

DH's proactive inspection against illegal sale of alternative smoking products (with photos)

The Department of Health (DH) today (April 30) said that its Tobacco and Alcohol Control Office (TACO) will make tremendous efforts to implement and enforce the new legislation on alternative smoking products (ASPs).

The Smoking (Public Health) (Amendment) Ordinance 2021 comes into operation today. The Ordinance prohibits the import, promotion, manufacture, sale, and possession for commercial purposes of ASPs. Offenders are subject to a maximum fine of \$50,000 and imprisonment for six months.

A spokesman for the DH said that Tobacco and Alcohol Control Inspectors have visited over 230 retail outlets of ASPs before the effective date of the Ordinance, in which a few of them were found selling ASPs. The staff of the shops were reminded that the sale of ASPs is prohibited under the new legislation and urged to comply with the law. Tobacco and Alcohol Control Inspectors conducted inspections today to these premises. So far, no violation was detected.

"The ban covers electronic smoking products, heated tobacco products, herbal cigarettes, and their accessories. Starting today, Tobacco and Alcohol Control Inspectors will investigate complaints and carry out enforcement actions accordingly. Apart from inspections, the TACO will also arrange covert operation, and joint operation with other law enforcement units," the spokesman continued.

According to the Ordinance, import of an ASP by way of parcels, cargoes, or bringing in by incoming travellers is prohibited. Articles carried by persons in transit at the Hong Kong International Airport without passing through immigration control, air transshipment cargoes, or articles staying on an aircraft or in a vessel during transit, are exempted. The DH will work closely with the Customs and Excise Department to guard against illegal import of ASPs.

Moreover, under the Ordinance, no person may smoke or carry an activated ASP in a statutory no smoking area. Offenders will be issued with a \$1,500 fixed penalty notice. From January 2021 to March 2022, 166 fixed penalty notices/summons were issued to persons who smoke ASPs in statutory no smoking areas. Tobacco and Alcohol Control Inspectors will continue to conduct inspections in statutory no smoking areas to ensure compliance with the smoking ban.

The new legislation aims to prevent access to these harmful and new smoking products. The DH reminds members of the public and stakeholders to comply with the new law. The public is also urged to adopt a smoke-free healthy lifestyle. Members of the public, incoming travellers and the traders

can visit the TACO website (www.taco.gov.hk) to learn more about the provisions of the new legislation. For enquiries or complaints, please call the TACO's hotline 2961 8823 or 1823.

