

STATEMENT OF WITNESS

*(Criminal Procedure Rules 2020, Rule 16.2,
Criminal Justice Act 1967, s. 9)*

STATEMENT OF:

Age of witness: Over 18

Occupation of Witness: Senior Trading Standards Officer

This statement (consisting of 3 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 31st day of January 2023

Signed

I am employed as a Senior Trading Standards Officer by West Sussex County Council.

In recent years I have visited the convenience shop trading as Choices of Horsham at 1 Parkway, Burtons Court, Horsham, West Sussex, RH12 1PY on a number of occasions.

On the 21st May 2016 West Sussex Trading Standards received an anonymous complaint from a member of the public whom stated they had purchased a sausage roll from the shop which was 2 days past its use by date. On the 7th June 2016, I visited Choices of Horsham and spoke to the Manager, I found one item of food one day past its use by date. There were a number of products in the shop that were not priced. I also found a number of products, such as USB chargers and earphones that were not compliant as they did not have the basic information on them such as the importers name and address details. At the time of the visit, I gave advice in relation to food with a use by date, pricing and good practice in relation to underage sales. I produce in evidence the Food Standards Visit Form 25087 as exhibit number **NJ/1**.

At the time of my visit on the 7th June 2016 I was advised by the Manager that Choices of Horsham was owned by Redhill Food & Wine Ltd and [redacted] was in charge. Companies House shows that [redacted] was the Director of Redhill Food & Wine Ltd, however it dissolved on the 28th November 2017.

On the 24th May 2017 I visited Choices of Horsham and spoke to [redacted] I was advised that [redacted] was in charge and the name of the company who owned the shop was Choices of Horsham Ltd. I found two items of food with the use by date of the 2nd May and one item with a use by of the 7th May. These items of food were on sale significantly past their use by date. Again, a lot of products did not have pricing on them. I gave advice in relation to use by dates and pricing. I produce in evidence the Food Standards Visit Form 31865 as exhibit number **NJ/2**. Companies House shows [redacted] was the sole Director of Choices of Horsham Ltd, which later dissolved on the 28th November 2017.

On the 4th July 2017 I revisited Choices of Horsham in order to check compliance and found one item of food one day past its use by date. Pricing had been improved.

On the 1st July 2019, an Environmental Health Officer from Horsham District Council emailed me with her concerns in relation to 'cannabis' related food products being sold in Choices of Horsham that were also not labelled in English. On the 10th July 2019 I visited Choices of Horsham and found no food past its use by date, however there were cannabis related food products. At the time of my visit the legal entity who operated the shop was Kakkar Food & Wine Ltd and Mr [redacted] was a Director. Enquiries show the company is still active but their accounts are overdue. I produce in evidence the Food Standards Visit Form as exhibit number **NJ/3**. The food which did not have English labelling was removed from sale. Referrals were made to other local Trading Standards Authorities in relation to other products seen.

On the 5th August 2022, West Sussex Trading Standards received information that illegal vapes were being sold at Choices of Horsham. On the 16th August 2022 I visited Choices of Horsham and found a large quantity of disposable ecigarettes both on display and behind the counter which were not compliant. In total I seized 390 x Elux Legend 3500 vapes as they exceeded the maximum permitted tank capacity under the Tobacco and Related Products Regulations 2016. I also found a number of American sweets which were not compliant with UK food legislation and did not have the correct labelling. I also seized 3 x Universal Travel Adaptors which were known to be unsafe due to previous testing finding them not compliant with The Electrical Equipment (Safety) Regulations 2016. At the time of my visit the member of staff within the shop was . I gave full advice to . I also spoke to . on the phone at length explaining what I had found and the legislation surrounding these issues. I produce in evidence the Food Standards Visit Form 3848 as exhibit **NJ/4**.

On the 18th August 2022 I wrote an email to . outlining all the issues found on the visit and providing comprehensive advice and guidance. I produce this email in evidence as exhibit **NJ/5**.

On the 6th December 2022 a warning letter was sent to Director of Ashman Express Ltd by . Trading Standards Team Manager. I produce in evidence the warning letter signed by Mr Harinder Singh Anand on the 14th December 2022 as exhibit **NJ/6**.