

DH continues to step up enforcement operation against illegally displayed smoking product advertisements (with photos)

The Tobacco and Alcohol Control Office (TACO) of the Department of Health (DH) today (August 8) conducted an enforcement operation in San Po Kong to continue its efforts against illegally displayed smoking product advertisements. The Government will continue to strive to lower the demand for smoking products and motivate smokers to quit smoking through a multipronged approach of tobacco control measures in order to effectively reduce the use of tobacco products to safeguard the health of the community.

During the operation today, officers from TACO seized four smoking-product display boxes from two stores in San Po Kong, which were suspected of contravening the provisions of the Smoking (Public Health) Ordinance (Cap. 371) (the Ordinance) related to the prohibition of smoking product advertisements. TACO's investigation is ongoing. In accordance with the Ordinance, no person shall display or cause to be displayed any smoking product advertisement. Any person who contravenes the prohibitions is liable on summary conviction to a maximum fine of \$50,000, and in the case of a continuing offence, to a further penalty of \$1,500 for each day during which the offence continues.

A spokesman for the DH stressed that TACO has long been closely monitoring the market situation and taking stringent enforcement actions against violations of the Ordinance, and will appropriately adjust its enforcement strategies according to the actual circumstances from time to time. Apart from following up and investigating each complaint, proactive plainclothes enforcement and interdepartmental joint operations have also been strengthened since 2023. The number of smoking-offence prosecutions has significantly increased from about 6 290 fixed penalty notices (FPNs) in 2022 to over 10 260 in 2023, representing an over 60 per cent increase, indicating the effectiveness of the enforcement strategies. To step up efforts in combating illegal waterpipe smoking in no-smoking areas, TACO conducted over 100 operations against illegal waterpipe smoking activities in no-smoking areas in the past 12 months. A total of 145 FPNs were issued against offending smokers, while 74 summonses were issued to staff members and operators of the bars/restaurants for aiding and abetting illegal smoking and other related offences. Moreover, from January 2023 to July 2024, TACO removed over 2 130 webpages, social media accounts or posts with smoking-product advertisements, and issued 124 summonses and 43 warning letters regarding offences of displaying or distributing smoking-product advertisements during the same period.

The spokesman pointed out that in order to effectively reduce the use of all tobacco products, it is necessary to lower the demand and motivate

smokers to quit smoking through a multipronged approach of tobacco control measures, among which the most proven and effective measures are to increase the tobacco duty, as well as to combat the publicity and promotion of tobacco products, reduce the attractiveness of tobacco products (such as implementation of plain packaging and banning of flavoured tobacco), and to step up the promotion of smoking cessation. The Government announced in June this year the plan to introduce relevant tobacco control measures in the short term, and continue to explore various tobacco control measures in the medium and long term, thereby eliminating the social hazards posed by tobacco products in all aspects and safeguarding the health of the community with a multipronged approach.

Both the World Health Organization and the World Bank have pointed out that exaggerating illicit cigarette trading activities is the most common tactic used by the tobacco industry to counteract effective tobacco control measures. Raising the tobacco duty and combating illicit cigarette trading activities should be regarded as complementary measures. The 10 short-term measures announced by the Government include the introduction of a duty stamp system in order to differentiate duty-paid cigarettes from duty-not-paid ones. The Government will also amend the Dutiable Commodities Ordinance (Cap. 109) to require tobacco products being sold at a price lower than the tobacco duty need to be proved duty-paid, and to increase penalties for duty-not-paid tobacco. These measures will further enhance the effectiveness of law enforcement and combat illicit tobacco more effectively.

TACO will continue to carry out relevant enforcement operations, and follow up and investigate every complaint regarding smoking-product advertisements, as well as refer any suspected cases of illicit cigarettes that involve violations of the Dutiable Commodities Ordinance (Cap. 109) to the relevant department for further investigation.

The spokesman reiterated that all smoking products, regardless of whether they are duty paid or not, pose significant health risks. Smokers should quit smoking as early as possible for their own health and that of others. Information on smoking cessation can also be obtained from www.livetobaccofree.hk.



