

Lancashire County Council

Statement of Witness

(Criminal Procedure Rules, r27.1(1);
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

STATEMENT OF: MICHAEL JOHN CRAIG

Age of witness: Over 18

Occupation of witness: SENIOR TRADING STANDARDS OFFICER

This statement (consisting of three 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 the 24th day of May 2018 (Signed) 

I am employed by Lancashire County Council Trading Standards Service as a Senior Trading Standards Officer. On 8 May 2018, accompanied by my Trading Standards MARY HARWOOD, and DAVID JOHNNIE, and by a police officer, I inspected the shop trading as BUNTYS, 46 WELDBANK LANE, CHORLEY. Immediately prior to this inspection, my colleagues and I had inspected Premier at 246 Moor Road in Chorley, and it is believed the ownership of these shops is connected. On my entry into Bunty's I observed a female standing behind the counter. She later gave her name as KAREN COSTA. I introduced myself and my colleagues, and I gave her a Notice of Powers & Rights, reference 2150, a carbon copy of which I produce as exhibit **MJC/1**. I asked her to hand over the shop keys in order that I could secure the premise for the duration of my inspection. She gave her employer's name as Damesh Versami, who I later established to be RAMESH VARSANI. While my colleagues commenced their inspection duties, I asked Mrs Costa whether she had any illegal tobacco products on the premises. She immediately passed over a carrier bag which contained a sleeve of improperly labelled L&M cigarettes. She explained that her sister in law had just been in to the shop to drop these packs off, and that they were for personal use. She identified her sister in law as MANDIE, and she provided a phone number. I immediately rang Mandie, and she verified Mrs Costa's account.

(Signed) 
LP/QR/32/02

Statement of Witness
(Criminal Procedure Rules, r27.1(1);
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

Continued statement of: Michael Craig

Page No: 2

Shortly afterwards, my colleagues drew my attention to a stash of improperly labelled and/or suspected counterfeit tobacco products in a black bin bag found in the stock room. The bag also contained two hand written notes which appeared to relate to tobacco sales; two stashes of cash money; and a blister packet of 10 Adalat tablets, with one tablet removed. Mrs Costa immediately said that this was her personal prescription medicine for a circulatory problem. I asked her why her medicine was with the stash of tobacco products, and she explained that shortly before my colleagues and I had entered the shop, she had received a phone call from her boss telling her to hide the tobacco, and that she had somehow thrown her medicine into the bin bag along with the packs. I seized all packs, including those found behind the counter. These comprised 10x packs of L&M cigarettes; 8x PECT; 10x REGAL; 7x RICHMOND; 10x L&B; 1x BENSON & HEDGES; 9x AMBER LEAF hand rolling tobacco; 19x GOLDEN VIRGINIA; and 4x TURNER.

During the course of my inspection I observed a number of fresh food products in a fridge on the shop floor which had exceeded their use by dates. These comprised a pack of MATTHEWS TURKEY BREAST PIECES which expired on 7 May 2018; a pot of RASPBERRY yoghurt which expired on 19 March 2018; and two cartons of ELMLEA cream which expired on 14 April 2018. I took photographs of these products and then placed them in a bin behind the shop counter. I gave Mrs Costa clear instructions that these products were hazardous, and that they were not to be removed from the bin, or sold, gifted, or consumed by anyone, and I asked her to clearly convey this message to the shop owner.

Before completing my inspection I cautioned and briefly questioned Mrs Costa. Mrs Harwood made notes of this exchange, which I checked and signed. I gave Mrs Costa a Business Visit Report, reference 47748, which served as a receipt for the seized goods, and I produce a carbon copy as exhibit **MJC/2**. I produce a print of a photograph of the seized tobacco as

Signature: 

LP/QR/32/02

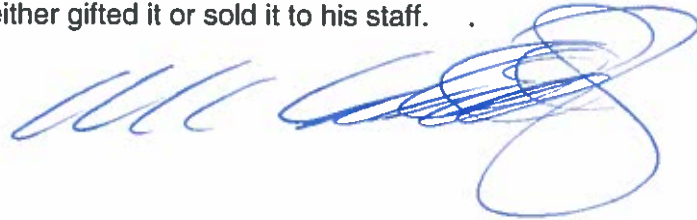
Statement of Witness
(Criminal Procedure Rules, r27.1(1);
Criminal Justice Act 1967, s9, Magistrates' Courts Act 1980, s5B)

Continued statement of: Michael Craig

Page No: 3

MJC/3. I later submitted sample packs of L&B, Regal, Richmond and Amber Leaf to Imperial Tobacco for authenticity checking. The Regal, Richmond, L & B and Golden Virginia were all found to be counterfeit. The other tobacco products were not intended for the UK market but were not counterfeit. However, all the products bore incorrect health warnings and hence all had evaded duty.

When interviewed on 22 May 2018, RAMESH VARSANI stated that the seized tobacco belonged to him, and that he either gifted it or sold it to his staff.

A handwritten signature in blue ink, consisting of several loops and strokes, positioned below the text of the statement.

Signature: _____