street, Aylesbury, HP20 1UP.

Signature: _____

Signature witnessed by: _____

WITNESS STATEMENT**Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9**

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Statement of: Richard SAUERAge if under 18: over 18 (if over 18 insert 'over 18')Occupation: Police officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: (witness)Date: 14/03/2021PC 40786

On SATURDAY 19th September 2020 I was on duty in plain clothes, in company with PCSO 16904 BUSHNELL.

I had cause to attend SUNBURY FOOD AND WINE as a test purchasing operation was being conducted at the location targeting age related items and the sale of NOS gas.

PCSO BUSHNELL and I were both in plain clothes and entered the shop. Shortly after we entered two other persons walked in and started to browse. The persons who entered after us were under the age of 18 and were going to attempt to purchase some NOS cannisters in company with some balloons. The two test purchasers who had entered the store were male and female, both of which entered at the same time.

After browsing the store for a short while I observed both test purchasers walk up to the counter and ask the cashier if he sold NOS canisters. The cashier, who I now know to be Mandeep SINGH, appeared to look around the store briefly and then produced an item from underneath the counter. This item was a red and white box of NOS cannisters. After this item was placed on the counter the test purchasers asked if he sold any balloons also. SINGH produced some party balloons, again from underneath the counter.

The items were processed through the till and placed into a carrier bag. Money was paid for the items by the test purchasers to SINGH and they left the store together.

A short time after leaving the store, I re-entered the location with PS 2484 DUNLOP, Ian Smith from trading Standards and Emma Gower, a Police drugs liason officer. It was brought to SINGH's attention that he had just been subject to a test purchase and that he had failed having made the transaction described above.

Whilst at the location and on top of the the countertop, there was some pots of cookies which were branded as containing cannabis. Also located near to the counter was some lollipops branded cannabis lollies. These items were clearly for sale as they were stored in an area to which the public have access.

Whilst at the location I seized the following items

- RS/01 - Baloons, Sealed in bag P20133542
- RS/02 - 2x Boxes of NOS chargers, Sealed in bag P07806599
- RS/03 - 2x Pots of a green herbal substance, Selaed in bag N04829984
- RS/04 - Tub of cannabis lollies, Sealed in bag P20133543
- RS/05 - Multiple boxes of NOS canisters, Sealed in bag P20133546

All items seized were placed into the property store at Staines Police Station

Signature:

PC 40786

WITNESS STATEMENT

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

URN

Occurrence Number: 45200099815

Statement of: RICHARD SADLER

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: *Police Officer.*

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:  #P4540786 SADLER, R.

Date: 03/08/2021 08:14

Tick if witness evidence is visually recorded'

Further to my statement of the 14th March 2021 I can confirm that I arranged for the exhibits RS/03 2x Pots of green herbal substance, RS/04 tub of cannabis lollies and RS/05 multiple boxes of NOS canisters to be submitted to Eurofins Forensic Services for examination. I produce as exhibit RS/06 a copy of the 'Submission of Work for Scientific Examination' form that I completed in order for the examination to be carried out. I subsequently received a report dated 10th March 2021 completed by John Elvis Wilfer concerning the exhibits I had arranged to be examined.

I can also confirm that following the test purchase of the Nitrous Oxide (NOS) canisters from the premises of Sunbury Food and Wine, 13 Staines Road West, Sunbury on Thames on the 19th September 2020 I was handed the NOS canisters that had been test purchased together with the receipt recording the sale by one of the test purchasers once I had left the shop premises. I produce as exhibit RS/07 a copy of the receipt. The receipt records the purchase of two items, one for £20 which I believe is for the NOS canisters and the other item for £1.99 which I believe was for the balloons purchased at the same time.

On the 15th July 2021, the NOS canisters that had been seized from Sunbury Food and Wine on the 19th September 2020, exhibit Nos RS/02 and RS/05 were passed to Mike Curless of Buckinghamshire and Surrey Trading Standards Service.

I can confirm that the boxes of NOS canisters purchased and sold at the time of the test purchase were incorporated into Exhibit RS/05, which has subsequently been tested as above and confirmed to contain Nitros Oxide.

ARC

WITNESS STATEMENT

(Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9)

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Statement of: **Emma Gower**Age if under 18: **Over 18** (if over 18 insert 'over 18') Occupation: **Drugs Expert Witness**

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date **21/09/2020**Tick if witness evidence is visually recorded (supply witness details on rear)

On Saturday 19th September 2020 I attended Sunbury Food and Wine, 13 Staines Road West, Sunbury on Thames as part of a test purchase operation along with colleagues from Surrey Police and Surrey Trading Standards.

Whilst at the premises I took a number of photographs of items which were located in and around the till and counter area and in the store room at the back of the store.

I hereby produce these photographs as Photo Album Exhibit EG/01 "Photographs taken at Sunbury Food and Wine, 13 Staines Road West, Sunbury on Thames 19/09/2020."

Signature:

Signature Witnessed by:

STATEMENT OF WITNESS
(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9)

Statement of: Euan Barclay Buchanan Birrell

Occupation: Group Governance Manager

Age of Witness: over 18
(If over 18, enter "Over 18")

This statement (consisting of 4 pages, each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: 26/11/2020

Signature: _____

Signature:

Date: 26/11/20

My name is Euan Barclay Buchanan Birrell, I am employed by Loch Lomond Group and am authorised to make this statement on the company's behalf. My Job title is Group Governance Manager and I am responsible for Quality and Food Safety within the Loch Lomond Group. I have been employed by the Loch Lomond Group for 4 years and I am familiar with the Glen's Vodka brand manufactured by the Loch Lomond Group and sold in the UK. My duties include the identification of infringing versions of this product often referred to as counterfeit.

I received a parcel containing a sample of four bottles bearing the Glen's brand from Ian Smith of Buckinghamshire and Surrey Trading Standards. I was asked to inspect them which I subsequently did. I inspected the following bottles:

Sample Number – 014723 Evidence Bag No P00612378

Signature: _____

Signature witnessed by: _____

Continuing Witness Statement of: Euan Barclay Buchanan Birrell

Page 2

Glens Vodka 35cl

Spirit quality, strength out with tolerance (41.03%), colour within tolerance and nose/odour fail, this spirit is counterfeit

In regards to the dry goods of this bottle-

- lotcode, the bottle does not have a traceability lotcode
- closure, this closure is a counterfeit glens closure, evident from incorrect colour & poor position of graphics
- labels, the front and rear labels are counterfeit, evident from incorrect colour, font, text and graphics

This bottle is counterfeit, it is not a Genuine Loch Lomond Group Glens Vodka 35cl – I am confident to make this statement because of the investigation details above.

Sample Number – 014723 Evidence Bag No P00612378

Glens Vodka 35cl

Spirit quality, strength out with tolerance (40.96%), colour within tolerance and nose/odour fail, this spirit is counterfeit

In regards to the dry goods of this bottle-

- lotcode, the bottle does not have a traceability lotcode
- closure, this closure is a counterfeit glens closure, evident from incorrect colour & poor position of graphics
- labels, the front and rear labels are counterfeit, evident from incorrect colour, font, text and graphics

This bottle is counterfeit, it is not a Genuine Loch Lomond Group Glens Vodka 35cl – I am confident to make this statement because of the investigation details above.

Signature: _____

Signature witnessed by: _____

Continuing Witness Statement of: Euan Barclay Buchanan Birrell

Page 3

Sample Number – 014724 Evidence Bag No P00612372

Glens Vodka 35cl

Spirit quality, strength out with tolerance (41.02%), colour within tolerance and nose/odour fail, this spirit is counterfeit

In regards to the dry goods of this bottle-

- lotcode, the bottle does not have a traceability lotcode
- closure, this closure is a counterfeit glens closure, evident from incorrect colour & poor position of graphics
- labels, the front and rear labels are counterfeit, evident from incorrect colour, font, text and graphics

This bottle is counterfeit, it is not a Genuine Loch Lomond Group Glens Vodka 35cl –

I am confident to make this statement because of the investigation details above.

Sample Number – 014698 Evidence Bag No P00612371

Glens Vodka 35cl

Spirit quality, strength out with tolerance (41.02%), colour within tolerance and nose/odour fail, this spirit is counterfeit

In regards to the dry goods of this bottle-

- lotcode, the bottle does not have a traceability lotcode
- closure, this closure is a counterfeit glens closure, evident from incorrect colour & poor position of graphics
- labels, the front and rear labels are counterfeit, evident from incorrect colour, font, text and graphics

This bottle is counterfeit, it is not a Genuine Loch Lomond Group Glens Vodka 35cl –

I am confident to make this statement because of the investigation details above.

Signature: _

Signature witnessed by: _____

Furthermore the dry goods display the same faults / differences from a genuine Loch Lomond Group 35cl Glens Vodka that have been identified in other recent counterfeit investigations

I can confirm that Loch Lomond Group are responsible for the trade mark certificates for Glens Vodka (Cert No's UK00002324314 and EU003231107) and that GIM Enterprises Ltd trading as Sunbury Food and Wine, 13 Staines Road West, Sunbury on Thames, TW16 7AB does not have permission from Loch Lomond Group to apply these trade marks to goods or to sell or expose for sale or have in his possession the goods in question to which the trade marks have been applied. I produce as exhibits EBBB/1 and EBBB/2 printouts of the trade mark registrations as recorded on the Intellectual Property Office website

Signature: _

Signature witnessed by: _____

WITNESS STATEMENT
(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B;
MC Rules 1981, r.70)

Statement of:Kathryn Sweeney.....

Age if under 18:over 18..... (if over 18 enter "over 18")

Occupation:Seizures and Analysis Manager.....

This statement (consisting of two pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature.....

Date..... 01/10/20

I am employed by Gallaher Limited, as a Seizures and Analysis Manager, at their office at Virginia House, Weston Road, Crewe, Cheshire CW1 6GH. Gallaher Limited is a member of the JT International group of companies. Part of my role as a Seizures and Analysis Manager includes identifying counterfeit and genuine tobacco products bearing trademarks owned by the JT International Group of companies, including JT International SA. As part of my employment responsibilities, my employer has directed me to assist regulatory and enforcement bodies, upon their request, in matters relating to the supply of tobacco products by Gallaher Limited and its affiliate companies by providing technical analysis of suspected counterfeit products. I liaise frequently with regulatory and enforcement bodies advising on how to identify counterfeit tobacco products.

From my experience as a Seizures and Analysis Manager, I am familiar with tobacco products produced by the JT International group of companies, including the methods of manufacture and packaging of those products and the trademarks that are applied to them. I am therefore able to examine and identify counterfeit tobacco products from genuine tobacco products manufactured by the JT International group of companies.

The JT International group of companies marks their products at the time of manufacture for commercial purposes.

I have been provided with a sample for examination by Giuseppe Venniri, Buckinghamshire and Surrey County Council. I received the sample on 29 September 2020.

..... (signature of Witness)

JTI UK

JTI's UK trading company is Gallaher Limited
Virginia House, Weston Road, Crewe, Cheshire, CW1 6GH, UK
Telephone +44(0)1270 504500
Registered in England: Number 01501573
Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK
Telephone +44(0)1932 372000

jti.com/uk

Page No.....2....of....2.....

Continuation of Statement of:Kathryn Sweeney.....

The sample was contained in evidence bag under seal number M06650660. The contents were as follows:

Evidence Bag Number: M06650660 Exhibit Number: GU/01
2 x 20 Benson & Hedges Gold Cigarettes

The sample was held in secure storage until I examined it on 29 September 2020.

Evidence Bag Number: M06650660 Exhibit: GU/01
2 x 20 Benson & Hedges Gold Cigarettes
Pack Code: BFG21C31

Based on my examination of the sample, I can confirm that the product in question was not manufactured by or with the authorisation of JT International SA or Gallaher Limited and that Gallaher Limited did not authorise its sale or importation into the United Kingdom.

Further, having conducted a number of examinations of the product, including a comparison of the construction of the cigarettes and packaging, I can confirm that these packs do not conform to genuine Benson & Hedges product.

The product in question is therefore counterfeit.

I can state that the Trade Mark **BENSON & HEDGES** for cigarettes and tobacco products is owned in the UK by JT International SA (a member of the JT International group of companies and an affiliate of Gallaher Limited) and used extensively in the UK by Gallaher Limited or its associated companies.

Extracts of the following UK Trade Mark Registrations: UK 1495096 and UK 2294714 are attached as exhibits 20/TS196/KS1 and 20/TS196/KS2.

In the process of analysing this sample I destroyed one Benson & Hedges Gold cigarette.

On completion of my examination, I returned the sample and opened evidence bag numbered M06650660 under seal number 0593733 by post to Giuseppe Venniri, Buckinghamshire and Surrey County Council on 1 October 2020.

(Signature of witness)

JTI UK

JTI's UK trading company is Gallaher Limited
Virginia House, Weston Road, Crewe, Cheshire, CW1 6GH, UK
Telephone +44(0)1270 504500
Registered in England: Number 01501573
Registered Office: Members Hill, Brooklands Road, Weybridge, Surrey, KT13 0QU, UK
Telephone +44(0)1932 372000

jti.com/uk

WITNESS STATEMENT

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

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Statement of: **Allan Bushnell**

Age if under 18: (if over 18 insert 'over 18') Occupation: **Police Community Support Officer**

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: **Allan Bushnell** 16904 Date 20/10/2020

Tick if witness evidence is visually recorded (supply witness details on rear)

On 19/09/2020 I was on duty in plain clothes, I was in SUNBURY FOOD AND WINE with my colleague PC 40786. Whilst in the store 2 teenagers entered the store and wandered around looking for something for approximately 5 minutes before heading to the counter and asking for NOs Canisters. The person behind the counter then looked around the store as if to check that no one was watching them. He then handled something behind the counter but out of site. The two youths then asked for some 'BALLOONS', The person behind the counter then handed them a brown paper bag and took some money from the 2 youths.

Whilst outside the two youths showed myself and PC 40786 that the bag contained a box of NOs canisters and a handful of loose balloons.

16904

Signature: **Allan Bushnell**

16904

Signature Witnessed by: 40786

Exhibit – IS/1/SFW - 2 x 35 Cl Bottles of Glens Vodka seized from Shelf behind counter at Sunbury Food and Wine on 19th September 2020.

Exhibit – IS/2/SFW - 50 & 30 Packets of Benson and Hedges cigarettes hidden in 'Boxing Tower'
Boxes seized from Sunbury Food and Wine on 19th September 2020.

Exhibit – IS/3/SFW - Glens Vodka Box containing 19 35cl bottles of Glen's Vodka seized from Sunbury Food and Wine on 19th September 2020.

Exhibit – IS/4/SFW - Yellow bag containing 29 packets of NZ Black brand and 5 Packets of Benson and Hedges brand cigarettes seized from Sunbury Food and Wine on 19th September 2020.

Exhibit – IS/5/SFW - 8 x 30g pouches of Pueblo Hand Rolling Tobacco – returned as genuine.

Exhibit – IS/6/SFW - Box containing 64 pornographic DVDs. Surrendered for disposal by Mr Soni.

Exhibit – IS/7/SFW - Box containing invoices – invoices returned to Mr Soni.

Receipt for items seized - to be retained

Surrey Gun Club

Buckinghamshire & Surrey Trading Standards

Exhibit Number	Description of Item(s)	Date/Time seized	Seal number	Where item found/seized from
15/11/20	2 x Boxes of 21 Calibre Ammo.	20/11/20	KS0612576	High Velocity Ammo
15/12/20	2 x 30 Calibre Ammo - 110000 rounds in 2 boxes	20/11/20	KS0612577	on floor in box
15/11/20	1 case containing 14 boxes of 21 Calibre Ammo	20/11/20	KS0612578	on floor in case
15/11/20	1 case containing 24 boxes of 21 Calibre Ammo	20/11/20	KS0612579	in case of Ammo
15/11/20	8 x 30 Calibre Ammo in 1 box	20/11/20	KS0612580	in box of Ammo
15/11/20	1 box containing 64 rounds of 21 Calibre Ammo	20/11/20	KS0612581	in box of Ammo

Signature:

[Redacted Signature]

Position:

[Redacted Position]

Officer signature:

[Redacted Officer Signature]

Date: 20/11/20



02198

Buckinghamshire & Surrey
trading standards

Trading Standards, County Hall, Walton Street, Aylesbury, Buckinghamshire HP20 1UA
Trading Standards, Consort House, 5-7 Queensway, Redhill, Surrey RH1 1YB
Telephone: 0300 123 2329 Fax: 01372 371704
Email: trading_standards@bucksandsurreytradingstandards.gov.uk
www.bucksandsurreytradingstandards.gov.uk

VISIT REPORT

Name of business SUNSHINE FOODS LTD Date 20/10/20 Time 15.30 hrs
Alternative name Contact name
Address 15 STAINES ROAD WEST SUNSHINE TRADING TRILL 7AS
Website E-mail
Reason for visit URGENT - URGENT SURE Tel. No. [REDACTED]

Best practice advice/comment

During My inspection Tony I HAVE FOUND - SEVERAL
A QUANTITY OF GROWN TOBACCO - VARIOUS BRANDS
THAT I HAVE KNOWN TO BECOME AGE COMPROMISED OR
SUSCEPTIBLE TO AGE OR NOT CLASSIFIED (AOR).
THERE ARE RECORDS ON THE SECURE LOG - A COPY OF
WHICH I HAVE GIVEN TO YOU.

Potential breaches identified

Tobacco Merch Act 1984
STAMPEDED PACKAGING OF TOBACCO PRODUCTS 2015
TOBACCO AND TOBACCO PRODUCTS REGULATIONS 2016
VIOLET PACKAGING ACT 1984

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

Officer (sign) [REDACTED] (print name Tony Sumner) Contact
Received by (sign) [REDACTED] (print name) Position



BUCKINGHAMSHIRE and SURREY
TRADING STANDARDS

Record of DVD Recorded Interview

Person Interviewed	Mr Mandeep Singh SONI		
Date of birth			
Address			
Occupation			
Place of Interview	Staines Police Station		
Date of Interview	23/09/2020		
Report Number		DVD Ref number	
Time commenced	12.48	Time concluded	13.53
Interviewing Officer(s)	PC 40786 Ian Smith, Bucks & Surrey Trading Standards		
Other Persons Present	Ian Wilson, Howell Solicitors		
Company Name			
Address/Registered Office			
Position in Company		Authorised spokesperson?	
Time of Caution			
Exhibit ref	IS/10/SFW		

Initials of Speaker	Text
40786	This interview is being recorded , I'm PC40786 Richard Saddler attached to Staines Police Station. The date today is the 23 rd of September two thousand and twenty and the time by my clock is twelve forty-eight. This interview is being conducted at Staines Police Station – can you state your full name and date of birth please.
MSS	Mandeep Singh SONI. Date of birth is 1 _____
40786	Thankyou . And your legal representative, can you introduce yourself for the tape
IM	Yes, its Ian Wilson of Howell Solicitors in Uxbridge
40786	Thank you, and if you can introduce yourself for the tape, name and role
IS	I'm Ian Smith, I'm a Trading Standards Officer, I'm employed by Surrey County Council
40786	Thank you very much. Do you mind if I call you Mandeep?
MS	Yeah
40886	Mandeep, you are entitled to free and independent legal advice, have you had sufficient time to consult with Ian today?
MS	Yes
PC40786	You have.. It's an ongoing right so if you wish to speak to him again at any point during the interview just let me know , we'll pause the tapes or the disc, you can pop out have your chat and then we'll come back and we will resume exactly where we left off before alright
MS	OK
PC40786	So its ongoing so you can you know at any time. And again it is a voluntary interview so you are not under arrest, you don't have to remain here obviously you've spoken with your solicitor here as well alright? Other than those that have confirmed or introduced themselves for the tape, can you just confirm that there is nobody else in the room with us, it's just us lot who....
MS	Yeah OK yeah
PC40786	Have spoken...yeah?
MS	Yeah
PC40786	Lovely thank you, so we're potentially going to discuss some criminal offences so I'm going to caution so you do not have to say anything but it may harm your defence if you do not mention when questioned something that you later rely on in court and then anything you say day may be given in evidence . I'm just going to ask you some questions to make sure you understand what that means so in this interview today do you have to answer any of my questions
IW	In other words, are you obliged to answer?
IW	You don't have to do you?
MS	Well, I don't have to
PC40786	No, yeah so that's the first bit of the caution which says you basically do not have to say anything
MS	OK

PC40786	What do you think might happen if you don't answer today but the matter goes to court and then you choose to give them an answer then – what do you think might happen or they might think about that
IW	They might not believe you?
PC40786	Yeah they may be less willing to believe you because they'll say well you had the opportunity now...
MS	They might not believe me, I should have told them.
PC40786	Why didn't you say it then
MS	Yeah that's right
PC40786	Cool and then lastly how do they know what's going to be said in this interview
MS	Sorry say it again
PC40786	How do they know what's been said or how does anybody the courts, the Police or anyone know what's been said in this interview
MS	Recording, yes.
PC40786	Its recorded
MS	(talking over PC40786)
PC40786	Lovely. So the reason for the interview then is because obviously you and your shop were subject to a test purchase as we call it and some NOS cannisters were sold in conjunction with some balloons so we're going to ask you some questions about that and this your opportunity to give your account The first things I'm going to ask you is tell me everything you know about what's happened while you're here , while you're here- tell me everything you know, like what's happened
MS	Why we here
PC40786	Yeah why are we here – tell me everything you know about that happened at the shop
IM	It was on Saturday wasn't it
PC40786	Yeah , it was
MS	It was on the Saturday; it was on Saturday
PC40786	It was the nineteenth
MS	Which is Saturday
PC40786	Yeah – tell me everything that you know about that
MS	Well I was standing on my till as regular
PC40786	Yeah
MS	Randomly a customer come, there were four four four people
PC40786	Yeah
MS	They were looking about twenty-five, thirty years old. They were randomly browsing and one of them came and ask for NOS and do we know where they are. I couldn't understand what he say at first and then he said do you have NOS and I said yes
PC40786	Hmm mmm
MS	Can we have it

MS	I said yeah I charge him twenty pounds and they he asked for balloon as well and I said yeah one balloon as well which is one ninety-nine and he paid by debit, credit card
PC40786	OK
MS	That's it
PC40786	Yeah so you're right, so in relation to that there was a test purchase as we call it so we get two young people, the police get two young people typically under the age of eighteen and they go in to shops and they attempt to buy things which are restricted or age related, you know or things that cause harm to young people more commonly found in alcohol or cigarettes but NOS as well and we do that to test that the shops are adhering to the terms of their licence and challenging people and doing what they're meant to do in relation to the sale of those restricted goods. So that's why they came in, they came in to do that. Obviously you're right, the two young had come in , they'd browsed the shop first
MS	Yeah
PC40786	And looking for NOS
MS	But what , were they underage because they were looking about twenty-five to thirty years old
PC40786	OK
MS	They were tall and well-built and looked like twenty-five to thirty years old...I'm not sure.
PC40786	They could be any age, in relation to NOS they could be any age but in this scenario they were under the age of eighteen, so they've looked around the shop, they've tried to find some NOS, like cannisters, they couldn't find it so they've asked you
MS	Right
PC40786	And as you've quite rightly said they came up to the till they asked you for NOS and you produced it. Where did you, where was the NOS stored in your store, in your stop
MS	Underneath the counter
PC40786	OK
MS	In a black bag, put it in black bags
PC40786	Why is it under the counter and not on the shelf
MS	Because kids asked for it and we refuse the kids and they look very young, they try to steal, they have done to me twice
PC40786	OK
MS	So that's why I kept them under, they try to steal so, I hide them there
PC40786	Ok
MS	Yeah
PC40786	How many NOS cannisters or boxes did you have underneath the till
MS	I can't think the number exactly I think probably about thirteen fourteen approximately.
PC40786	Ok and that's underneath the till yeah?

MS	Yeah (VERY QUIETLY SPOKEN) In total I men there, there were some in the front some I put at the back hiding because
PC40786	Hmm mmm
MS	As I said kids they come and they try to take it and they went the back , oh you got it why don't you sell me, why don't you sell me and they threaten me.
PC40786	Why, and you don't usually sell them, you say kids
MS	Yeah because they kids I don't sell to kids ???
PC40786	OK. So that's the reason you don't put them on the shelf yeah?
MS	Yeah
PC40786	OK. What else was underneath, underneath the till with the NOS cannisters?
MS	Balloons... they were not on that, I mean they were I always keep them near the, where I put other stuff as well
PC40786	OK
MS	Which is underneath the shelf
PC40786	Hmm mmm
MS	End shelf there
PC40786	So underneath the till with the balloons, with the NOS was balloons
MS	Yeah
PC40786	Were they...
MS	Not with the, not with the boxes
PC40786	OK
MS	Separate, end of the , where I put all my whiskies I mean my
PC40786	Sure
MS	Shelf
PC40786	But they're underneath the till
MS	Yeah
PC40786	OK
MS	Yeah
PC40786	What else in under there
MS	That's it I think
PC40786	Is there any other devices or things used in relation to the NOS
MS	Cracker, Cracker
PC40786	Crackers, what's a cracker?
MS	I don't know , I just sell them I don't know what they use it for but I've not even have because I sell it at the, when I take from the supplier he told me it's for making cakes cream and then I thought it making, I just sell it what they do with it they asked for balloon and thought that they asking for balloon because they making cake and having party or something
PC40786	OK

MS	I just sell it. What they do with it I have no idea
PC40786	How many of those cracker things did you have underneath?
MS	I can't remember I think it was a half box?
PC40786	OK
MS	Half box
PC40786	OK do you know roughly how many?
MS	Probably about twelve thirteen
IW	What is cracker ?
PC40786	Crackers are basically as I know it or a charger
IW	Charger right
PC40786	Charger is a metal device which
IW	Right
PC40786	You can unscrew and then you put a NOS cannister inside
IW	Right
PC40786	And then you tighten it up again and inside the top of it is pin and it pierces through the top of the NOS cannister inside which then allows the gas or substance inside the
MS?	(INUADIBLE)
PC40786	Charger to be extracted from the pressurised cylinder
IW	Right ok yeah
PC40786	And there's a convenient sort of ridge around the top which allows the lip of a balloon to sit on
IW	Yeah
PC40786	So then it extracts the gas from one into the balloon
IW	You know them as crackers?
MS	Yeah
IW	Right ok that's fine then
PC40786	Yeah they can be referred to as crackers or chargers
IW	Yeah
PC40786	I don't know it as anything else....
IW	(INAUDIBLE)
PC40786	Other than that
IW	Ok
PC40786	So wave clarified then that underneath the till you've got various boxes of NOS cannisters, maybe thirteen or fourteen boxes under the till
MS	Not boxes, pieces
PC40786	What individual
MS	Individual pieces

PC40786	Ok fine
MS	There were, there were one box I think that in the box there were about twelve or thirteen pieces approximately not thirteen boxes
PC40786	OK
MS	Pieces pieces
PC40786	Alright
IM	Alright
PC40786	So you're saying that you had thirteen to fourteen individual cannisters?
MS	approximately
PC40786	Approximately OK cool. They were under the till , you don't put them on the shelf cos you can't sell them to children or that's your belief and people try and steal them and also near these cannisters or underneath the till you know in close to them is the balloons and the crackers or..
MS	Yeah
PC40786	To extract the gas, fine. The transaction then, obviously you've, they've come up to the till, they've asked for it, how much have you charged them
MS	Twenty pound.. for the, for the
PC40786	Twenty pounds exactly
MS	?? ??
PC40786	Twenty pounds exactly?
MS	Yeah and then one ninety-nine for the balloon
PC40786	OK
MS	Which is twenty-one ninety-nine, something like...
PC40786	Yeah, I've got a copy of the receipt here...he says in all my paperwork that's here... it's a small receipt, it's that one there I suppose if you want a photocopy of it
MS	(INAUDIBLE)
PC40786	Twenty-one ninety-nine, is that, so this receipt is that familiar to you, that comes from your shop?
MS	Yeah
PC40786	OK. So then obviously they've come up, they've bought the bits that's they wanted, that's the receipt for it they've then, they've then left the store, a short time later Police have come back in to the store along with Sergeant Dunlop, a Drugs Liaison Officer and Ian from Trading Standards.
MS	(QUIET-INAUDIBLE)
PC40786	And obviously we've spoken to you and said you know; you've been subject to a test purchase can you remember that?
MS	Yeah
PC40786	Yeah, when we came back into the store afterwards?
MS	Yeah I remember that
PC40786	Tell me everything that you remember about that, the Police coming back inside

MS	Yeah they just came back, they showed me their ID's and they said we just stand here can we have can we have check; can we check in I say yeah sure and we went inside they checked everything...
PC40786	OK
MS	They went out the back as well
PC40786	Yeah
MS	And the police officer he was writing my details
PC40786	OK
MS	That's all I can remember but other thing that because I'm a bit nervous as well so..
PC40786	Do you remember anything that you had said to
MS	I said sorry I won't do it again I just apologise because
PC40786	Yeah
MS	I'm naïve I don't know because
PC40786	So yeah I've got that you know you were apologetic saying sorry
MS	Hmmm
PC40786	You also used the words, can you let me off
MS	Yeah because
PC40786	This time...
MS	I did say that
PC40786	Do you remember saying that, as in can you let me off, give me a warning?
MS	Yeah
PC40786	OK. Obviously the sale had been done if that makes sense as sort of.. no
MS	Sorry
PC40786	The sale, as in this had already been done so that's that. You're right, so then we obviously found or were looking for evidence if that makes sense, evidence further evidence in relation to the crime or what had happened – the sale of what's gone on. So as a result of that we found, obviously, the NOS cannisters under the till
MS	Hmm mmm
PC40786	I'm going to disagree with you when you say there was twelve to thirteen individual cannisters cos in total eighteen boxes have been..
MS	Yes but (INAUDIBLE)
PC40786	Seized from underneath, yeah but you said individual cannisters, eighteen
MS	No... eighteen boxes.. oh cannister...no no, cracker, I said cracker individually thirteen
PC40786	Yeah
MS	And NOS...
PC40786	OK
MS	Boxes, fourteen boxes I said approximately I said
PC40786	OK fine

MS	Inside how many there are, well..
PC40786	Inside one box there's twenty-four
MS	Twenty-four OK
PC40786	And we found eighteen boxes
MS	Ok Yeah.
PC40786	I've got an exhibit here, its exhibit EG slash zero one, it's a photo album
MS	Cos we sell it buy a box , so I thought you were asking me about box
PC40786	Photos taken from Sunbury Food and Wine at thirteen Staines Road West, I'm gonna show you a couple of photos this obviously just relates to what's been found inside the store. I will just focus on the balloons as that's the first photo – it's a blue bag its full of multiple packs of balloons, latex balloons, that's another close-up of that, obviously it's a bag of balloons, yeah?
MS	OK
PC40786	We'll come to that in a second, that's the cream chargers that they're called
MS	I don't know what the whole box, thirteen or fourteen boxes
PC40786	Yeah ok
MS	(INAUDIBLE – TALKING OVER PC40786)
PC40786	There was eighteen of those seized so there was eighteen ...
MS	Eighteen
PC40786	.. of those boxes underneath your till each containing twenty-four. Again there's some more they weren't all together collected in one bag
MS	Yeah yeah yeah....separate
PC40786	They were all in the same location found to the right of the till but they in you know separate
MS	Separate yeah..
PC40786	Separate stacks, some in blacks bags
MS	Yeah
PC40786	Some not in black bags. There some more again there's a few more there.... Another pack of balloons, you know they're slightly different obviously to the pack that you got before but never less they're under the till more or less in the same location as that's that
MS	(INAUDIBLE)
PC40786	Hmmm
MS	So we kept everything separate...???
PC40786	This is what you are referring to in relation to charges then so this is the little device that
MS	Cracker yeah
PC40786	Obviously so that's the box of it but they look like that
MS	Oh the customer call it cracker, so I don't know what they use it for, we just ??
PC40786	Yeah sure they're like that inside

MS	Yeah yeah
PC40786	So there was one whole, there was two of these boxes seized
MS	Two, two boxes?
PC40786	Two boxes of these seized. One box was completely full as in all these holes were full up of these
MS	(INAUDIBLE)
PC40786	And then the second box, was that one there, that photo
MS	Yeah but I was talking to the police officer as well so I didn't know how much it was in the shop so...
PC40786	Ok, no that's fine but...
MS	(INAUDIBLE- TALKING OVER PC40786)
PC40786	You know they were there – these were found next to the you know the cannisters and the balloons
MS	OK
PC40786	So they were there next to it so again they're the photos. More of those chargers I think there were was about five or six different sort of carrier bags which was split and put in to one bag cos they are all the same. They were underneath – there's two of those chargers there or crackers as some of us have called them to extract the gas. All underneath – that box there was the one we've just seen in relation to the half full box – it's under the till. And there we go there's obviously the other box which is full. They were all under the till – so are you saying that you've got these items – the balloons, the crackers and the cannisters, you've got them under the till so you can sell them to people?
MS	Yeah
PC40786	So you've got them underneath the till so you can sell them to people who come in and ask for it. When customers come in and when you've sold them before how how, like what variation do you sell them in, like do you sell them individually or do you sell them together?
MS	Yeah if they ask for balloon I give them balloon...??? NOS.
PC40786	So when people come in do they buy you know the cannisters on their own? Or do they buy, do they buy these on their own? Or do they buy them with balloons?
MS	Not all of them
PC40786	Yeah
MS	Some of them buy just some people only buy balloons, some only buy crackers
PC40786	Hmm mmm
MS	Some of them only buy some of them buy all three of them so depends
PC40786	So the transaction that was made on the day with the two that came in
MS	Yeah they...
PC40786	They bought some of those, a box of those and some balloons
MS	Those, yeah.
PC40786	What did you think they were gonna do with those?
MS	Well I thought, my supplier told me it's for the cake

PC40786	Hmm mmm
MS	To be for the cakes so
PC40786	Yeah sure
MS	So it be used for cakes
PC40786	Your supplier did but what did you think they were gonna do with that?
MS	That's what I thought that as well, I thought that as well
PC40786	So with just those and a pack of balloons
MS	Yeah
PC40786	They were gonna make a cake with those
MS	No, a balloon, I thought they were having a party or something they're going to do with it.
PC40786	OK. Do people usually come in and buy one of those...
MS	Just..
PC40786	A pack of balloons and....
MS	Yeah just... one...
PC40786	And a cracker?
MS	Yes most of the people buy only cracker, only cracker and balloon, that's it
PC40786	OK
MS	Yeah some some people come only buy just er just er a box
PC40786	So when people come in to your...
MS	Very few people come buy three of them
PC40786	Do you know how, so when you whip cream
MS	Yeah
PC40786	Do you know how it works with these?
MS	No idea, I just sell them and I don't know what...
PC40786	Do you know how to whip cream with those?
MS	Me? No
PC40786	You basically cant whip cream with that unless you're willing to have a bucket of cream where you're gonna put both hands in and screw that together like this underneath the cream so that all the air comes out and a five second burst you'd have to use
MS	Oh I don't know about that...
PC40786	I don't know about ten boxes of the cannisters and those – its, basically you can't whip cream with that
MS	Is it? Oh I was naïve so I what they sell I just I'm sorry if I did a mistake I'm sorry, I do apologise sorry about that

PC40786	So we've discussed obviously the NOS cannisters were underneath, people come in cos you intend to sell them to people and obviously with the balloons and sometimes with that they sometimes buy it in different variations, balloons and the chargers or one of those and the cannisters and all different variations but you know that so they come in to do that and you purposely don't leave them out because people are gonna nick them . I'm just gonna refer to the Psychoactive Substances Act two thousand and Sixteen, so this is part five, section five of that its the supplying or offering to supply a psychoactive substance, I'm just gonna read out what that part of law is basically to make it clear. So a person commits an offence if the person intentionally supplies a substance to another person and the substance is psychoactive or a psychoactive substance and the person knows or suspects or ought to know or suspects that the substance is a psychoactive substance so the psychoactive substance is what's in those cannisters. At the end of the day it's a gas
MS	OK
PC40786	OK?
MS	Oh I didn't even know what is it so...
PC40786	And the person knows or is reckless as to whether the psychoactive substance is likely to be consumed by a person, you know to whom its supplied. It's the offence to supply that, these to somebody
MS	Hmm mmm
PC40786	Knowing or being reckless or you'd ought to know that it was going to be used for anything else other than making a cake if that makes sense
MS	Yeah
PC40786	Or whipping up cream and the fact that the transaction was made with a box of those and some balloons, you know they go hand in hand those two
MS	OK
PC40786	You know so do you know what reckless means? Reckless knowing there's a risk or knowing it may be used or done in a different way but going ahead and doing it anyway
MS	I I??? They told me for the cakes so I thought well didn't use for this but now you tell me as I said I was naïve I didn't knew...
IS	Can I just ask a couple of things in relation to that. You know that you said you have them all behind the till and whatever so that people couldn't steal them and obviously you have people coming in trying to steal these particular things
MS	Yeah yeah (QUIETLY)
IS	Why do you think they were trying to steal them?
MS	I don't know I I I was, that's all I was wondering why would they steal it because when they under the counter have you got this charger for kids love parties isn't it and so maybe they taking ???
IS	It's an odd thing for kids to come in and just try to steal that's
MS	They have done it couple of times
IS	OK but you've got no idea why they want to steal those
MS	No no idea
IS	OK

MS	They've done it a couple of times- that's the time when I stopped them and they attacked me and they if you don't sell me and I'm gonna call the Police
IS	OK
MS	You don't sell me this.
IS	and just to follow on from that, the test purchasers who called in to see you, what made you think that they were going to bake a cake?
MS	That's what , that's what I said cream chargers that's what my supplier told me
IS	OK
MS	It's for the cake
IS	Did they tell you they were going to use it for that purpose?
MS	No they never told me
IS	OK
PC40786	So in the transaction like I say we've clarified that you only they, only bought some balloons
MS	Hmm
PC40786	And the chargers or the cannisters, let's not get confused, the cannisters, and the balloons. As Ian says you know there was, what made you think that they were going to make a cake – nothing else, they didn't buy any eggs, they didn't buy any flour, they didn't buy any cream to go with the cannisters or you the you know double cream or whipping cream or whatever to go with the cannisters or balloons to maybe whip it.
MS	I don't know I mean... I just sell them I what to do, I was only aware that it's for the cakes, so that's all I know...
PC40786	When the two
MS	And now you tell me it's illegal which I didn't knew it so...
PC40786	Hmmm
MS	So I won't do it next time
PC40786	But you would ought to know, having sold them, you should know
MS	But that's that's..
PC40786	You ought that you know that there could be some sort of restriction or offence around it or you know or something which you may need to do as the shopkeeper to either satisfy yourself that what you're selling is gonna be sold or used for its legitimate purpose
MS	Er I was naive, I didn't do it I'm sorry about that I do apologise
PC40786	It's like, this could be, its slightly off topic but it's like selling a bomb, you're selling a bomb knowing that's it's gonna be used for something
MS	Well of course if I knew I would never do it now I knew
PC40786	Exactly
MS	Now I knew it I would never do it

PC40786	The two people that purchased these and the balloons they described to me that when they went up to you and said have you got any NOS and balloons you've done a sort of double-take around the shop as in looked around and then produced them from under the counter
MS	Yeah the reason why , because some what it has happened to me before, they buy it , behind the kids come, tried..give me this , give me this... otherwise I'm gonna attack this shop
PC40786	Yeah
MS	So that's why I was a bit worried that they would do it again
PC40786	But, a second you would know, you knew that only four customers came into the shop
MS	No they come from behind sometimes, kids
PC40786	Two of which were the people trying to buy the NOS and the other two were me and my colleague
MS	It was you
PC40786	Yeah
MS	OK, OK it was you
PC40786	It was me in the shop-yeah
MS	OK... (INAUDIBLE- TALKING OVER)
PC40786	Not with this on, No, I looked slightly different
MS	OK (LAUGHTER IN BACKGROUND). I told you some body had made a checked
PC40786	Hmmm yeah,, so there was only four of us in the shop
MS	With out the uniform I couldn't recognise you yeah...
PC40786	so the two people have come up to you and...
MS	No four people, isn't it
PC40786	Got any NOS? yeah four people in total but two have come up and they've said got any NOS? and you've looked around the shop as in anyone else around and then you've taken them out from under the till
MS	Yeah yeah cos I was worried somebody might attack me again
PC40786	OK so you've done that in case someone was going to attack you
MS	Yeah
PC40786	Or steal it
MS	Yeah
PC40786	OK
MS	You look so fed up ??
PC40786	You see that's the trick, fine.
IW	???
PC40786	Obviously, they've bought it they've left – you've got these bits underneath, we've discussed the law if that makes sense as to you'd ought to know what its use is for, you say that it's to make cakes

MS	Now I know its..
PC40786	Or whip cream but you ought to know some of the other uses and I think you do know what the other uses are for because not only are you selling the chargers on their own and you are selling them next to the crackers or these as well as the balloons
MS	Yeah I never used to sell these balloons, balloons I used to sell for birthday parties and everything people used to buy, a customer told me to, we need this as well, I said well if you want it I bring it for you I never asked why you use it, they said with the cracker we needed that one as well, I said OK I'll give you
PC40786	Yeah
MS	I start buying them from the supplier
PC40786	But the balloons...
MS	You...
PC40786	Were next to these next to the cannisters and I think we can agree that all three go hand in hand and as we discussed you can't whip cream with that, you know you're an adult, you know if you wanted to whip cream you'd use a hand whisk or a hand electric whisk
MS	I being honest with you I didn't knew it but if you think I knew it well it's up to you if you want to believe me or not but I'm really really sorry I was naïve, I won't do it again, I do apologise
PC40786	When we came into the shop after the transaction was complete and we said you've been subject to a test purchase, you've sold NOS to a young person with some balloons, your first reaction was to say sorry. So if you didn't know that it was an offence to sell that to somebody why would you apologise?
MS	Because when the Police came I thought I did something wrong, I should apologise
PC40786	Yeah but you were saying sorry, it's almost like you
MS	Yeah that's...
PC40786	Knew you had done something wrong you were apologising and then you followed it up with saying can you let me off? We'll let you off of what?
MS	Yeah yeah because I was worried that you might
IW	Hes a human, he's done something wrong because the Police are there.
MS	As in...
PC40786	Yeah sure but had you have passed the test purchase; the Police still would have been there
MS	But when you see a Police...
PC40786	Yeah
MS	You get nervous, why is here, do I something wrong? I said sorry
PC40786	And we said and we said, yeah
MS	It's a natural, it's a human you know? Its natural..
PC40786	OK
MS	See a police just say sorry – did do something wrong? It's just a reaction I got, I

PC40786	The fact that again the balloons, these and the cannisters were all together underneath, it's the opinion of me and my colleagues that you know they are being sold together, the cannisters and the balloons were sold together, there's only one purpose for that and that's to inhale the gas and I think you were reckless as to whether you know I think you took the risk by selling it anyway having known that you shouldn't be or it was going to be inhaled by somebody. I think you know the true reason as to what these are used for...
MS	Well I didn't know what the reasons they use it but if you think, what shall I say now...
PC40786	I'm gonna move on then
MS	I am naïve , I was naïve, I did a mistake I do apologise, I'm sorry about that...I won't do it again
PC40786	I'm going to move on to something else, that's fine – underneath the counter, where not only were these items found, there were some other concerning items found. I'm gonna start off with some lollies, they're lolly pops, so like sugar lolly pops but they're branded as cannabis. This is an empty box, a box that was found at the back of your store but the box that was found by Police had lolly pops sticking out of like holes in the lid which make it into like a lolly pop tree and there was also some lolly pops in there. Obviously there's a cannabis logo on the front..
MS	Yeah there's a Cannabis, you must have checked it... it's not..
PC40786	We haven't, we are, we haven't checked it yet (MS TALKING OVER)
MS	Sure, you can check it's not a real one, they just, why would I sell it, I mean if it says cannabis
PC40786	Yeah
MS	I can know it cannabis ??? it's not, why would I put it in front of the till because..
PC40786	But these were underneath
MS	No no, empty boxes underneath, I normally put it in the front, its always in the front.
PC40786	Yeah, no , this box here was at the back of the store
MS	Yeah because we sold it and then put it at the back and
PC40786	But the box that we've seized had lolly pops in it
MS	Yeah
PC40786	And that was underneath the counter
MS	Maybe I put it that time normally store this in the front
PC40786	Hmm mmm
MS	I I should...
PC40786	So these are branded cannabis – where did you get these from?
MS	The supplier came to my shop and gave it to me
PC40786	So a supplier – who is the supplier?
MS	Just a random guy – I don't know I mean
PC40786	A random guy...
MS	Yeah he keeps on coming every two months three months, it's been one month, two month I've been selling them

PC40786	So a random guy comes to your shop
MS	Yeah
PC40786	And has given you some cannabis branded lollies
MS	Yeah yeah
PC40786	And you can't tell me who this person is
MS	I did have his card I lost it, I, - let me check.... (PAUSE) I haven't got it with me but I need to check if I have found it my invoices box or something, I think you got my invoice boxes, it must be there somewhere
IS	I've got, I've got a box of invoices
MS	Yeah
IS	Sure
MS	It must be there
IS	So...
MS	Card for the supplier and they come and go and they just sell it and just disappear
PC40786	This box, the label on here, obviously it says cannabis, its cannabis there, can you read what it says at the bottom there?
MS	What does it says...
IW	I can't ... (LAUGHTER) can't expect an old man to read it can he
MS	Cannabis something? the white bit?
PC40786	Yeah so just at the bottom of the lolly pop, like the stick – can you read what that says?
IW	Can you read it?
MS	Oh...
PC40786	Otherwise I'll read it out but I can make out what it says
MS	What is says on the stick?
IW	With 'real' cannabis
MS	Oh, its says real
PC40786	With real cannabis – yeah
IW	With real cannabis
MS	Oh, is it?
PC40786	So it says on the sticker cannabis lollies with real cannabis
MS	??? I did not realise
PC40786	Were they underneath the till because you didn't want to put them on the top in case the Police came in
MS	No no I always put it on the top because..
PC40786	Yeah
MS	I thought it was safe to sell it so ...
PC40786	It's not safe to sell it if it's got real cannabis in it

MS	Ok well I don't know these things so...
PC40786	Do you know what cannabis is
MS	I don't even know what cannabis is no (LAUGHTER)
PC40786	Cannabis is a drug, it's a Class B drug
MS	A drug
PC40786	Yeah and there's a certain part of cannabis or THC which is obviously the drug part which is you know it comes in various different things , you can or different drugs you can find in cannabis, but the big one is THC and we suspect that these lollies have got THC in them which is where the real cannabis bit comes in
MS	What is it ok
PC40786	Do you know that cannabis is a Class B drug
MS	I don't know
PC40786	Do you understand that having in your possession a Class B drug or cannabis is an offence
MS	No I don't know that
PC40786	You see I think that the lolly pops that we've seized which clearly state as you know lan says have real cannabis in were underneath the counter to stop them from being detected or seen by Police or customers or Trading Standards or the Council
MS	No, no no trust me , I'll always put it in the front because I thought it something you can sell – maybe when he came maybe it was there
PC40786	A-ha
MS	All of it in the front, think ??? the thing here as well in the bottle I keep them both separate. I mean both in the same place, sorry they were in the front as well isn't it. This always I put in the front as well with that time it was underneath so... because in the morning when I do a bit cleaning maybe I put it there?
PC40786	OK and you said you'd been selling these for about one month?
MS	One and a half month approximately yeah, one and a half, two months
PC40786	OK. Also underneath the counter-not on top of the counter where all the other stuff is you know where all your cannabis grinders are and the you know where you mash it up and the bongs and the cones and the long Rizlers, you know you've got all the stuff there to sell it but also underneath the counter was two other pots
MS	Yeah..
PC40786	One was in a coffee jar type pot
MS	That's why what the same supplier for both things
PC40786	Yeah, one was in a coffee pot type jar which was glass with a lid in the top and the other was a plastic screw pot
MS	So that illegal as well?
PC40786	Both of them say on the label cannabis, It's got a green herbal substance inside which is consistent with cannabis and its, you know, it's exactly like this it's got cannabis on it
MS	Yeah same supplier gave me all of those
PC40786	Also inside the glass jar which is got what we suspect cannabis is like

MS	It was biscuits... and biscuits yeah yeah (TALKING OVER PC40786)
PC40786	Little biscuits or cookies
MS	That's like normal biscuit it doesn't matter it says... I ...just talking I don't know what I say
PC40786	Have you tried it before?
MS	Me no
PC40786	No, so it could be anything couldn't it or it could be what's written on the label – cannabis. So again the same question is, I suspect there is cannabis inside those pots as well – did you know there was cannabis inside them?
MS	Oh
PC40786	Did you know it's an offence to be in possession of cannabis i.e. in those pots or in them biscuits or cookies?
MS	No no no I knew it no I knew it ???
PC40786	What did you plan on doing with those lolly pops
MS	I definitely won't sell it again
PC40786	What did you plan on doing with those lolly pops or that jar
MS	Just sell them, just sell them that's all
PC40786	To sell them
MS	Yeah
PC40786	And from your memory cos it would help you, you don't know who this supplier is or this person is you says it's a random guy
MS	A random people, different people I can remember he was a white guy I mean , eastern European kind of guy so he just supply I say OK, keep on coming every day and new suppliers comes and we don't buy from everybody, thats something we think we can sell it and we take it
PC40786	What company is he from- is he from a company , a business?
MS	No he just came random in his van and came give it to me
PC40786	Hmm, OK.
MS	Yeah – he just give me a small invoice on a paper as well written just that amount and that's it – I kept it in a box in one of those boxes
IS	Can you tell me what the invoice looks like
MS	Sorry
IS	What does the invoice look like
MS	Just a normal paper-white paper
IS	OK, just handwritten white paper
MS	Yeah
IS	OK. And just actually almost on that sort of subject, is obviously you must have to pay him for these
MS	Sorry
IS	You must have to pay him for what you buy off him

MS	Yeah I pay him yeah
IS	How do you pay him
MS	He took cash, cash
IS	Cash
MS	He took cash.. yeah
IS	OK – is there any reason why you pay him cash?
MS	No he just came in, I was in the shop so I ,it didn't have to be by cash that's all because he was
IS	OK. Have you ever paid him by any other means?
MS	If you would have asked I would given, paid cheque I would he had taken cash
IS	OK
MS	If you would have tell me pay me by card I would have paid him by card, Obviously I couldn't have paid by card because he didn't have any cash machine with him
IS	So he's got no facility to take any other payment
MS	He told me give him cash I gave him cash – if he tell me give him cheque I would have give him cheque as well
IS	OK
MS	He just told me give me cash that's it.
IS	Is that the way you normally pay for things from your suppliers or
MS	No I pay by cash, I pay by cards as well, when I go to cash and carry like the ???, Bestways if I've got cash I give them cash if I've not got enough cash then I pay by card
IS	OK
PC40786	Last question in relation these lollies and cannabis pot things how much were you going to sell these lollies for
MS	Seventy-five p each
PC40786	OK and then the pots of cannabis by the till
MS	One ninety-nine
PC40786	Each
MS	Yeah
PC40786	OK I'm just going to summarise then so like I say you were standing at the till before all of this happened, two people came inside you believe them to be twenty five to thirty years old, one came in and asked for NOS - you didn't know what they said originally but they said NOS and they clarified and they asked for balloons as well. You charged them twenty-one pounds and ninety-nine pounds for it , twenty pounds for the NOS and one ninety-nine for the pack of balloons. The NOS was underneath the counter in a black bag, you put it underneath the counter black bag and not on the shelf because people try and steal it. You had, we've talked about the obviously how many boxes you had, you had eighteen boxes but originally you thought there was about thirteen to fourteen boxes
MS	Yeah

PC40786	Of cannisters under the till. And again they are there so that people don't nick em. And also under the till is the crackers which is obviously the metal device for extracting the gas out and balloons – they are all in the same place. You believed that the crackers were used or are used for making cakes or cream
MS	(INAUDIBLE – MUTTERING)
PC40786	And you had one , you thought you had one box under there which was you know about twelve or thirteen but there was actually two boxes all be it one was full, one wasn't
MS	(INAUDIBLE-MUTTERING)
PC40786	You gave them a receipt for the transaction – they then left the shop. Police have come back inside we've shown IDs for some people who weren't in Police uniform and obviously some people who were and Ian and my colleague Emma who is a Drugs Liaison Officer - we came in and checked the store Police took details from you but you kept saying you were or sorry, you were apologetic/apologising and saying that can you let me off this time. You've said that because you were almost shocked the Police had come in and it was your natural reaction as opposed to you knowing that you had done wrong and you saying sorry for that offence. You have them underneath because your supplier had said well if you're gonna have the cannisters you need these chargers as well – you've got them together because you don't think they are
MS	No no no...
PC40786	They're used to inhale
MS	I never used to sell ??? I told you
PC40786	Hmm mmm
MS	The crackers we never used to sell them. My customers used to buy this chargers
PC40786	Uh huh...
MS	Have you got the cracker, I say I haven't got it
PC40786	OK fine
MS	Every customer used to ask for them so I say maybe I should bring it so... I never ask what do you use it. We don't ask the customer why you use it we just sell them because it says cream chargers on them even my supplier told me it's to make for cakes, they make cream inside the cake or whatever I mean
PC40786	OK customers ask you for the chargers then so you got the balloons, the cannisters and the chargers underneath. A customer has asked you for the chargers, do you think that before you took the customers word and you started to sell them do you think that you should have maybe done some research into them?
MS	I just I just took his word I just believed
PC40786	It's like me coming in saying here you are, I've got some BB guns and samurai swords here – would you just naturally buy them and advertise them
MS	Guns guns guns is a different thing than actual guns
PC40786	Yeah but a BB gun (MS TALKING OVER)
PC40786	A bright orange toy BB gun (MS TALKING OVER)
MS	I think it's ??? a gun you can obviously you see...???(UNCLEAR)

PC40786	Do you think that you should have done some research into if you can or cannot sell the cream whippers
MS	Yeah I should have done but as I said I was naïve – I didn't even bother doing this so – I do apol... it's my mistake I agree- I apologise for that
PC40786	OK, cannabis lollies, your supplier came into the shop it was a random guy/eastern European guy – you're not aware of who he is, you've got no details to then trace him. You had a card, you think you had a card but you haven't got that now it may be in the shop or at home but you don't know who that guy is
MS	No
PC40786	He came in he sold you these lollies, you paid cash it may be an invoice or a bit of hand-written paper somewhere which obviously suggests the sale of them at that time. Obviously it says with real cannabis on there you weren't aware that it was an offence to have those or cannabis in your possession and you've been selling them for one and a half or one to one and a half months. The lollies you were gonna sell for seventy five p and then the cannabis pots, again the same principle applies you weren't aware that it was an offence to have cannabis in your possession although its branded cannabis and you were gonna sell them to customers at one pound ninety nine each. Is that correct?
MS	That's correct
PC40786	Is there anything else you wanna add or clarify in relation to what we've discussed
IW	Did we say that , just quickly did he say that the invoice given for those might be with lan
MS	Might be in the box...potentially
PC40786	Potentially (INAUDIBLE – EVERYONE TALKING)
IW	I just wanna clarify that
IS	??? (INAUDIBLE – EVERYONE TALKING)
PC40786	Potentially
IW	Potentially - were not sure
PC40786	Yeah sure
IW	We're not sure, OK
IS	But I have got the records
IW	Yeah you have...
IS	By all means I'll have a look to see whether there's anything that matches the description... yeah yeah
IW	Yeah... no absolutely. I also am just making the point that it took me a very close peering to look at them ???
PC40786	Hmmm – well it is a photo to be fair
IW	It is a photo to be fair
PC40786	yeah
IW	It does look very small I think
PC40786	Yeah
IW	In the bottom

PC40786	In...
IW	Obviously one of them maxi is very obvious
PC40786	Yeah sure
IW	But the other on isn't
PC40786	In person that box is probably that wide by that tall?
IW	Yeah
PC40786	So the font in there is is quite obvious
IW	(INAUDIBLE)
PC40786	You know it's easier to see in a printed photo
IW	Yeah
PC40786	But yeah. Ok I've got no more questions in relation to these items here or the transaction – I think we've covered that we've gone you know town on it and you've said, look-it's my mistake shouldn't have done it, I should know more about but I didn't and I sold it. We know that, obviosity there's numerous other items which my colleague Ian is going to ask you some questions about
IS	Yep
PC40786	And we've got some photos here as well so we might need to go through that again.
MS	Cigarettes as well, hmmm
IS	As you can see I brought some examples here...
PC40786	So Ian's gonna ask you some questions
IS	So, yep before we sort of kick off just to go over again just so that you know that what I'm talking about is also criminal offences in relation to the cigarettes, the vodka and the DVDS I think that were found at your premises as well...
MS	DVDS
IS	I will get to that, you can tell when I get to those questions. Essentially the cigarettes that were found in your premises , there were some similar to the ones I've got here which are Benson and Hedges inside that - I have reason believe that they're counterfeit. Do you know what I mean when I say counterfeit ?
MS	Well they're fake
IS	Fake – yeah, they're
MS	Fake brand
IS	Yeah...
IW	Not made by ...
IS	Exactly, they're not what they pretend to be
MS	(INAUDIBLE-MUTTERING)
IS	They're not made by Benson and Hedges
MS	They looks exactly like a real one (TALKING OVER IS) that's what ???
IS	They look like real but they're not made by them . (MS TALKING OVER) that's right. OK – it's the same for the Glens Vodka. You also had some cigarettes called NZ Blacks which I think there's a picture there

PC40786	Again that's in exhibit EGO one, that's a photo
IS	Right
MS	Right
IS	I'm not alleging that they're counterfeit but they are smuggled – we call them illicit tobacco and essentially my interest in relation to that is because they aren't , don't carry the correct warnings on them and they are not in the correct colour that cigarettes must be in if you're gonna sell them in this country. And in relation to the DVDs, I think there were sixty-four pornographic DVDs..
MS	That that that's not mine – I told you that's a customer, his name is Joe
IS	OK
MS	A black guy
IS	I'll ask you specifically about them. The point in relation to that is that if you're gonna sell you know video works like that they've gotta be classified and there was no classification marks on the boxes, ok
MS	That's not mine-that's not even mine, that's what I'm saying
IS	No.. no fine, but I'll talk to you about it, essentially and just to sort of like let you know what the offences are under, the counterfeit issues are under The Trademark Act ninety ninety four – in relation to the packaging of the illicit cigarettes it's the Standardised Packaging Tobacco Products , twenty fifteen and there's another one Tobacco and Related Products Regulations, twenty sixteen so that covers
MS	Which tobacco..
IS	The NZ Black, the...
PC40786	These ones
IS	The ones that aren't in that horrible erm...
IW	When you're saying tobacco do you mean cigarette?
IS	They're cigarettes yeah
IW	Rather than rolled tobacco
PC40786	Rolled tobacco...
IS	They're cigarettes
PC40786	Cigarettes
IW	They're cigarettes, OK yeah...
IS	There was actually some rolling tobacco that I took away
MS	Uhhh...
IS	Is it Peublo, or something like that? yeah
MS	Yeah yeah.... I think I got an invoice for that (INAUDIBLE TALKING OVER)
IW	He's got a receipt (INAUDIBLE TALKING OVER)
IS	To be honest at the time because it was with all the other counterfeit tobacco
IW	Yes ,
IS	I took it away and I, I was uncertain and was gonna get it checked out and I don't know yet so

IW	(INAUDIBLE)
IS	OK fine
MS	(INAUDIBLE)
IS	If you've got a receipt for it great
PC40786	(INAUDIBLE)
IS	I'll..
IW	??? (INAUDIBLE) cos Ian may need copy of that later
IS	Yeah yeah I will so I will take a photograph of it the very least yeah. So that's the reason why I wanna talk to you, about those particular things and they're the offences that relate to them. So, and obviously Officer Saddler has been through the circumstances of our visit with you and these were all found again apart the DVDs behind the counter in your shop. Can you just tell me about these and how you came to be in their possession?
MS	The same supplier came to my shop - it was good, he was giving me a cheap price I said are these original, he said yes, you can see they are UK duty paid, I said why send the boxes, just put in the box, he said that how we supply, I took it with box and then and also when he gave me the box I said ??? what's the best seller B and H Blue and Gold cos I asked have you got B and H Gold and he refused and get agitated and ??? and I said no don't have it - can I check it, can I check it so I put in a box, safe. He give me in a box as well the supplier, just kept it in a box.
IS	OK
MS	Otherwise cos you know, can I see it can I see it - ??? he force me to sell them .
IS	OK from what you're saying is you said it, did you say it was the same guy who sold or brought in the cannabis?
MS	No no it was a different guy
IS	No, this was a different guy-OK
MS	It's a different guy he was a English guy, I told him can you give me invoice?
IS	Right so what are we specifically talking about here? Are we talking about these, the Benson and Hedges?
MS	????(INAUDIBLE-MUTTERING) yeah yeah yeah
IS	OK right so in relation to those, the chap came in
MS	Yeah
IS	Do you know who he is?
MS	Sorry
IS	Do you know who he is?
MS	No I didn't bother to ask
IS	You've got no name, no nothing
MS	Well I didn't bother to ask I name
IS	OK
MS	(INAUDIBLE- PERSON TALKING OVER) ??? many people come in to sell it and we buy well he offered me very good price, I thought, well, it was a very good price- cheap and we can

IS	OK
MS	??? (INAUDIBLE-MUTTERING) (LAUGHTER) thought I could make some profit
IS	Did he leave you with any paperwork, or an invoice or receipt?
MS	Yeah, I told him he said well he, he had a computer with him
IS	OK
MS	He took me my details, everything
IS	Yep
MS	And he said what he said OK – I don't have it with me now just give me an email and I'm gonna send it for you in the email
IS	OK, did he
MS	He never sent it now
IS	No ok – how did you pay?
MS	Cash
IS	You paid in cash
MS	Because in the shop it's all mostly we have cash
IS	OK well you said he had a device with him. I wondered whether he
MS	He had a computer
IS	Yeah he did, so he couldn't take
MS	No... (MUTTERING)
IS	Ok and much did you pay for these?
MS	I paid er sixty pound
IS	Sixty
MS	(MUTTERING) six zero yeah
IS	Sixty – six zero OK , what for both of these boxes
MS	Yeah yeah
IS	Did you buy...
MS	Sixty pound..... ??? just one stick
IS	Sixty pounds a box?
MS	Yeah
IS	OK, right so
PC40786	As in one strip?
MS	One strip yeah
PC40786	Inside that box?
MS	Yeah yeah yeah
IS	Ah... and do you know how many strips are in a box?
MS	I think I think that four in a four in a box?
IS	I think there's five in a box actually

MS	Oh five whatever
IS	OK so
MS	Five or four
IS	So that's six hundred pounds
MS	Sorry?
IS	How many strips in a box?
PC40786	Yeah from from from two boxes
MS	Yeah I I paid four hundred pound for four hundred something for it and four hundred and twenty pounds
IS	You paid four hundred and twenty pounds for both boxes
MS	Yeah yeah yeah
IS	OK and you paid that cash
MS	Cash yeah
IS	OK. Is that a normal thing that you do?
MS	Well that's I was, it was cheap – well I said this price is good, normally if you buy from a cash and carry is about seventy pounds? And he was charging me about fifty – how much comes to fifty something? Whatever
IS	So cash and carry seventy pounds for a strip
MS	Yeah
IS	And this chap is selling it for ten pounds cheaper (MS TALKING OVER)
MS	I said why you selling– I ask him why you selling it cheaper, he said none of your business, you want it or not, it's the deal, its UK paid..I said OK I say you gonna give me invoice?
IS	And in relation to the boxes, what were you telling me about the boxes because there are. They're all packed in boxes that purport to be a to be boxing tower?
MS	Yeah yeah yeah, that's how he give it to me in a box
IS	He gave it you in the boxes
MS	In a box yeah that how he give me in a box
IS	OK OK
MS	I then took it out from the box because I thought it was safe as ???
IS	Right
MS	Because kids come
IS	Did you question him about why it's been supplied in a box like that
MS	No I didn't question him no no
IS	You didn't
MS	Didn't question no no
IS	Ok and when they were supplied to you were box boxes shrink wrapped
MS	No they were just like that

IS	Well one of them was shrink wrapped because I opened the shrink wrapping
MS	Well what does shrink wrapping mean?
IS	Its covered plastic so its sealed
MS	Well it wasn't plastic, well tell me I can't remember, as I said he give me just in a box, so I took it, keep it
IS	OK and you didn't think that was odd
MS	Sorry
IS	You didn't think that was odd... peculiar
MS	I I did think why he put it in a box and then say OK I didn't because I just took it and say OK just take money and go because
IS	OK
MS	Because some time in the shop and you are busy and you don't have time to think about all these things here
IS	Yeah, in relation to the NZ Black cigarettes, the ones with the, well I don't know.. the zebra design...
MS	Yeah this this one we all know this one we all know I thought I knew it is fake one
IS	Right .. yeah ok (MS TALKING OVER)ok you know it's not right to sell those
MS	Yeah I knew that one
IS	OK
MS	Cos it looks fake
IS	OK
MS	This one looks real?
IS	Where did the NZ Black ones come from
MS	Supplier that comes on shop selling everywhere
IS	So this is somebody else
MS	Yeah he he was a east European as well I think he was he was Polish guy, Polish
IS	So it's a Polish chap who comes round
MS	Yeah Polish
IS	OK how many of those did you buy from him?
MS	Four
IS	Four strips
MS	Four strips yeah
IS	Ok
MS	Small amount of them and that was with you
IS	So that would be forty packets essentially
MS	Forty packets yeah
IS	Yeah – OK. How much did you pay him for those
MS	I paid about thirty pound each

IS	Thirty pounds each
MS	Yeah
IS	Ok
MS	And I haven't paid him full money yet I paid him half, he might come back
IS	Ok so he comes around regularly does he
MS	And when he come back I take his picture or something...
IS	Ok and
MS	And I didn't pay him full money yet
IS	Does he come round regularly?
MS	No every time it a different supplier, every time it different supplier
IS	OK
MS	He come definitely because I owe him money
IS	And how did you pay him?
MS	Cash?
IS	Cash-OK. So can I just take you back to when we visited the shop and we did the inspection behind the counter. Behind the counter as you can see sort of in the picture here
MS	Yes
IS	These were, the NZ Black and the Benson and Hedges were in a yellow bag that was hanging at the side
MS	Yeah yeah (MUTTERING)
IS	Yeah – just bearing in mind what you said about the Benson & Hedges and that you thought they looked real, why were they in there with the NZ Black (MS TALKING OVER) instead of in the gantry which was behind you
MS	Yeah because, yeah because it was a cheaper price when customer say have you got cheaper I say we got this cheaper stuff
IS	Oh ok
MS	That's why we put the cheaper stuff
IS	So you were selling them for cheaper.... OK
MS	Cheaper yeah because we got the cheaper so don't take much difference I mean customer have you a bit cheaper so we say well we got two pound cheaper.
IS	OK
MS	So
IS	And how much were you selling them for? The Benson and Hedges to start off with – how much did you sell them for?
MS	Seven fifty-eight pounds maximum eight pounds
IS	Sorry what did you say?
MS	Seven fifty sometimes or eight pounds
IM	Presuming in a box of twenty

MS	For for for
IS	Fifty pounds....
PC40786	For one box (INAUDIBLE- PEOPLE TALKING OVER) one box one box yeah yeah yeah
IS	So one box you would sell for
MS	Maybe buy it for sixty we buy it for six and sell it for eight
IS	You buy it for six and sell individually for eight
MS	Yeah..yeah
IS	OK fine OK I get you. And what about the NZ Black
MS	The NZ we buy it for forty and sell it for five pounds six pounds , six pounds
IS	OK OK fine. And You say it was only the two boxes that you bought
MS	Yeah
IS	Yeah ok so
MS	It its
IS	The ones that are accounted for you've sold (MS TALKING OVER)
MS	Before you came before you came I bought it three or four days before you came
IS	OK, so to move on to the Glens vodka... what can you tell me about the Glens vodka?
MS	Glens vodka... I mean, the same.
IS	Particularly you know the box... yeah you know the box that was down at the side
MS	Yeah
IS	Yeah, not anywhere else, there was a couple of bottles I think on the shelf behind you as well, that particular box where did...
MS	It was Indian guy supplier
IS	Yep
MS	He say I got cheaper Glens he says it real original one
IS	Yep
MS	I say have you got any invoices, no I haven't got any invoices, I say I won't take it then. He say OK if you take it if you give me a bit higher price I'll give you invoice as well I say OK bring me the invoices, he said I'll give it tomorrow and he didn't come after that. He told me its real one I believe – I'm not sure if its real or not
IS	So an Indian guy came into your shop
MS	??? yeah
IS	Do you know who he is – do you know him?
MS	No I don't know – that supplier come in I ??? name.
IS	So you've never met him?
MS	If we some things cheaper we can sell it we just take it . But he assured me it's a real one

IS	Ok
MS	Yeah I took it
IS	And you, what did you say about the paperwork? Did you say he'd left you with any paperwork? Did he leave a receipt for the
MS	No I say have you got invoices, he said he hasn't got any invoices
IS	Right
MS	I won't buy it then he say ok I bring invoices in tomorrow then for you
IS	OK so he told you he'd bring an invoice tomorrow
MS	I said keep it here then
IS	But you paid him then
MS	Sorry
IS	But you paid him for it at that point did you
MS	Yeah I paid him
IS	When he brung
MS	Yeah yeah
IS	How much did you pay for them?
MS	I can't remember how much it was – because my colleague, my colleague was he he paid him money I need to ask him about the amount, hundred pounds something like that for the whole case?
IS	OK and it was a full case of twenty-four
MS	Yeah..
PC40786	Did you say the Indian guy showed you a real one?
MS	No he brought the case he's like do you want to buy Glens?
PC40786	Yeah
MS	I say yeah I got cheaper ones – what price it is I can't remember, call my brother, or my mother or uncle who's in the shop now...
PC40786	Yeah
MS	He was talking to him but I was there, how much he paid I unsure
PC40786	OK I might have misheard you there but I thought I said (INAUDIBLE – MS TALKING OVER)
MS	I tell you the exact what it is I I
PC40786	I thought I heard you say this Indian guy who...
MS	Yeah yeah yeah Indian
PC40786	Who showed you a real vodka (MS TALKING OVER)
MS	No he – I ask him is this real he said yeah it is real, I said if it real then keep it here
PC40786	OK.. OK
IS	OK – did you do anything to verify whether he was telling the truth – did you, cos obviously you have got some real ones in the shop haven't you so you could have done a comparison (MS TALKING OVER-MUTTERING)

MS	Yeah because.. but that's the thing because we always buy it from cash and carry as well if its.. we never knew people sell fake as well
IS	OK
MS	If you think its fake I'm not even aware if its fake
IS	And then.. (MS TALKING OVER)
MS	If you says its real I say ok it could be real
IS	Ok – when did this Indian guy call round?
MS	It's been probably about ... five six days as well
IS	What before our visit?
MS	Yeah before
IS	Ok so it was shortly before our visit, five-six days. What about the cigarette chaps?
MS	Yes same same time
IS	About five six days before
MS	Yeah one day or two I can't remember exactly yeah
IW	I thought it was three or four
MS	Yeah three or four
IS	Did you ok - ok
MS	???(MUTTERING) three of four days
IM	In a similar time area
IS	Yeah similar times ok fine. Is this the first time that you've sold these?
MS	The Glens for the first time, cigarette I have done it once before there as well
IS	OK
MS	It the same...
IS	Was it supplied by the same chap?
MS	Different different – its every time different people comes
IS	And when you say cigarettes was it the Benson and Hedges or was it the ...
MS	Yes same
IS	It was the Benson and Hedges
MS	Yeah
IS	OK
MS	Yeah
IS	Alright, same terms but different chap
MS	Different man yeah
IS	OK
MS	First time it was an Arab, Arab man
IS	Ok
MS	He looks Arab

IS	Right so North African chap
MS	It was a Muslim Muslim guy... sorry?
IS	Sort of North African... chap
MS	No – maybe from, from Lebanon or somewhere – Arab
IS	Yeah ok, fine. You got any details in relation to any of these people?
MS	No no
IS	No nothing? Ok and what about if you wanted to order some more – did you get
MS	I won't take it now because you tell me its fake so
IS	Yeah but I wondered whether they gave you anything, telephone numbers, anything at all to contact them?
MS	Well one of them the Arab guy he have me his number
IS	Right
MS	I don't know where his card so I don't know where , must be in the shop misplace it somewhere, I will check if I can find it
IS	OK
MS	One of them give me the card yeah
IS	Ok so how much cheaper is the, is the Glens than you'd normally buy
MS	Not much difference just one pound difference only one pound cheaper
IS	One pound per bottle
MS	Per bottle yeah
IS	OK.
MS	Well I thought one one pound cheaper than the bottle so it was I think it was twenty-four there? Twenty-four pounds every little counts
IS	You'll have to excuse me I can't remember whether I've asked you whether you thought that was erm an odd thing to do
MS	Sorry?
IS	To come round and buy or sell you Glens just like that
MS	Sorry – say that again?
IS	I can't remember whether I asked you that (MS TALKING OVER) did you think it was odd to buy Glens vodka like that?
MS	Yeah a lot of supplier does it and
IS	A lot of suppliers do
MS	Yeah, a lot of suppliers does it , we have gotten ??? as well, with a proper invoice. This guy didn't give me a invoice. I didn't , I did (STUTTERING) do it if it's a deal or fake – he says real so I say OK give it the only thing I ask him normally other other suppliers came they always give me invoice, this guy didn't give me invoice I where invoice, yeah I haven't got invoice, I won't take it ok just keep it, I'll give you in the morning I say ok
IS	OK so you expected him to return with an invoice for you
MS	Yeah. He didn't give me invoice

IS	And he didn't – yeah ok. In relation, OK, that's that, move on to the DVDs – that were in the storeroom
MS	Yeah at the back – if you if you if you see out the back there was some clothes as well there was some umbrellas, all the stuff as well, Joes, everything's for Joe because he moving, he keeps on moving around the place to other place
IS	What can you tell me about the DVDs
MS	That's not mine
IS	They're not yours
MS	That's not mine
IS	Ok. And the chap they do belong to
MS	Yeah he comes to me shop every day
IS	OK, who is he
MS	Joe is the black, black guy
IS	OK have you got his contact details – can I you know confirm with Joe that they're his or
MS	(MUTTERING)
PC40786	What's his surname?
MS	Let me call – I don't know his surname is just call him Joe, that's what we call him, Joe, let me... if you tell him I won't tell him I'm in the Police station I'll just call him and I
PC40786	Er no no no don't call him now (IS/MSTALKING OVER)
IS	Just just just just give me his telephone number (MS TALKING OVER)
PC40786	What's his telephone number?
MS	He might....ok yeah, telephone number I'll give you , just a second
IM	Let the officers' sort it out themselves after the interview-yeah?
IS	Yeah
MS	If I tell him Police ??? oh it's not mine he'll get even ???
PC40786	Yeah sure (MS/IS TALKING OVER)
IS	If you can put the telephone number on your phone can you just read out the telephone number
MS	(INAUDIBLE – IM/MS/PC40786 TALKING OVER) I'll give you his number just a second, sorry ;
IS	Ok the reason why I ask about the DVDS is I think there's only two titles out of sixty-four in that box
MS	I even know how many are there, how many are there put out the back – I just did him a favour
IS	Right
MS	Because he's my regular customer
IS	And
MS	So

IS	And basically what you're telling me is you didn't have them to sell them
MS	Sorry?
IS	You didn't have them to sell them
MS	No no no no not at all not at all not all no no no
IS	OK right and can I just ask a few things about yourself and your business
MS	Yep
IS	Because as you can tell I'm finishing up a bit
IM	(LAUGHTER) it's a long interview
IS	Yes, your business, is it, are you is it just you as a sole trader?
MS	No its err it's a limited company
IS	Ah, what's the name of...
MS	I'm the director
IS	Ok – what's the name of the limited company?
MS	??? Enterprises Limited
IS	Sorry what is it?
MS	??? Enterprises Limited
IS	Gim?
MS	Enterprises Limited
IM	How you spelling that?
MS	GIM
IM	GIM Enterprises
MS	Enterprises Limited
IS	OK fair enough, and where's the registered office for Gim Enterprises Limited?
MS	What its office it's a ???
IW	No the registered office for the company
IS	Yeah
MS	Registered address you mean?
IS	Yeah yeah
MS	my home address
IS	It's your home address
MS	Yeah
IS	OK
IW	??? (INAUDIBLE)
IS	And who are the other directors?
MS	Only me
IS	You are the only director of it then OK fine. Alright and the shop

MS	Sunbury Food and Wine
IS	Is is the limited company trading as Sunbury
MS	Trading as Sunbury Food and Wine
IS	Ok
MS	That's right
IS	I think ... I have everything I need to know
PC40786	Yep
IS	Actually, one more question – how long have you been trading from that shop?
MS	For about approx. nine to ten years
IS	A while then
MS	Quite a while, quite a while
IS	Nine to ten year ok – have you got any other shops?
MS	No just the one, just one
IS	Just that one
MS	Just one
IS	Ok and before you trade from there what did you do?
MS	I used to work for Tesco's
IS	You were an employee at Tesco's
MS	Tesco's for a while
IS	OK alright so you've got a fair bit of experience, did you say nine years-ish in basically that sort of shop- retail trade
MS	Yeah... nine years ago
IS	Ok – right?
PC40786	OK cool I've got no more questions, have you got any more questions?
IS	No, I'm finished - if there's anything you want to add on top of what I've just said just for the record
MS	I just want to say if I did- if I did something wrong I didn't do it intentionally, I'm not that kind of a guy – I'm sorry even if I did it by mistake – I really apologise, sorry about it – won't do it next time.
IW	??? INAUDIBLE- MS TALKING OVER)
PC40786	Do you need me to clarify anything that I have said or do you understand all the questions that Ian and I have asked ?
MS	??? I think everything if there is anything I would just maybe call you back or asking
PC40786	Sure – yeah you can do
MS	Or something but I don't think I need ask you anything
PC40786	Is there anything that you
MS	Now if I go home, now I need to ask this have I got number
PC40786	Yeah give us a call – let us know

IW	I'm just err showing the receipt to Ian for the
MS	Payment
IW	For the payment of the err what I call hand tobacco
PC40786	Hmm mmm
IM	Rolling tobacco
IS	I will take a copy...assuming I can
PC40786	Other than the fact that you know you said if you've done something wrong and it's not intentional, you know you're sorry – is there anything else that you want the Police or Courts to consider or is that it?
MS	(PAUSE)
IW	Do you need me to take my hands off this
IS	No that's fine
IW	(LAUGHTER)
IS	Let me just check the photo back just to make sure its legible - err oh yeah that's not bad
MS	(INAUDIBLE-MUTTERING)
PC40786	Is
MS	??? (MUTTERING) As lenient as possible?
PC40786	Well we gotta do our investigations still there's some more bits that we have to do – is there anything
IW	Quite a lot of time
PC40786	Is there anything you want the Police or Courts to consider other than the fact that its not intentional, you know you apologised
IM	I think he said everything he needs to say
PC40786	Yeah cool
MS	Yeah, ok.
PC40786	OK the time is then thirteen fifty-three and well stop the tape.
	DISC ENDS

..... Signature

a.



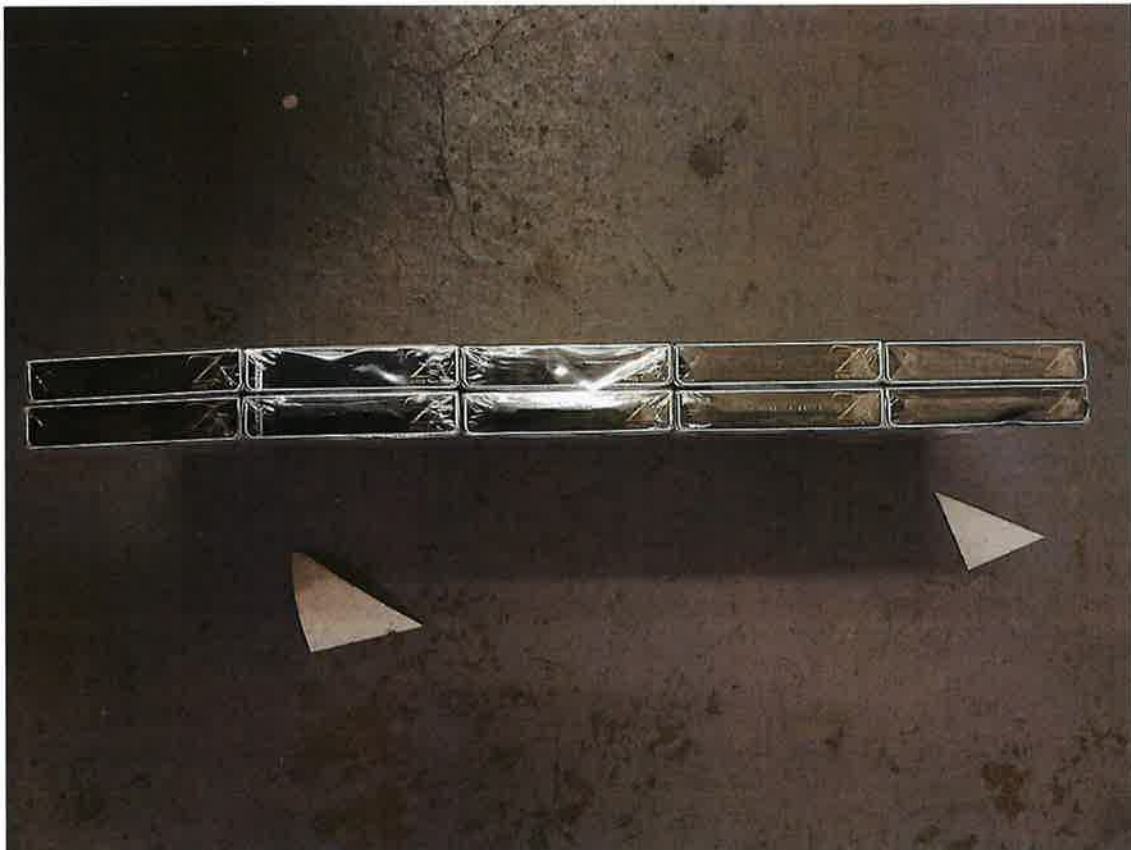
b.



c.



d.



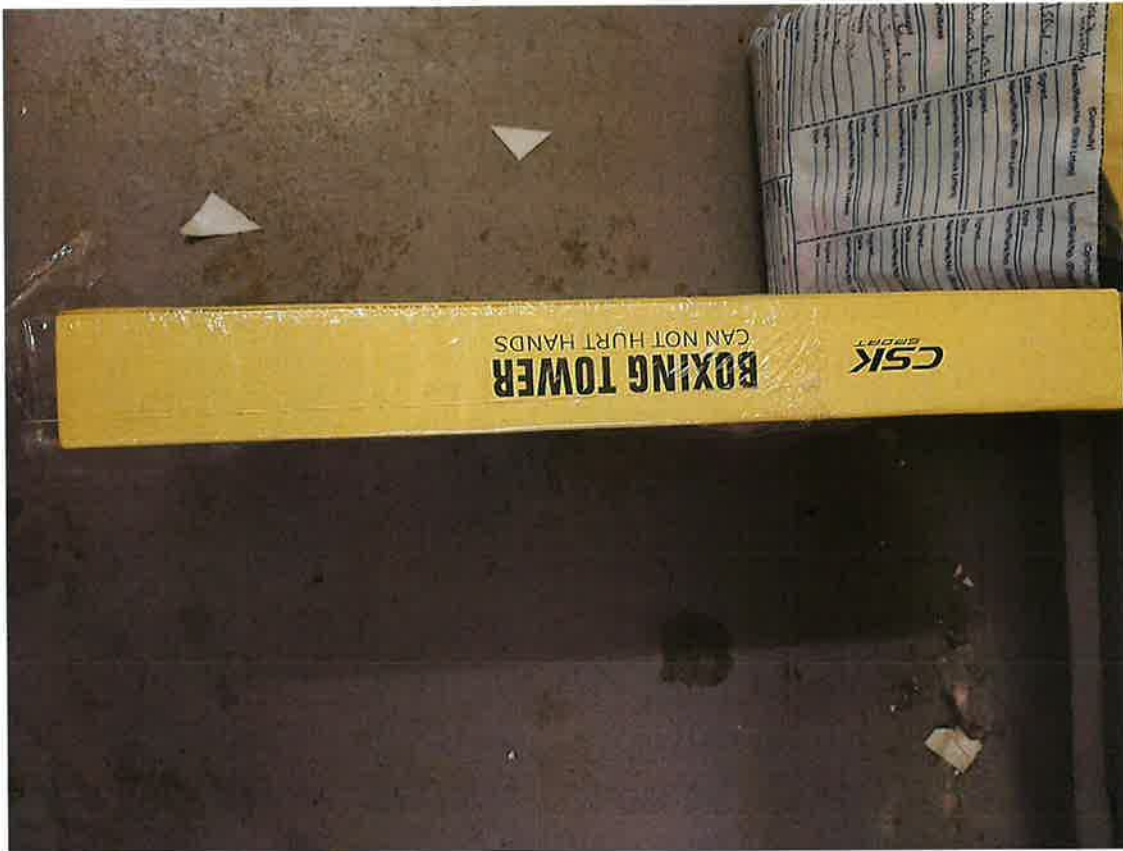
e.



f.



g.



h.



i.



J.



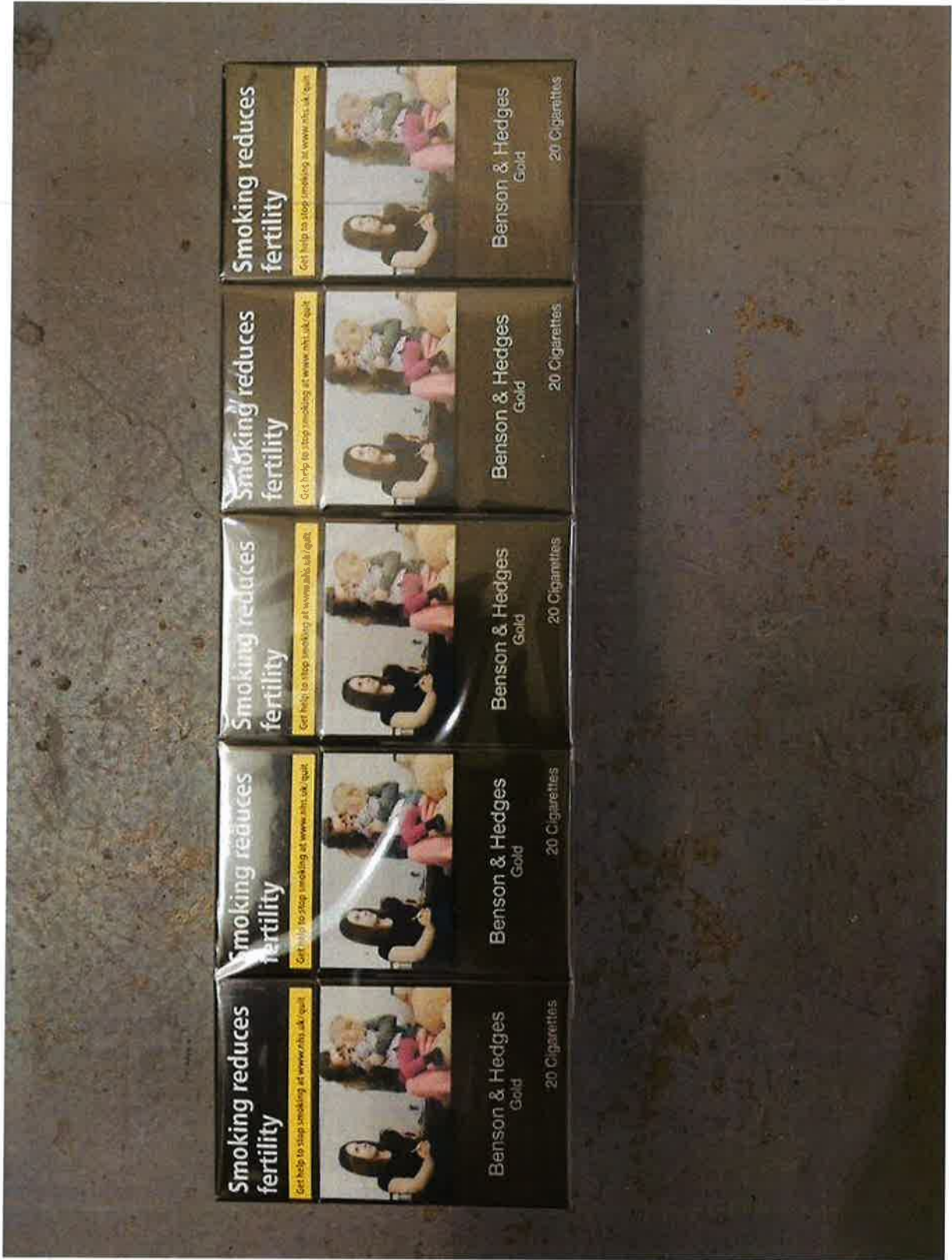
k.



I.



m.



n.



IS/12/SFW

A



B



C



OFFICIAL

45200099815

Photo Album - Exhibit EG/01

**“Photographs taken at Sunbury Food and Wine,
13 Staines Road West, Sunbury on Thames
19/09/2020.”**

Drug Liaison Officer: 11339 GOWER



Plastic bag full of packets of balloons situated on floor behind till area.

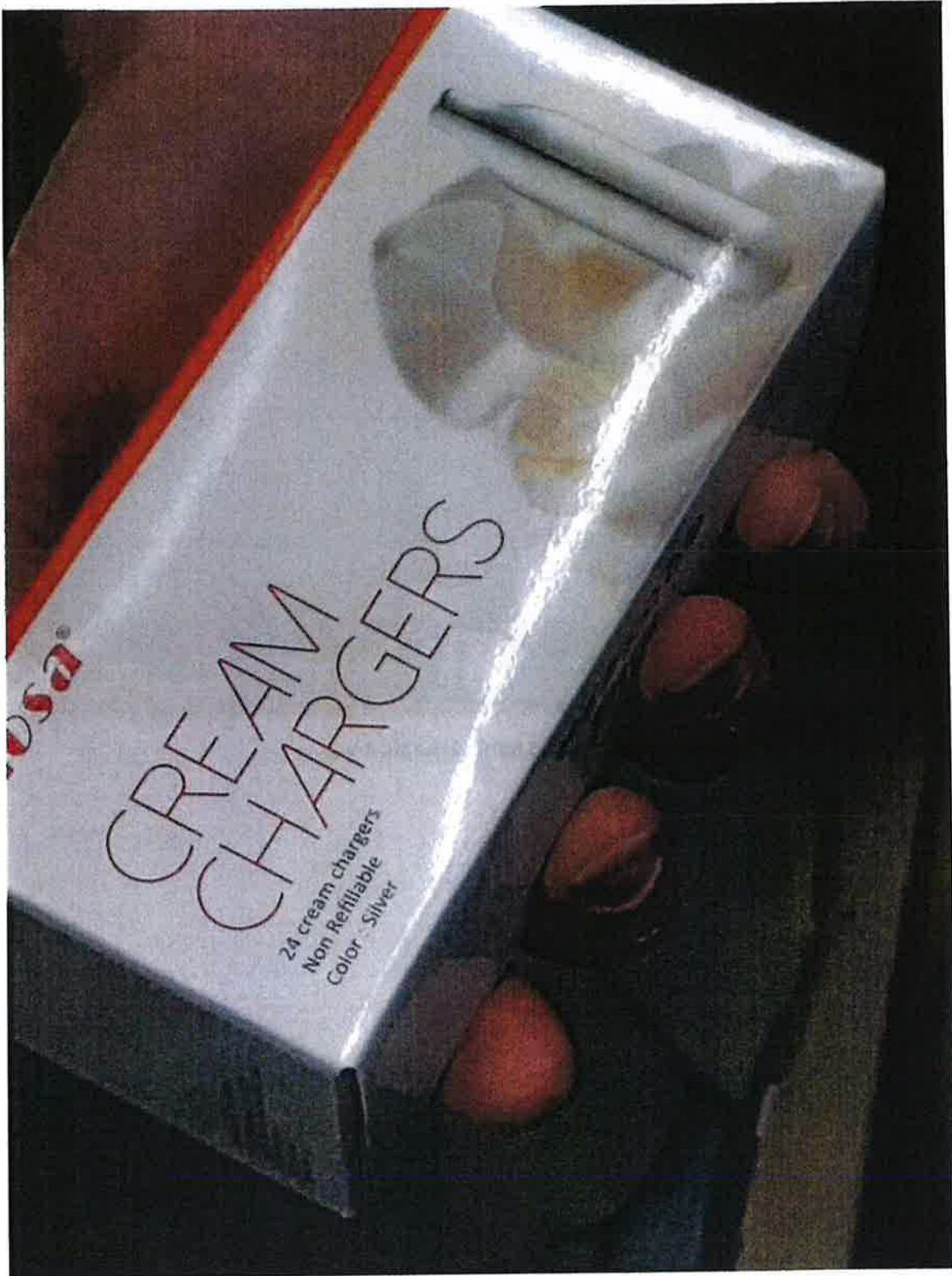
OFFICIAL



Packets of balloons in blue plastic bag on the floor behind the till area.



Bag containing foreign cigarettes located behind the till area.



Packet of nitrous oxide Cream Chargers located behind till area



Multiple packets of nitrous oxide cream chargers located in plastic bags under the till counter



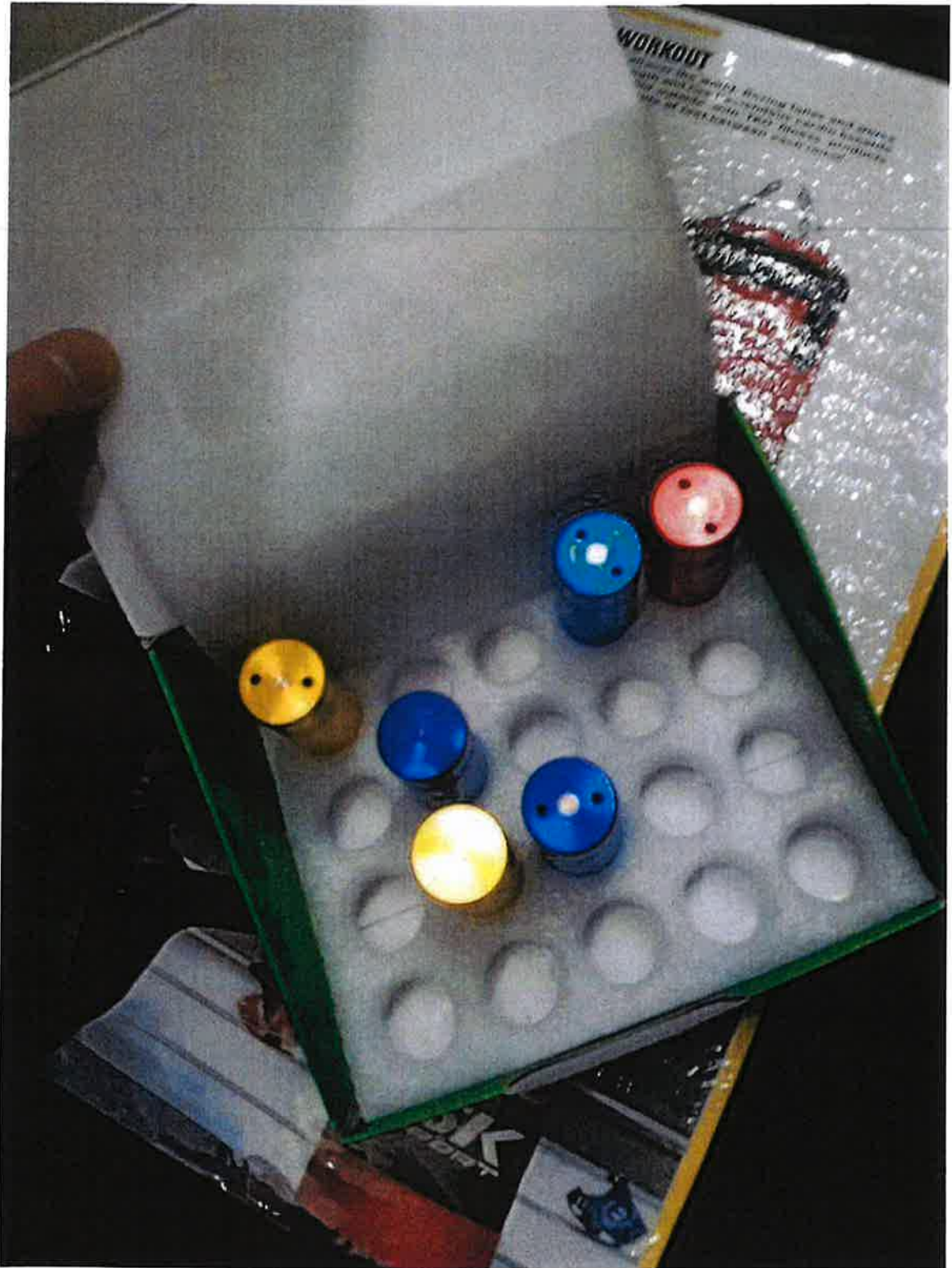
Black plastic bags containing nitrous oxide cream chargers located under the till counter



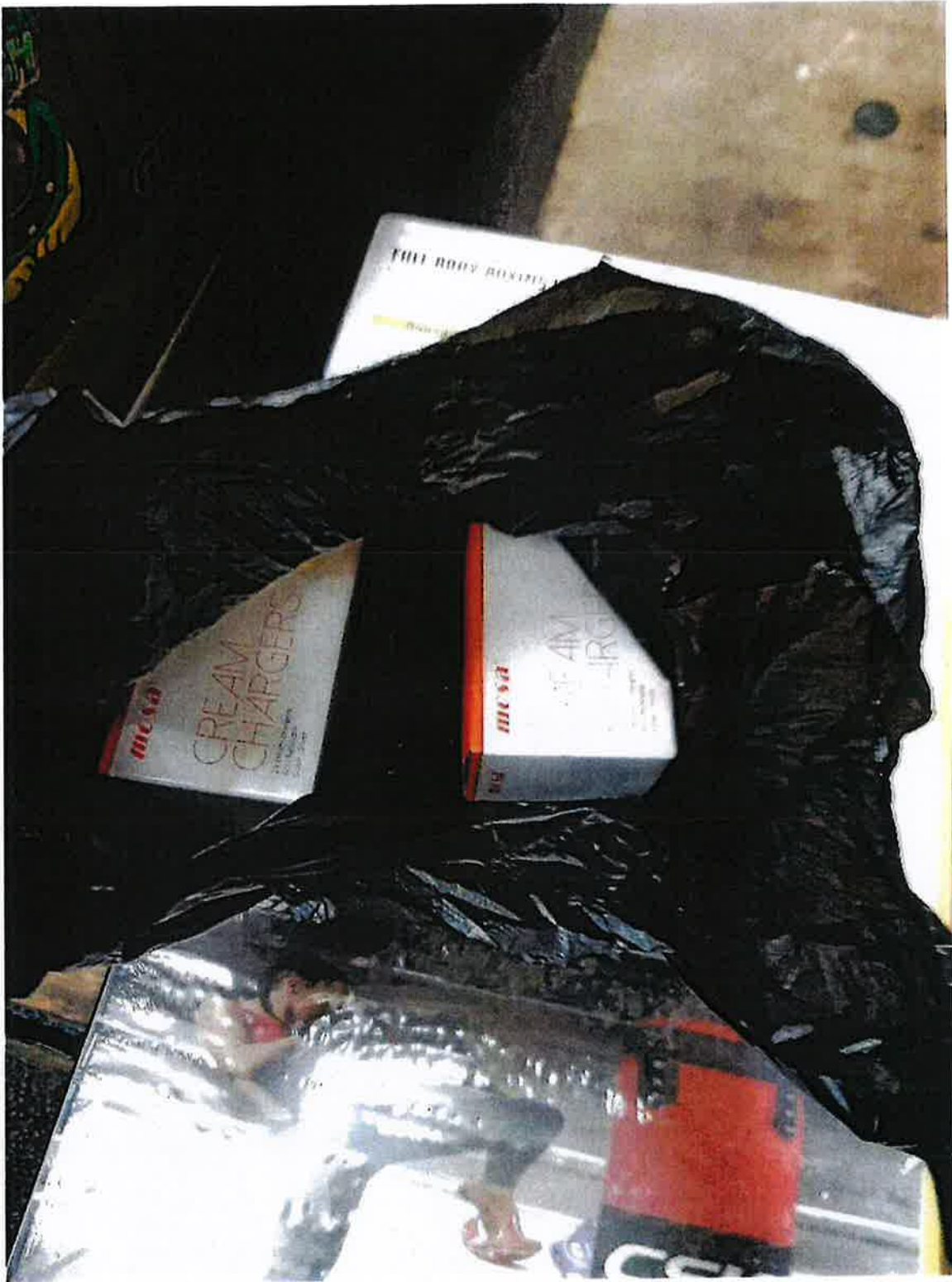
Packets of balloons located within a box on the floor behind the till area



Box containing 6 x 'Cream whipper' located under the till counter



Box containing 6 x 'Cream whipper' located under the till counter – opened box image



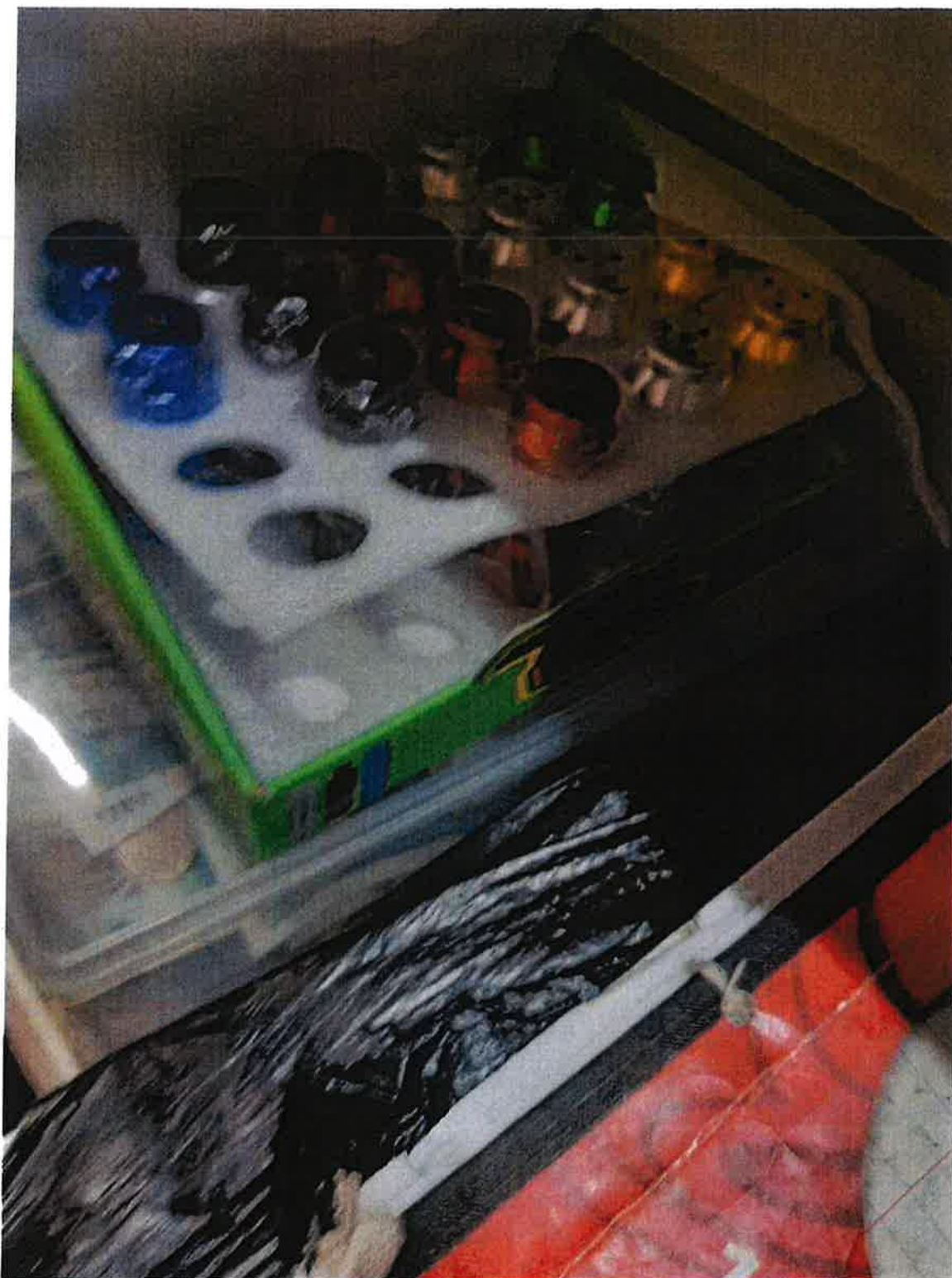
Black plastic bag containing 2 x packets of nitrous oxide 'Cream Chargers' located under till counter area



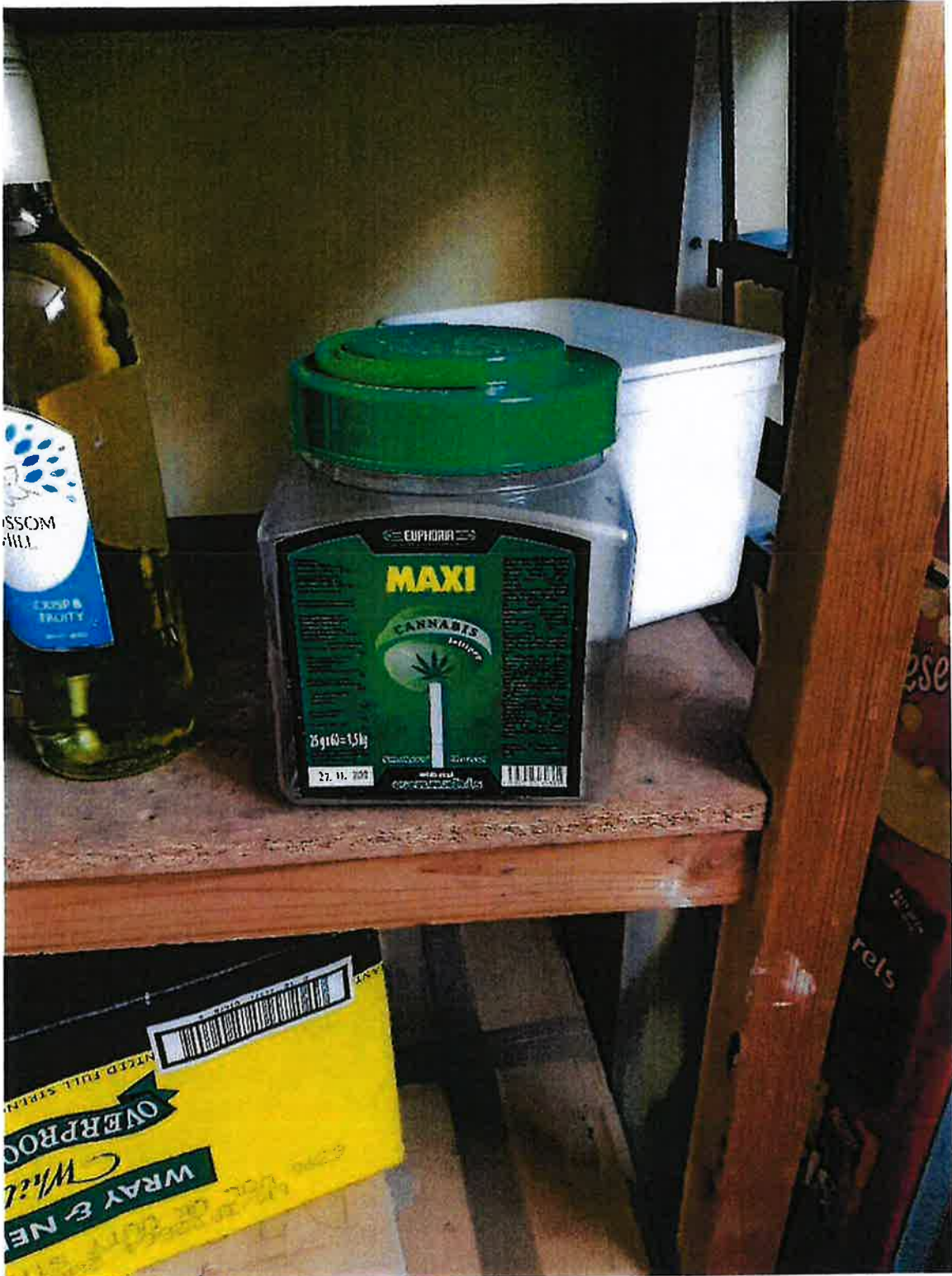
Shelf under till counter containing smoking paraphernalia and 2 x metal 'Cream Whippers'



Second box containing 17 x 'Aluminium Cream Whippers' located under till counter – closed image.



Second box containing 17 x 'Aluminium Cream Whippers' located under till counter – open image.



Empty container of 'MAXI CANNABIS' Lollies located in Store Room.



Sealed 'Boxing Tower' box containing multiple packets of cigarettes. Located underneath wooden 'step' behind counter.



The contents of the sealed 'Boxing Tower' box containing multiple packets of cigarettes. Located underneath wooden 'step' behind counter.



Close up of contents of sealed 'Boxing Tower' box containing multiple packets of cigarettes located underneath wooden 'step' behind counter.



Open, unsealed, half empty 'Boxing Tower' box containing multiple packets of cigarettes located behind till counter area.



Blue plastic bag located behind till area on floor containing red metal 'Cream Whipper' and chewable tobacco products.



Food for sale past Use By date. Eaten pot of food and bag containing mouldy food located on lower chiller shelf.



Plastic bag containing food including mouldy bread located on lower chiller shelf.

EBB1
26/11/20

[Skip to main content](#)

Intellectual Property Office

Trade mark number

EU003231107

Status

Registered

Overview

Trade mark



Dates

Filing date

18 June 2003

Date of entry in register

07 December 2004

Renewal date

18 June 2023

Priority details

2501

26/11/20

Priority date
18 December 2002

Priority country
United Kingdom

TM from which priority claimed
2319225

Goods and services

Classes and terms

Class 33

Names and addresses

Holder's name

Loch Lomond Distillers Limited
7 Albemarle Street, London, W1S 4HQ, United Kingdom

Representative

KELTIE LIMITED
Galway Technology Centre, Mervue Business Park, Galway, Ireland

Publications

First advert

Journal
2004/018

Date of publication
03 May 2004

EPAB31

26/11/20

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Intellectual Property Office is an operating name of the Patent Office

95582

26/11/20

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Intellectual Property Office

Trade mark number

UK00002324314

Status

Registered

Overview

Trade mark

GLEN'S

GLEN'S

Mark details

Number of marks in series

2

Dates

Filing date

20 February 2003

Date of entry in register

23 March 2007

EKS

26/11/20

Renewal date
20 February 2023

Priority details

Priority date
03 September 2002

Priority country
Italy

Claim
Whole

Details of Security/Charge

Security number
RC000018699

Charge date
28 February 2014

Charge detail
Fixed and floating

Security holder
PNC Business Credit
8-14 The Broadway, Haywards Heath, West Sussex, RH16 3AP, United Kingdom

Goods and services

Classes and terms

Class 33

Names and addresses

Owner(s) name

Loch Lomond Distillers Limited
7 Albemarle Street, London, W1S 4HQ, United Kingdom

98582

26/11/20

Company registration number
8686920

IPO representative name

Keltie LLP
No.1 London Bridge, London, SE1 9BA, United Kingdom

Publications

First advert

Journal
6480

Date of publication
16 May 2003

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Intellectual Property Office

Trade mark number

UK00001495096

Status
Registered

[Historic case details](#)

Trade mark

BENSON & HEDGES

Dates

Filing date

24 March 1992

Date of entry in register

10 September 1993

Renewal date

24 March 2029

Goods and services

Classes and terms

Class 34

Tobacco, whether manufactured or unmanufactured, substances for smoking sold separately or blended with tobacco, none being for medicinal or curative purposes; smokers' articles and matches; cigarette papers; all included in Class 34, all for sale in the United Kingdom and for export to the Republic of Ireland.

Names and addresses

Owner(s) name

JT International S.A.
Rue Kazem-Radjavi 8, 1202 Geneva, Switzerland
Country of Incorporation
Switzerland

[View owner's other trade marks](#)

IPO representative name

CMS Cameron McKenna Nabarro Olswang LLP
Cannon Place, 78 Cannon St, London, EC4N 6AF, United Kingdom

Publications

First advert

Journal
5980

Date of publication
23 June 1993

This is Exhibit 20/TS 196/251

Signed: 

Dated: 10/11/20

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Referred to in my Statement

Intellectual Property Office

Trade mark number

UK00002294714

[Historic case details](#)

Status
Registered

Trade mark

BENSON & HEDGES GOLD

Dates

Filing date
08 March 2002

Date of entry in register
02 August 2002

Renewal date
08 March 2022

Goods and services

Classes and terms

Class 34

Tobacco, whether manufactured or unmanufactured; substances for smoking sold separately or blended with tobacco, none being for medicinal or curative purposes; smokers' articles and matches; cigarette papers, all included in Class 34; all for sale in the United Kingdom and for export to the Republic of Ireland.

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Country of Incorporation
Switzerland

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IPO representative name

CMS Cameron McKenna Nabarro Olswang LLP
Cannon Place, 78 Cannon St, London, EC4N 6AF, United Kingdom

Publications

First advert

Journal
3426

Date of publication
17 April 2002

This is Exhibit 20/TS 196/KSE

Signed: 

Dated: 17.04.02

Referred to in my Statement

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