

**Application for the review of a premises licence or club
premises certificate under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Sandra Thornton - Team Manager (East Sussex County Council Trading Standards Service)

(Insert name of applicant)

apply for the review of a premises licence under section 51 (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Marina News Ltd 39 Marina St Leonards on Sea East Sussex	
Post town St Leonards on Sea	Post code (if known) TN38 0BU

Name of premises licence holder or club holding club premises certificate (if known) Mr Patrick Green

Number of premises licence or club premises certificate (if known) HOP50405

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Sandra Thornton Team Manager East Sussex County Council Trading Standards Service St Marys House 52 St Leonards Road Eastbourne East Sussex BN21 3UU
Telephone number (if any) 01323 463449
E-mail address (optional) sandra.thornton@eastsussex.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

LICENSING OBJECTIVE - THE PREVENTION OF CRIME AND DISORDER

Guidance issued under section 182 of The Licensing Act 2003 lists certain criminal activity which may arise in connection with licensed premises which the Secretary of State considers should be treated particularly seriously. This list includes the use of licensed premises for the evasion of copyright in respect of pirated or unlicensed films and music which does considerable damage to the industries affected.

On 12th October 2011 an inspection visit to the licensed premises was carried out in response to intelligence received regarding the sale of counterfeit DVDs

315 counterfeit DVDs were found in possession for sale contrary to section 92 of The Trade Marks Act 1994, Section 107 of The Copyright Designs and Patents Act 1988 and The Video Recordings Act 2010

4 bottles of Russian Standard Vodka were on display. A sample which was analysed has revealed that the vodka breached The Spirit Drink Regulations 2008, The Food Labelling Regulations 1996 and The General Food Regulations 1996.

An investigation file is being completed in relation to the above offences. The premises is clearly being used as an outlet to sell and supply goods which evade copyright. This not only damages the industries involved in the film and music business but also has a detrimental effect on local traders who lose the revenue from the sale of legitimate goods.

East Sussex Trading Standards are of the opinion that the offences found indicate that the licensing objective indicated above has not been met.

Please provide as much information as possible to support the application
(please read guidance note 2)

On Wednesday 12th October 2011 the premises was visited by 2 officers from the Trading Standards Service. Mr Barnaby Brown, Senior Trading Standards Officer and Mr Graham Wolstenholme, Fair Trading Officer. The reason for the visit was to follow up on some intelligence that had been received that counterfeit DVD's were being sold from the shop.

On entering the store officers identified themselves to the shop assistant on duty, Mr Ashley Jameson. Inspection of the premises revealed that there were two serious issues of concern;

1. the possession for sale of a large quantity of counterfeit DVD's

The counterfeit DVD's were under the shop counter. They were identified as counterfeit by the officers because;

- * They were purple DVD-R discs whereas originals are on silver DVD
- * The labels were poorly photocopied rather than professionally printed
- * The DVDs were in clear plastic sleeves rather than DVD boxes

They were clearly in possession for sale as each sleeve had a sticker on it with the title "Order on Facebook, email or text". The Facebook address given was "markbusterdvd" and the email address as "markbusterdvd@hotmail.co.uk" and the text number as Mark at 07889053779. The DVD's were therefore seized using our powers under The Trade Marks Act 1994. There were a total of 315 DVD's seized.

Most were mainstream films and there were 28 audio discs. 17 DVDs were of a pornographic nature. These had no age rating on them as required by The Video Records Act 2010. It should be noted that as with all DVD's they should bear an age classification mark. Hard core porn deemed to be classified as R18 should only be offered for sale in a registered sex shop. 60 of the DVD's were in clear buddies with customer names and references, indicating they were customer orders.

A selection of the DVD's seized has been sent to the various organisations for examination including The Federation Against Copyright Theft (FACT), The British Board of Film Classification (BBFC) and The Performing Rights Society (PRS) for further examination. Further enquiries have resulted in warrants being executed at the address of Mr Mark Green. A computer seized has been sent for examination.

2. the exposure for sale of four bottles of Vodka of unknown origin.

The officers also noticed four bottles of Russian Standard vodka that were on display for sale with other vodkas on a shelf behind the counter. The officer had suspicion there was a problem with the vodka because:

- * The vodka was cheaply priced at £7.59. This is well below the average price of cheap vodka deals
- * The label quality was poor and poorly applied and was inconsistent in presentation to even the cheaper vodkas
- * There was no business name and address or registered office for either the manufacturer or the packer, or the seller established in the EU as required by The Food Labelling Regulations 1996
- * There were no batch codes or lot numbers on the labels as required by The

General Food Regulations 2004

*The duty stamp did not fluoresce under UV light which suggested it may be a counterfeit duty stamp

A formal sample was procured for submission to the Public Analyst using powers under s29 of The Food Safety Act 1990.

Paul Hancock, Public Analyst of Worcestershire County Council Scientific Services produced a report on the Russian Standard Vodka on 9th November and concluded that the sample tested was unsatisfactory and not consistent with genuine vodka for the following reasons:

- * The amount of alcohol found is deficient to that declared by 3.9%; the maximum permitted tolerance being 0.3%
- * Ethyl acetate and amly alcohols were detected in the sample at a level in excess of that permitted by The Spirit Drink Regulations 2008
- * The presence of t-butanol is indicative of the alcohol being of industrial origin
- * The sample was not marked with a business name and address or registered office for either the manufacturer or packer or seller established in the EU as required by The Food Labelling Regulations 1996
- * There were no batch codes or lot numbers on the labels as required by The General Food Regulations 2004

In further support of the application please find enclosed;

A copy of the complaint record

The witness statement of Mr Barnaby Brown, Senior Trading Standards Officer, with exhibit of the Visit Note

The witness statement of Mr Graham Wolstenholme, Fair Trading Officer, with exhibits of seizure list and photos of DVDs found

A copy of the Public Analyst Report

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

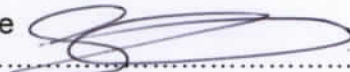
Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature  S. Thornton

Date 28/11/11

Capacity Team Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Trading Standards Service
East Sussex County Council
St Marys House
52 St Leonards Road
Eastbourne
East Sussex

Post town Eastbourne	Post Code BN21 3UU
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Telephone number (if any) 01323 463449

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Request reference number: 183763

PREMISES NAME

PREMISES REF: C02FA039MA/1
NAME: Marina News Ltd
LA REF:
Mr P Green
TELNO: 01424 425476

PREMISES ADDRESS

39 Marina
St Leonards-On-Sea
East Sussex

AREA: Hastings BC
TN38 0BQ WARD: Central St Leonards
TELNO: 01424 425476

FULL DETAILS OF CLIENT

Anon

HOW RECEIVED: O - Other
DATE SERVICE REQUEST RECEIVED : 23/08/2011

DETAILS OF SERVICE REQUEST

Poss counterfeit wine and dvds being sold

COMPLAINT CATEGORY: CGO - Complaint, goods only (not food stds)
COMPLAINT TYPE: CCC - Consumer Complaints
COUNTRY OF TRADE: GB - UNITED KINGDOM
UNIT: GRE - Green Team
INVESTIGATING OFFICER: GMW - Graham Wolstenholme
RECEIVING OFFICER: LCB - Louise Baxter (Team Manager)

DATES

DATE RECEIVED: 23/08/2011 TIME:
DATE OF FIRST RESPONSE: 25/08/2011 TIME:
DATE CLOSED: 26/10/2011
TARGET RESPONSE DATE: 30/08/2011 TIME:

TEXT:

23/ 8/2011 17:16 LCB
de. vered a talk where i was advsied that a shop in Marina Court was
selling counterfeit wine and poss DVDS from the store room that you
have to ask for, he had no more details and did not knwo shop name

RESULT AND FURTHER ACTION

ACTION TYPE: C01 - Advised (Compl / Requests)

Action record initiated under record number 170497

- 1 GED Review by Line Manager- GMW can you look into this please, and take someone with you on visit, poss selling dvds from under counter so poss TP first 23/08/2011 LCB
- 2 GEA Inspection vist planned for 7th September with WS 07/09/2011 12/10/2011 GMW
- 3 GA2 Referred to SAT see notes 05/09/2011 GMW
- 4 GEA Vist by GMW & BPB . Seized DVD-r and sampled apparant Vodka E104206 12/10/2011 GMW
- 5 GED Review by Line Manager - request closed and all further actions on prosection record 26/10/2011 SAT

**EAST SUSSEX COUNTY COUNCIL
STATEMENT OF WITNESS**

(C.J. Act 1967, s.9; M.C. Act 1980 ss5A(3)(a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

Name: Barnaby Brown

Age of Witness (if over 18 enter "over 18"): Over 18

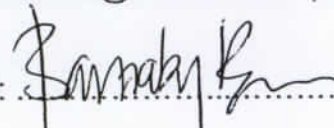
Occupation: Trading Standards Officer

This statement (consisting of 2 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.

Signed:  Signature witnessed By:

Dated the 17th day of October 2011

I am employed by East Sussex County Council Trading Standards Service as a Trading Standards Officer and as such am authorised to enforce the Consumer Protection from Unfair Trading Regulations 2008; the Trade Marks Act 1994; Food Safety Act 1990 and the General Food Regulations 2004. At 11.00, on Wednesday 12th October 2011, I visited Marina News, 39 Marina, St Leonard's on Sea TN38 0BU with Fair Trading Officer, Graham WOLSTENHOLME in order to carry out an inspection of the premises. Upon entering the shop I introduced myself to the person in charge, Mr Ashley JAMESON and showed him my credentials. Shortly, after this Graham WOLSTENHOLME asked me to examine four bottles of Russian Standard Vodka that were on display for sale with other vodkas on a shelf behind the counter. Upon seeing them I had immediate cause for concern as each bottle was cheaply priced at £7.59; the label quality was poor; there were no traceability details on the label; there were no batch codes or lot numbers on the labels and the duty stamp did not fluoresce. I decided to take a formal sample for Public Analyst. I took three bottles and bagged them; identifying them as sample numbers: A0858A; A0858B; and A0858C. Mr Ashley JAMESON chose sample number A0858A to retain. While I was bagging the samples, Graham WOSTENHOLME found a large quantity of counterfeit DVDs under the counter, which he started to sort by title while completing a seizure list. The DVDs were in clear plastic sleeves. Each Sleeve had a sticker on it with the title "Order on face book, email or by text". The facebook address given was as "markbusterdvd"; the email address as "markbusterdvd@hotmail.co.uk"; and the text number as "Mark at"07889053779". Ashley

Signed:  Signature witnessed by:

**EAST SUSSEX COUNTY COUNCIL
STATEMENT OF WITNESS**

(C.J. Act 1967, s.9; M.C. Act 1980 ss5A(3)(a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

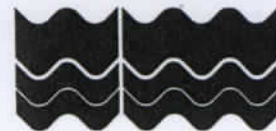
Page 2 of 2

Continuation of Statement by Barnaby Brown

JAMESON gave the owner of Marina News as a Mr Patrick GREEN and the seller of the DVDs as Mark GREEN. It soon became apparent that there were too many titles to sort through on the premises so I asked Graham WOLSTENHOLME to bag and tag all of them while I issued Ashley JAMESON with a search and sift notice; a code B notice; and a visit notice, a copy of which I now produce signed and dated by me as item BB/1 (exhibit).



Signed: Barnaby Brown Signature witnessed by:



Name: (Proprietor) Mr Patrick Green Registered Office:

(Trading Name) Marina News

(Address) 11 Marina, St Leonards, East

Surrey TN38 8BU

Tel: Post Code:

Type of Business: Mini market Email / Website:

TICK LEGISLATION APPLICABLE:

- Food Safety Act 1990 Weights and Measures Act 1985 Consumer Protection Act 1987
- Trade Marks Act 1994 Other (specify) Consumer Protection from Unfair Trading Regulations 2008
- Manufacture and Storage of Explosives Regulations 2005

FOOD SAFETY ACT 1990

This report only covers areas inspected at the time of inspection.

FOOD STANDARDS INSPECTION REPORT

It should not be taken as indicating compliance with any provisions of the Food Safety Act 1990 or regulations made under it.

ALL PREMISES (Incl. Manufacturing)

- Quality Systems Records Materials & Articles Intended to come into contact with food
- Product Labelling Stock Rotation

MANUFACTURING PREMISES ONLY

- Product Design & Recipe Production Process Completed Product
- Raw Materials..... Specifications Documentation
- Storage & Distribution..... Segregation of Goods Recall and/or re-labelling systems

Legal Requirement

Guidance to follow

I have taken a formal sample of Benetton Standard Vodka
 from shop assistant, Ashley Johnson has chosen portion sample
 on 12/10/11

We also found a number of counterfeit DVDs which are being
 sold by market telephone. His surname may be Green

We have ~~been~~ left a seizure notice and a PACE code
 to make clarifying our rights.

Please forward contact details/addresses for Mark Green Failure to
 do so could lead to a charge of obstruction.

Please forward me full documentation for vodka e.g. receipts
 order number etc.

Failure to comply with legal requirements may constitute an offence and may lead to enforcement action. Within working
 days. Failure to

Advice / Best Practice / Comments

do so could result in a charge of
 obstruction.

I have also left a seizure notice for remain - DVDs
 All DVDs placed into bags: N00955074; N01047166; N01047167.

This is Best Practice advice and not a legal requirement.

East Sussex
 County Council
 Trading Standards Services

Exhibit No.
BB/1

Issued by Elizabeth Brown
 Signed [Signature] (Authorised Officer)
 Date 12/10/11 Time 11:32 am

Report Concerning: Marina News
 Signed.....
 Full Name..... Signature: [Signature]
 Position..... Date: 17th October 2011

**EAST SUSSEX COUNTY COUNCIL
STATEMENT OF WITNESS**

(C.J. Act 1967, s.9; M.C. Act 1980 ss5A(3)(a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)


**Name: Mr Graham Michael Wolstenholme
Age of Witness : Over 18
Occupation: Fair Trading 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.

Signed:  Signature witnessed By:

Dated : 26/10/2011

I am Graham Michael Wolstenholme and I am employed by East Sussex County Council Trading Standards Department as a Fair Trading Officer and as such I am authorised to enforce the Consumer Protection from Unfair Trading Regulations 2008 and the Trade Marks Act 1994. On the 12th October 2011 at 11:00 Hrs I entered the Marina News at 39 / 40 Marina, St Leonards on Sea with Barnaby Brown Senior Trading Standards Officer. Barnaby Brown introduced us both to a man claiming to be in charge of the shop at that time and giving his name as Ashley JAMISON. I inspected the area behind the counter which included a selection of vodkas. I was using a black light to check the authenticity of duty stamps on these bottles and found that one on a bottle of Vodka did not glow which a genuine one would have. I checked the label which did not have some of the information as required by the Food Labelling Regulations 1996. I then handed the bottle to Barnaby Brown for his opinion. I continued to inspect the tobacco on display and this was all legitimate stock. My inspection continued behind the counter and I opened a draw to check for any over flow stock. When I opened the top draw it contained a large quantity of DVD-r disks in plastic wallets. I took three photographs of these items in the draw and I now produce these photographs signed and dated by me as GMW/P1 (exhibit). On closer inspection I could see that these plastic wallets contained poor quality printed labels of major films as well as music titles .On some of these disks there was a label on the back stating ' Order on Facebook, email or by text. Find me on Facebook at markbusterdvd or email me at markbusterdvd@hotmail.co.uk to view and order the latest films and music or text me to

Signed:  Signature witnessed by:

**EAST SUSSEX COUNTY COUNCIL
STATEMENT OF WITNESS**

(C.J. Act 1967, s.9; M.C. Act 1980 ss5A(3)(a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

Page 2 of 3

Continuation of Statement by Graham Wolstenholme

receive a weekly update via text. Mark 07889053779. I had reason to believe these were counterfeit and in breach of the Trade Marks Act 1994. I asked Ashley JAMISON who the disks belonged to he replied 'Mark'. I asked what Marks surname was and he replied he did not know and that Mark only worked there a few hours a week. I then told him that I was going to seize the items as I believed they were counterfeit. Whilst I was bagging up the disks I asked Ashley JAMISON to call the owner of the business and ask him what Marks surname was. He did this and told me that it was GREEN. I continued bagging up the disks and sealed them in evidence bags. I wrote out a seizure lists for these bags which I now produce signed and dated by me as GMW/01 (exhibit) GMW/02 (exhibit) GMW/03 (exhibit) and GMW/04 (exhibit). Whilst bagging up the DVD's I wrote out a seizure note and listed each title, due the quantity of disks Barnaby Brown then said we should bag them all up and issue a search and shift notice. I sealed them in evidence bags he issued the paperwork to Mr Ashley Jamison. We then left the store and upon returning to the Trading Standards offices at St Marys House, 52 St Leonards Road, Eastbourne, BN21 3UU I placed the bags into the secure store. On the 14th October 2011 I used the departments stand alone computer in the offices of East Sussex Trading Standards, St Marys House, 52 St Leonards Road, Eastbourne, BN21 3UU to access Facebook.com and look at the pages of Mark GREEN at <http://www.facebook.com/profile.php?id=100002985823079> . I captured images of his facebook wall and photo gallery which were offering to sell video and audio recordings for £4 each or 4 for £10. I now produce a CD-r containing those images and a recording of the internet browsing session signed and dated by me as

Signed:  Signature witnessed by:

EAST SUSSEX COUNTY COUNCIL

STATEMENT OF WITNESS

(C.J. Act 1967, s.9; M.C. Act 1980 ss5A(3)(a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

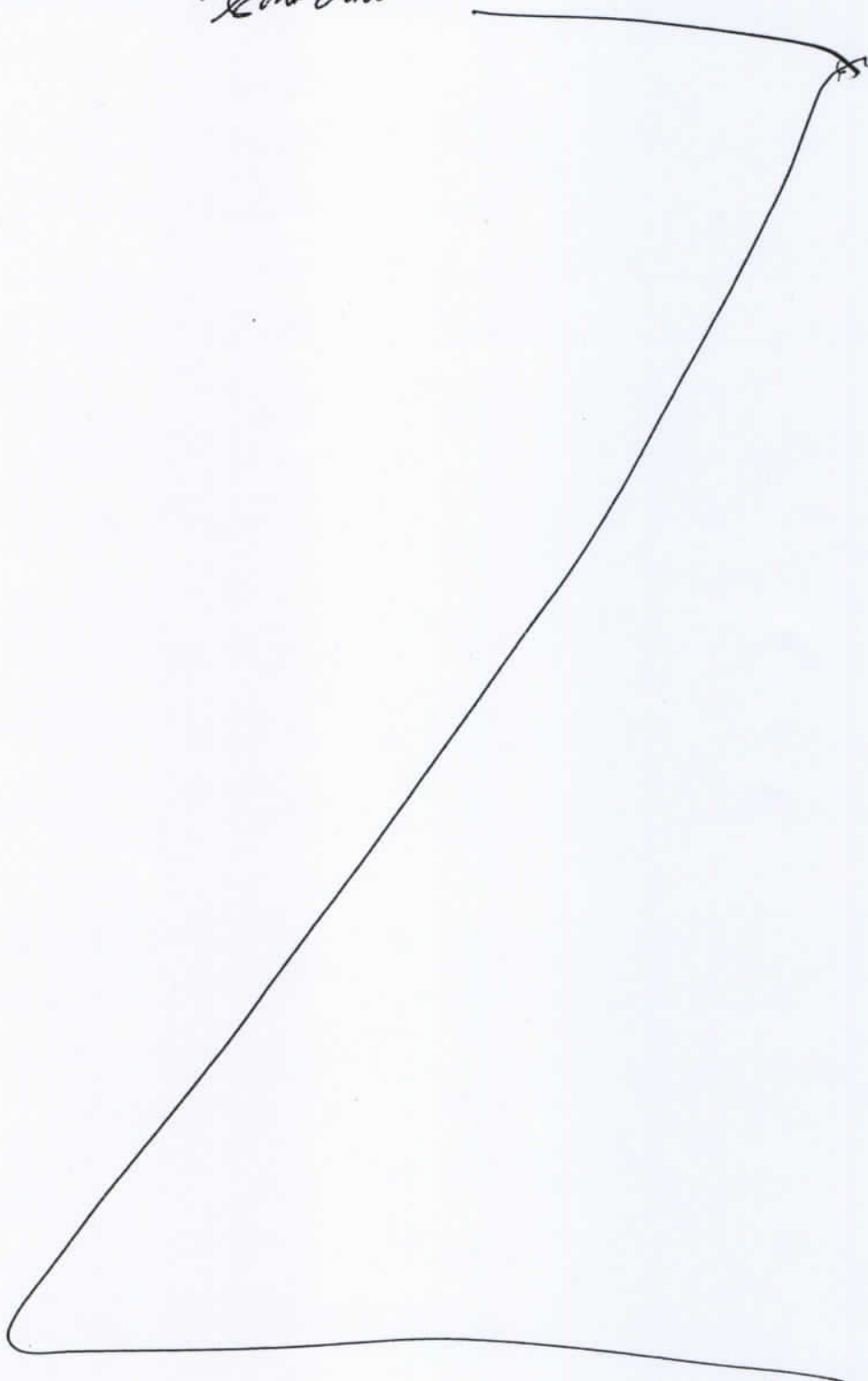
Page 3 of 3

Continuation of Statement by Graham Wolstenholme

GMWCD141010 (Exhibit) and a booklet of prints of that session as GMW/05

(Exhibit

) *Graham Wolstenholme*



Signed: *Graham Wolstenholme* Signature witnessed by:



Trading Standards Service
 St Mary's House
 52 St Leonards Road
 Eastbourne
 East Sussex
 BN21 3UU

MACE
 39/40 MARINA 9
 ST LEONARDS ON SEA
 EASTBOURNE
 TN 38 0BU.

East Sussex
 County Council



This document consists of 4 pages

I, Graham Wainwright an authorised officer under the TRADE MARKS Act,

have today, 12/11/11 seized goods and/or documents as listed below by virtue of Section 11 of the above Act.

Signed Graham Wainwright Dated 12/10/11

Item	Description	Location of Property	Officer	Tag No.
1	BLOOD GUNS CASE x 1	DRAW BOLTON HILL	GMW	NO 104
2	FACES IN THE CROWD x 1			7167
3	TURNOUT x 1			
4	SCARF x 1			
5	TRAI x 1			
6	HIGH OF HEATERS x 1			
7	CARD 2 x 1			
8	OPEN x 1			
9	HARRY POTTER x 1			
10	BELONG 122			

MR STORE
39/40 MARINA

2064

Page 3 of 24

Item	Description	Location of Property	Officer	Tag No.
11	MONSTER FLOOR FILTERS 2011 x 1	DRAM BETTUS	GMW	U0104
12	100% PURE DUBSTEP x 1	Center AT	GMW	7167
13	HARD - FT ST KILLER SOUNDS x 1	MARKS STONE	GMW	
14	THE DEAD x 1	39/40	GMW	
15	AMSTERDAM HEADPHONES x 1	MARINA		
16	SURVIVAL x 1			
17	CHRISTINA PERRI LOVESTRONG			
18	EVIL THINGS x 1			
19	KATH B x 1			
20	YOU ME AT SIX x 1			
21	LIL WAYNE THE CARTER III x 1			
22	MECANCHOLIA x 1			
23	Now REB x 1			
24	NICOLA ROBERTI x 1			

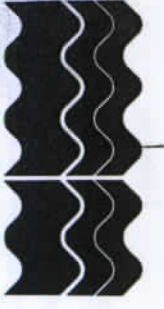
MADE STORE
39/40 MARINA

Page 3 of 4²

Item	Description	Location of Property	Officer	Tag No.
25	BAD TRADER x 1	URAN BEND		NO 104
26	21st 21st PETS x 1	CORNER		7167
27	EXTREME x 1	AS MADE		
28	20th POPPIN PENGUINS x 1	STORE		
29	NARNIA x 1	PROPERTY OF		
30	ARTHUR x 1	MARK GREEN		
31	FLY PAPER x 1			
32	KINGDOM GLADIATORS x 1			
33	REAR STERC x 1			
34	COWBOY AZIENS x 1			
35	FRESH RUNNER x 1			
36	ARENA x 1			
37	BLOOD RUNS COCD x 11			
38	THE HOWLING REBORN x 1			

Trading Standards Service
 St Mary's House
 52 St Leonards Road
 Eastbourne
 East Sussex
 BN21 3UJ

East Sussex
 County Council



This document consists of 1 pages

I, Seamus Josephine an authorised officer under the TRADE MARKS Act,

have today, 12/10/11 seized goods and/or documents as listed below by virtue of Section of the above Act.

Signed Seamus Josephine Dated 12/10/11

Item	Description	Location of Property	Officer	Tag No.
	Supers x 1	12 DRAW BEHIND	GMW	W09955013
	PAGE EIGHT x 1	COURT AT	GMW	11
	ALCO BEERS x 1	MACE STORE	GMW	11
	YOGI BEER x 1	MARINA	GMW	11
	DOND MATRA x 1	S.L.O.S.	GMW	11
	Jcole x 1		GMW	11
	ROBOTROPOLIS		GMW	11
			GMW	11
			GMW	11



This document consists of 1 pages

I, Saman Wostenhagen an authorised officer under the TRADE MARKS Act,

have today, 12/10/11 seized goods and/or documents as listed below by virtue of Section of the above Act.

Signed: [Signature] Dated: 12/10/11

Item	Description	Location of Property	Officer	Tag No.
	FIRE RUNNER DUD x 3	in DRAM BEAR	GMW	W009555
	COWBOY ALIEN x 2	COURT A1	GMW	013
	THE HOULING REBORN x 12	MACE STORE	GMW	
	SKA 200SH x 1 + 1	MARINA 1	GMW	
	KINGDOM GENERATORS x 2	SA LEONARDS ON	GMW	
	FACES IN THE CROWD x 2	SEA - EASTBOURNE	GMW	
	COLOMBIANA x 8 + 1		GMW	
	KINGS SPEECH x 1		GMW	
	KILLING BOND x 1		GMW	
	CEDAR RAPIDS x 1		GMW	

Trading Standards Service
 St Mary's House
 52 St Leonards Road
 Eastbourne
 East Sussex
 BN21 3UU



This document consists of pages

I, Gregory Was an authorised officer under the TRADE MARKS Act,

have today, 12/10/11 seized goods and/or documents as listed below by virtue of Section of the above Act.

Signed [Signature] Dated 12/10/11

Item	Description	Location of Property	Officer	Tag No.
	APRIL 51 x 1	LOW DRAM		NOO95
	LAPP ATEBELLUM x 1	BEHIND COUNTER		5013
	ONE KODAK x 1	AT MACG STRAP		
	SANDWICH x 1	39/40 MARINA		
	PAPER 32 x 1	S.C.O.S.		
	MINI CASE x 1	TN 38 0 BU		
	DRIVE x 1			
	KILL KATIE MALONE x 1 + 1			
	ZODIAC x 1			
	HONEY 2 x 1 + 1			



0627

For the attention of: BARNABY BROWN

East Sussex Trading Standards (Food)
St Mary's House
52 St Leonards Road
Eastbourne
East Sussex
BN21 3UU

Date of report: 09/11/2011
Our Reference: EFF11/02144
Sample received on: 31/10/2011

Food Safety Act 1990 report on the analysis of sample:

A0858 Russian Standard vodka

Method	Result Name	Test Value	Units
F1706	Alcohol by density meter	33.6	% vol.
F1704B	Acetaldehyde in spirits	< 2.0	g/100L alc
* F1704C	Ethyl acetate in spirits	175	g/100L alc
F1704A	Methanol in spirits	< 2.0	g/100L alc
F1704D	Propan-1-ol in spirits	< 1.0	g/100L alc
F1704E	2-methylpropan-1-ol in spirits	< 1.0	g/100L alc
F1704F	Amyl alcohols in spirits	6.0	g/100L alc
* F1704G	Propan-2-ol in spirits (IPA)	< 2.0	mg/L
* F1704H	t-Butanol in spirits	320	mg/L

Comments:

The amount of alcohol found in this sample is deficient of that declared to the extent of 3.9% vol, this deficiency being in excess of the maximum permitted tolerance of 0.3% vol., as prescribed by the Food Labelling Regulations 1996.

The amount of methanol found in the sample is satisfactory with regards to the requirements of the Spirit Drinks Regulations 2008. Ethyl acetate and amyl alcohols were also detected in the sample at a level in excess of that permitted by the Spirit Drinks Regulations 2008.

The sample was also analysed for the presence of propan-2-ol which was not detected and t-butanol which was detected at a level of 320mg/L in the final product. The presence of t-butanol is indicative of the alcohol being of industrial origin, and as such it is my opinion that the sample is not consistent with genuine vodka.

Signed:



Paul Hancock, Public Analyst

Report outcome: UNSATISFACTORY

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* indicates determinand not included in UKAS accreditation. Details of methods of analysis can be obtained from the address below. Opinions, comments and interpretations expressed herein are outside the scope of UKAS accreditation.

The sample was not marked with the name or business name and address or registered office of either or both of the manufacturer or packer, or a seller established within the European Community, as required by the Food Labelling Regulations 1996.

Furthermore no lot mark or batch code could be identified on the sample as required by the General Food Regulations 2004, and irregularities with the HMRC duty mark indicated that the mark may not be genuine.

Signed:



Paul Hancock, Public Analyst

Report outcome: UNSATISFACTORY

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