

**EXHIBIT LIST 1/ ( Exhibits in exhibit file 1 )**

R v Four Seasons Hastings Ltd

URN

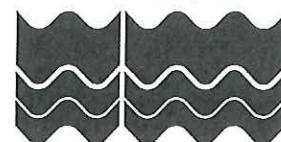
P1186

**\* Check box if exhibit attached**

List Ref	Brief description of item (indicate if copy)	Exhibit reference no.	Person producing and current location of exhibit	*
				<input type="checkbox"/>
1	Till receipt	<b>GMW/01</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
2	Visit note four Seasons Hastings td	<b>GMW/02</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
3	Copy of letter requesting traceability	<b>GMW/03</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
4	Proof of receipt	<b>GMW/04</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
5	Letter of invite to interview	<b>GMW/05</b>	Person producing: Graham Wolstenholme Current location: Secure Store	<input type="checkbox"/>
6	Proof of receipt	<b>GMW/06</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
7	Email chain between GMW and Thushya INTIRAKUMAR	<b>GMW/07</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
8	Companies House AD01 form	<b>GMW/08</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
9	Interview in writing to Four Seasons	<b>GMW/09</b>	Person producing: Graham Wolstenholme Current location: Paper exhibit with file	<input type="checkbox"/>
10	Kent Scientific Services report KSS162151	<b>KSS1621 51</b>	Person producing: Jon Griffin Current location: Paper exhibit with file	<input type="checkbox"/>
11	4 x Bottles of Blossom Hill White Zinfandel	<b>TD/01</b>	Person producing: Tim Dowding Current location: Secure store	<input type="checkbox"/>
12	Photographs taken by TD	<b>TD/04</b>	Person producing: Tim Dowding Current location: Secure Store	<input type="checkbox"/>



13	Seizure form	<b>TD/05</b>	Person producing: Tim Dowding Current location: Secure Store	<input type="checkbox"/>
14	Photographs of suspected Blossom Hill White Zinfandel inspected by brand holder	<b>TD/01a</b>	Person producing: Rachelle RUSH Current location: Paper file	<input type="checkbox"/>
15	Photographs of suspected Blossom Hill White Zinfandel inspected by brand holder	<b>TD/01b</b>	Person producing: Rachelle RUSH Current location: Paper exhibit on file	<input type="checkbox"/>
16	Photographs of suspected Blossom Hill White Zinfandel inspected by brand holder	<b>TD/01c</b>	Person producing: Rachelle RUSH Current location: Paper exhibit on file	<input type="checkbox"/>
17	Trade Mark WE00001305079	<b>DG/02</b>	Person producing: Rachelle RUSH Current location: Paper exhibit on file	<input type="checkbox"/>
18			Person producing: Current location:	<input type="checkbox"/>
19			Person producing: Current location:	<input type="checkbox"/>
20			Person producing: Current location:	<input type="checkbox"/>
21			Person producing: Current location:	<input type="checkbox"/>
22			Person producing: Current location:	<input type="checkbox"/>
23			Person producing: Current location:	<input type="checkbox"/>
24			Person producing: Current location:	<input type="checkbox"/>
25			Person producing: Current location:	<input type="checkbox"/>



# EXHIBIT LABEL

Seized Property No:	NA
Identification reference:	GMW/01
Description:	Till receipt headed Four Seasons Supermar for 3 x Blossom Hill White Zinfandel
Time/date:	22/10/2020
Produced by:	G WOLSTENHOLME
Signed:	

Four Seasons Supermar

- Till-1

1x Blossom Hill Whi Zin	6.99
1x Blossom Hill Whi Zin	6.99
1x Blossom Hill Whi Zin	6.99

Total to pay 20.97

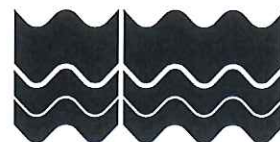
Cash 21.00

Change 0.03

01424 425234

10/06/20 12:46

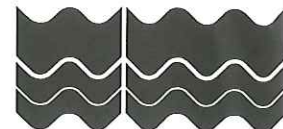
Thankyou for your custom



**EXHIBIT LABEL**

<b>Seized Property No:</b>	NA
<b>Identification reference:</b>	GMW/02
<b>Description:</b>	Visit note for Four Seasons Hastings Ltd
<b>Time/date:</b> 22/10/2020	
<b>Produced by:</b>	G WOLSTENHOLME
<b>Signed:</b> 	





TO: (Proprietor).....  
(Trading Name) Four Seasons  
(Address) 68-70 Bohemia rd

Registered Office.....  
Four Seasons (Hastings)  
Ltd

Tel:..... Post Code TN37 6RQ

Tel:..... Post Code.....

Type of Business:.....

Email / Website:.....

TICK LEGISLATION APPLICABLE:

☒ Food Safety Act 1990

☐ Weights and Measures Act 1985

☐ Consumer Protection Act 1987

☒ Trade Marks Act 1994

☐ Other (specify)

☐ 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

- Formal sample of Blossom Hill  
White Zinfandel (no visible lot code)

A0980A retained by business.  
A0980B  
A0980C

- Invoices required for the Blossom Hill White  
Zinfandel above ↑

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

Advice / Best Practice / Comments

- other wines seized as per seizure list.

- 2 x Gallo Family Sycamore Canyon Syrah rose  
2007 removed from sale due to missing rear labels

This is Best Practice advice and not a legal requirement.

→ keep until further notice sealed + bagged

Issued by G. WOODBURN

Signed N. Nirmalan

Signed..... (Authorised Officer)

Full Name MR NIRMALAN

Date 20/6/20 Time 13:25

Position Sale staff Date 10/6/20

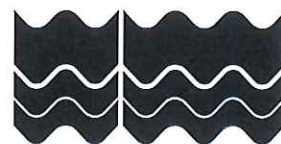


EXHIBIT LABEL

Seized Property No:	NA
Identification reference:	GMW/03
Description:	Copy of letter requesting tracabilty
Time/date: 22/10/2020	
Produced by:	G WOLSTENHOLME
Signed: 	

Four Seasons Hastings Limited  
68-70 Bohemia Road  
St Leonards on Sea  
East Sussex  
TN37 6RQ

03/07/2020

Dear Sirs

### **Food Safety and Hygiene (England) Regulations 2013**

I am writing to you following this departments visit to your premises Four Seasons Supermarket, at 68-70 Bohemia Road, St Leonards on Sea, TN37 6RQ on 10<sup>th</sup> June 2020 when a formal food sample Blossom Hill White Zinfandel was procured.

At that visit I left a visit note, a copy of which is attached for your reference, which required traceability documents for this product.

It is a legal requirement under the above legislation that you as a food business can facilitate traceability, through relevant documentation or information fo any food which you supply.

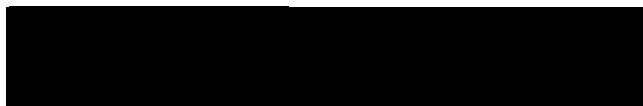
The sample has now been analysed and is unsatisfactory, I enclose a copy of the report for your records.

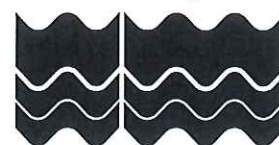
Our records show that as of today's date we have not received any traceability documentation from you . I now require you to provide these documents as soon as possible and in any event before the 10<sup>th</sup> July 2020.

Yours sincerely

Graham Wolstenholme  
Senior Trading Standards Officer

T:  
E:





**EXHIBIT LABEL**

<b>Seized Property No:</b>	NA
<b>Identification reference:</b>	GMW/04
<b>Description:</b>	Royal mail proof of delivery
<b>Time/date:</b>	22/10/2020
<b>Produced by:</b>	G WOLSTENHOLME
<b>Signed:</b>	



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[Home](#) [Track and Trace - Track your Item](#)

## Track and Trace - Track your Item

Check the progress of your deliveries

### Delivered

Tracking no. KS805032157GB  
Your item was delivered on **04-07-2020**.

Service used:  
Royal Mail Signed For™

The image is not available or has  
been removed.

Not the signature you expected? [Find out why](#).

Signed for by: CV19

Delivered: 12:34pm.

Updated on: Saturday 04 July

**12:34pm**

**Delivered and Signed**  
St Leonards On Sea DO

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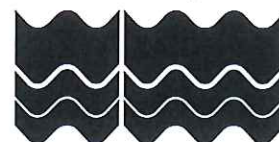
[Sitemap](#)

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**EXHIBIT LABEL**

<b>Seized Property No:</b>	NA
<b>Identification reference:</b>	GMW/05
<b>Description:</b>	Letter inviting trader to Interview under caution
<b>Time/date:</b>	22/10/2020
<b>Produced by:</b>	G WOLSTENHOLME
<b>Signed:</b>	

Four Seasons Hastings Ltd  
68-70 Bohemia Road  
St Leonards-On-Sea  
East Sussex  
TN37 6RQ

our ref: T/001186  
your ref:

16 July 2020

Dear Sirs

**Trade Marks Act 1994**

**Food Safety Act 1990**

**The Food Safety and Hygiene (England) Regulations 2013**

On the the 10<sup>th</sup> June 2020 officers of this service procured bottles of apparent Blossom Hill White Zinfandel Wine with no Lot code from your retail store at the above address. That product has now been tested and it has been confirmed that it is not wine and is a counterfeit product.

At the time of procuring the items a visit note was left requiring you to provide traceability, this is a legal requirement under the above legislation. A second letter was posted to you on the 3<sup>rd</sup> July providing till the 10<sup>th</sup> of July to provide traceability documents. As of the 16<sup>th</sup> July 2020 no such traceability has been provided.

From the information I have, it appears that some of the provisions of the above legislation may have been breached and offences committed for which your Company may have liability. This includes alleged possession of counterfeit goods in the course of a business, the sale of food not of the nature demanded by the consumer and failure to provide traceability.

In order to investigate this, I wish to interview a representative of the Company, who may be a Company Secretary or Director (or if not should be another person clearly authorised in writing) to speak on behalf of the Company for the matters at hand.

It is proposed that the interview is audio recorded and conducted in accordance with provisions of the Police and Criminal Evidence Act 1984. You will be interviewed under caution. You will not be under arrest and you will be free to leave at any time.

You have a right to independent legal advice at all times and a suitably qualified person may be present at the interview. Please see the attached Notice to Persons Attending Voluntary Interview Under Caution for a full list of your rights.

In order to assist an effective interview, please bring along any documents you may want to make reference to. In particular I would be grateful if you could bring documents providing tractability for

the product either purchased by you or sold to another trader. These are documents which I would have the power to inspect at your premises by virtue of the The Food Safety and Hygiene (England) Regulations 2013. Providing these at the time of interview rather than during a premises visit will assist a prompt investigation.

I would be grateful if you could contact me before **24/07/2020** to confirm your willingness to attend this interview, and to make arrangements for a suitable appointment time and date, by contacting me at 01323 464043 or [graham.wolstenholme@eastsussex.gvo.uk](mailto:graham.wolstenholme@eastsussex.gvo.uk). Please advise me of any particular access or other provisions you may require.

If you have any queries in connection with this matter please do not hesitate to contact me.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'Graham Wolstenholme', written in a cursive style.

Mr Graham Wolstenholme  
Senior Trading Standards Officer  
Trading Standards Service





## Notice to Persons Attending Voluntary Interview Under Caution

\* This information is important. If you have difficulty reading it, you should show it to someone who can help you \*

The purpose of this Notice is to advise you of your rights as a suspect when attending a voluntary interview under Caution.

The purpose of the voluntary interview is to question you to obtain evidence about any involvement, or suspected involvement, that you have in the offences described when you are cautioned and told that you are not under arrest.

### **Your rights if you agree to attend a voluntary interview and for it to proceed:**

- You will not be under arrest and you will not be obliged to remain at the interview location.
- You will be under the following Caution: **You do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.**
- You have a right to be informed about the offences in question by being provided with sufficient information to enable you to understand the nature of those offences, and why you are suspected of committing them. This is in order to allow for the effective exercise of your rights as a defendant. It applies whether or not you ask for legal advice and includes any further offences that come to light and are pointed out during the voluntary interview and for which you are cautioned.
- You have a right to independent legal advice at all times and a suitably qualified person may be present at the interview. If you wish to consult a legal advisor you should arrange this before the interview.
- You may be entitled to Legal Aid. The Citizens' Advice Bureaux <https://www.citizensadvice.org.uk/> may give general advice on the processes involved. The Law Society <http://www.lawsociety.org.uk/> can provide links to legal firms in your area and the Charity Law for Life <http://www.advicenow.org.uk/> has some useful information.
- You have a right to consult the relevant PACE Codes of Practice to which the Trading Standards Service has regard. These will be available at our offices.
- If the interviewing officer determines that you are a juvenile or that you are vulnerable; or that you need help to check documentation, you will have a right to have an appropriate adult present, or (as the case may be) to have the necessary help to check documentation. The interview will be delayed until the presence of the appropriate adult, or the necessary help, is secured.
- If, as determined by the interviewing officer, you are a juvenile or you are vulnerable, and do not want legal advice, your appropriate adult has the right to ask for a solicitor to attend if this would be in your best interests. Your appropriate adult will be so informed. In this case, action to secure the provision of advice, if so requested by your appropriate adult, will be taken without delay in the same way as if requested by you.
- You have a right to an interpreter, if the interviewing officer determines that you require an interpreter. If you do require an interpreter, then he/she will be appointed by East Sussex County Council Trading Standards. The interviewing officer will make the necessary arrangements and the interview will be delayed for those arrangements to be made.
- The interview will be arranged for a time and location that enables your rights described above to be fully respected. The entire interview will be recorded using an authorised recording device (in accordance with PACE Code 'E' – Code of Practice on audio recording of interviews with suspects, or Code 'F' – Code of Practice on visual recording with sound of interviews with suspects).
- Your agreement to take part in the interview also signifies your agreement for the interview to be audio-recorded, or (as the case may be) visually recorded with sound.

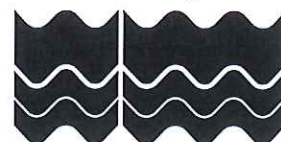


EXHIBIT LABEL

Seized Property No:	NA
Identification reference:	GMW/06
Description:	Royal mail proof of delivery
Time/date:	22/10/2020
Produced by:	G WOLSTENHOLME
Signed:	





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[Track and manage](#)

[Shop](#)

[Help & support](#)

[Home](#) [Track and Trace - Track your Item](#)

## Track and Trace - Track your Item

Check the progress of your deliveries

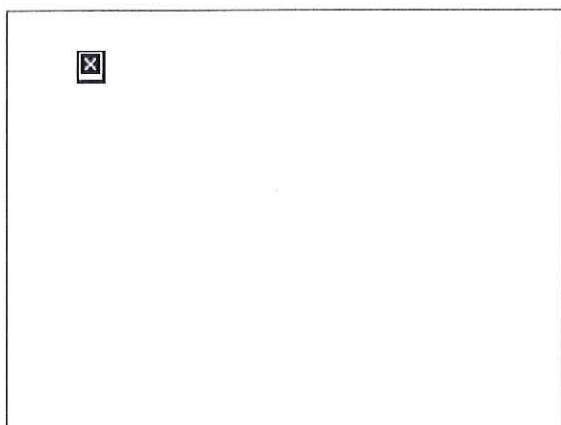
### Delivered

Tracking no. KS805032421GB

Your item was delivered on **17-07-2020**.

Service used:

Royal Mail Signed For™



Not the signature you expected? [Find out why.](#)

Signed for by: C1.9

Delivered: 10:33am



Tracking Assistant

[Print](#)

Updated on: Friday 17 July

**10:33am**

**Delivered and Signed**

St Leonards On Sea D0

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Tracking Assistant

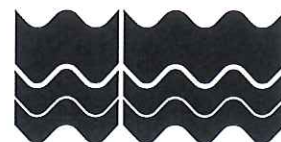


EXHIBIT LABEL

Seized Property No:	NA
Identification reference:	GMW/07
Description:	email chain from Thushya Inthirakumar Director of Four Seasons Hastings Ltd
Time/date:	22/10/20.
Produced by:	G WOLSTENHOLME
Signed:	

## Graham Wolstenholme

---

**From:** Thushya Inthirakumar <fourseasonshastingsltd@gmail.com>  
**Sent:** 24 July 2020 12:46  
**To:** Graham Wolstenholme  
**Subject:** Re: Four Seasons.

Good afternoon,

Thank you for your reply.

I hope you're well and safe.

I confirm that the bottles taken by you from our back stock room were stock from when we took over the shop.

Thanks,

Kind Regards,  
Thushya.

On 20 Jul 2020, at 8:57 am, Graham Wolstenholme [REDACTED]  
wrote:

Dear Mr Inthirakumar,  
Thank you for your email.  
Can you please clarify if this invoice is for the Blossom Hill white zinfandel which was purchased from Four Seasons by myself on the 10<sup>th</sup> June 2020 or if the bottles purchased were stock from when you took over the shop.

Kind Regards  
Graham Wolstenholme  
Senior Trading Standards Officer  
Trading Standards  
[REDACTED]

*What did you think of the service you received today?*

<image001.png>

<image002.png>

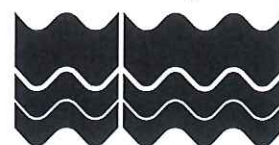
<image003.png>

<image004.png>

**From:** Thushya Inthirakumar <fourseasonshastingsltd@gmail.com>  
**Sent:** 17 July 2020 13:53  
**To:** Graham Wolstenholme [REDACTED]  
**Subject:** Four Seasons.

**Dear Graham Wolstenholme,**

I hope you're well and safe.



**EXHIBIT LABEL**

<b>Seized Property No:</b>	NA
<b>Identification reference:</b>	GMW/08
<b>Description:</b>	Companies house AD01 document showing notification of address dated stamped 06/02/2016
<b>Time/date:</b>	22/10/2020
<b>Produced by:</b>	G WOLSTENHOLME
<b>Signed:</b>	



# AD01

## Change of registered office address



Companies House

You can use the WebFiling service to file this form online.  
Please go to [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

☒ What this form is for  
You may use this form to change  
a company's registered office  
address.

☒ What this form is NOT for  
You cannot use this form to  
change the registered office address of  
a Limited Liability Partnership.  
If you want to do this, please use form  
AD02 Change of registered office address of  
a limited liability partnership.

SATURDAY



A10  
\*A505MR7S\*  
06/02/2016 #66  
COMPANIES HOUSE

### 1 Company details

Company number **9900018**  
Company name in full **FOUR SEASONS HASTINGS LTD.**

→ Filling in this form  
Please complete in typescript or in  
bold black capitals.  
All fields are mandatory unless  
specified or indicated by \*

### 2 New registered office address

The change in registered office address does not take effect until the Registrar  
has registered this notice.

A person may validly serve any document on the company at its previous  
registered office for 14 days from the date that a change of registered office is  
registered.

Building name/number **68-70**  
Street **BOHEMIA ROAD**  
Post town **ST LEONARDS - ON - SEA**  
County/Region **EAST SUSSEX**  
Postcode **TN37 6RQ**

① Change of registered office  
For England and Wales companies,  
the address provided can either be  
in England or Wales.  
For Welsh companies, the address  
provided must be in Wales.  
For companies registered in Scotland  
or Northern Ireland, the address  
provided must be in Scotland or  
Northern Ireland respectively.

### 3 Signature

I am signing this form on behalf of the company.

Signature

Signature  
**X J. Phillips**

X

This form may be signed by:  
Director ②, Secretary, Person Authorised ③, Liquidator, Administrator,  
Administrative receiver, Receiver, Receiver manager, Charity commission receiver  
and manager, CIC manager, Judicial factor.

② Societas Europaea  
If the form is being filed on behalf  
of a Societas Europaea (SE), please  
delete 'director' and insert details  
of which organ of the SE the person  
signing has membership.

③ Person authorised  
Under either section 270 or 274 of  
the Companies Act 2006.

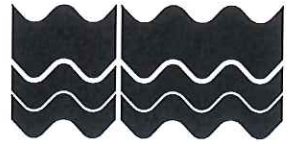



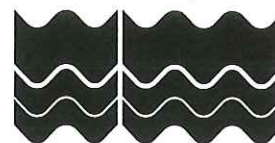
EXHIBIT LABEL

Seized Property No:	NA
Identification reference:	GMW/09
Description:	Interview in writing to Four Seasons Hastings Ltd
Time/date:	22/10/2020.
Produced by:	G WOLSTENHOLME
Signed:	

Communities, Economy & Transport  
Rupert Clubb  
BEng (Hons) CEng MICE  
Director

Floor D, West Block  
County Hall  
St Anne's Crescent  
Lewes  
East Sussex  
BN7 1UE

East Sussex  
County Council



Trading Standards  
Lucy V C Corrie  
LLB (Hons) DMS MTSI  
Head of Service

Tel: 0345 60 80 197  
trading.standards@eastsussex.gov.uk  
www.eastsussex.gov.uk

Mrs Thushya Inthirakumar  
8-70 Bohemia Road  
St Leonards-On-Sea  
East Sussex  
TN37 6RQ

Email: [fourseasonshastingsltd@gmail.com](mailto:fourseasonshastingsltd@gmail.com)

Date 17 September 2020

our ref: T/1186

Dear Mrs Inthirakumar

**Food Safety Act 1990  
Trade Marks Act 1994  
The Food Safety and Hygiene (England) Regulations 2013**

I am writing to you following your attendance at the offices of East Sussex County Council to attend a voluntary interview. At that time, I had reason to suspect that you did not have sufficient understanding of my spoken English and so it was decided that the interview would be re scheduled whilst I arranged for translation services. At that time, you informed me that you had a good understanding of written English as you had previously replied to my emails.

The reason for the interview was that on the 10/06/2020 at 12:30 hrs, officers of East Sussex Trading Standards inspected Four Seasons Hastings Ltd retail store at 68 -70 Bohemia Road, St Leonards on Sea. At that time 5 bottles of apparent Blossom Hill White Zinfandel wine were precured from Four Seasons Hastings Ltd under the above legislation (see IMG\_4736.JPG attached). Theses bottles of liquid have now been tested / inspected and are not wine because their alcoholic content is to low and are counterfeit product as they were not made by nor authorised by the brand holder of Blossom Hill.

From the information I have, it appears that some of the provisions of the above legislation may have been breached and offences committed for which you may have liability. In order to investigate this, I wish to interview you and you have agreed that the interview is conducted in writing rather than an audio recorded interview.

Please confirm your full name and your maiden name, home address, National Insurance number and place and date of birth. In addition, please confirm that as the Company Director you can make representation on behalf of the company.

Before you answer any questions, I must caution you that **YOU DO NOT HAVE TO MAKE ANY WRITTEN COMMENTS BUT IT MAY HARM YOUR DEFENCE IF YOU DO NOT MENTION WHEN QUESTIONED SOMETHING WHICH YOU LATER RELY ON IN COURT. ANYTHING YOU DO SAY MAY BE GIVEN IN EVIDENCE.**

## Part 1

The bottles of liquid procured as above and labelled as 'Blossom Hill White Zinfandel' have now been tested / inspected and are not wine. See attached test report KSS Ref:162151

### **Food Safety Act 1990**

I put it to you that Four Seasons Hastings Ltd had in its possession for the purpose of sale misdescribed food contrary to Section 15 of the Food Safety Act 1990.

Please describe in as much detail as you can what steps you took to as a business to ensure that the food exposed for sale by the business was as described.

### **The Food Safety and Hygiene (England) Regulations 2013**

You were asked for traceability for this product and replied by email that it was there when you took over the premises (see attached email dated 24/07/2020) did you send this email?

Companies House records show that Four Seasons Hastings Ltd was incorporated on the 3d December 2015 and changed its registered address to 68 – 70 Bohemia Road, Hastings, East Sussex TN376RQ on the 15<sup>th</sup> February 2016 (see attached P1186 CO House.pdf) .

Is this your signature on the AD01 form?

The packaging of this Blossom Hill White Zinfandel was not available until 2017 and so could not have been on the premises when you took over.

What or who led you to believe that these goods were in stock when you took over?

Did you receive a stock inventory when you took over the premises?

How do you explain your claim that you had it in stock a year before it was first available?

Please describe in as much detail as you can what steps you took to as a business to ensure a traceability system is in place and working.

Please supply any documents which may support your claim that the goods were in stock in 2016.

## Part 2

### **Trade Marks Act 1994**

The bottles of liquid labelled as 'Blossom Hill White Zinfandel' have now been inspected and are not Blossom Hill White Zinfandel.

I put it to you that the bottles of beverage are not genuine Blossom Hill White Zinfandel and Four Seasons Hastings Ltd had in its possession, custody or control in the course of a business goods in packaging identical to, or likely to be mistaken for, a registered trademark contrary to Section 92 of the Trade Marks Act 1994.

Do you agree that Four Seasons Hastings Ltd had in its possession on the 20<sup>th</sup> June 2020 Trade Mark infringing goods, name bottles of beverage labelled Blossom Hill White Zinfandel wine which were counterfeit (See attached photo IMG\_4736.JPG)

Did you know the goods were counterfeit?

Can you explain in as much detail as possible why you had trade mark infringing items in your possession and what steps you and the company took to prevent this happening?



Please supply any documents you may want to make reference to. These are documents which I would have the power to inspect at your premises by virtue of **Regulation 21 of the Consumer Protection from Unfair Trading Regulations 2008; Para 27 of Schedule 5 of the Consumer Rights Act**. Providing these with your response rather than during a premises visit will assist a prompt investigation.

You may wish to seek legal advice before deciding whether or not to respond to this letter. If you are intending to respond could you please do so within fourteen days of receipt of this letter.

Yours Faithfully,

---

Mr. Graham Wolstenholme  
Senior Trading Standards Officer

[Redacted signature block]

Attached documents:

A0980A.pdf: copy of KSS Ref:162151

IMG\_4736.JPG: photograph taken on premises of apparent Blossom Hill White Zinfandel prior to bagging.

P1186 CO House.pdf: Copy of AD01 from Companies House records

Email dated 240720: email between GMW and Mrs Inthirakumar



## **Notice to Persons Attending Voluntary Interview Under Caution**

\* This information is important. If you have difficulty reading it, you should show it to someone who can help you \*

The purpose of this Notice is to advise you of your rights as a suspect when attending a voluntary interview under Caution.

The purpose of the voluntary interview is to question you to obtain evidence about any involvement, or suspected involvement, that you have in the offences described when you are cautioned and told that you are not under arrest.

### **Your rights if you agree to attend a voluntary interview and for it to proceed:**

- You will not be under arrest and you will not be obliged to remain at the interview location.
- You will be under the following Caution: **You do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.**
- You have a right to be informed about the offences in question by being provided with sufficient information to enable you to understand the nature of those offences, and why you are suspected of committing them. This is in order to allow for the effective exercise of your rights as a defendant. It applies whether or not you ask for legal advice and includes any further offences that come to light and are pointed out during the voluntary interview and for which you are cautioned.
- You have a right to independent legal advice at all times and a suitably qualified person may be present at the interview. If you wish to consult a legal advisor you should arrange this before the interview.
- You may be entitled to Legal Aid. The Citizens' Advice Bureaux may give general advice on the processes involved. The Law Society can provide links to legal firms in your area and the Charity Law for Life has some useful information.
- You have a right to consult the relevant PACE Codes of Practice to which the Trading Standards Service has regard. These will be available at our offices.
- If the interviewing officer determines that you are a juvenile or that you are vulnerable; or that you need help to check documentation, you will have a right to have an appropriate adult present, or (as the case may be) to have the necessary help to check documentation. The interview will be delayed until the presence of the appropriate adult, or the necessary help, is secured.
- If, as determined by the interviewing officer, you are a juvenile or you are vulnerable, and do not want legal advice, your appropriate adult has the right to ask for a solicitor to attend if this would be in your best interests. Your appropriate adult will be so informed. In this case, action to secure the provision of advice, if so requested by your appropriate adult, will be taken without delay in the same way as if requested by you.
- You have a right to an interpreter, if the interviewing officer determines that you require an interpreter. If you do require an interpreter, then he/she will be appointed by East Sussex County Council Trading Standards. The interviewing officer will make the necessary arrangements and the interview will be delayed for those arrangements to be made.
- The interview will be arranged for a time and location that enables your rights described above to be fully respected. The entire interview will be recorded using an authorised recording device (in accordance with PACE Code 'E' – Code of Practice on audio recording of interviews with suspects, or Code 'F' – Code of Practice on visual recording with sound of interviews with suspects).

- Your agreement to take part in the interview also signifies your agreement for the interview to be audio-recorded, or (as the case may be) visually recorded with sound.

## Graham Wolstenholme

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**From:** Graham Wolstenholme  
**Sent:** 17 September 2020 09:10  
**To:** 'fourseasonshastingsltd@gmail.com'  
**Subject:** P1186 Trading Standards interview under caution by letter  
**Attachments:** A0980A.pdf; IMG\_4736.JPG; P1186 CO House.pdf; Email dated 240720.pdf; P1186 luC letter.doc

Dear Mrs Inthirakumar

Please find attached letter of interview under caution and supporting documents.

A0980A.pdf: copy of KSS Ref:162151

IMG\_4736.JPG: photograph taken on premises of apparent Blossom Hill White Zinfandel prior to bagging.

P1186 CO House.pdf: Copy of AD01 from Companies House records

Email dated 240720: email between GMW and Mrs Inthirakumar

Kind Regards

Graham Wolstenholme  
Senior Trading Standards Officer  
Trading Standards

*What did you think of the service you received today?*







KSS Ref: 162151  
Client Ref: A0980B  
Date: 1 July 2020  
Summary **Not Satisfactory**  
Opinion

To: G Wolstenholme  
East Sussex County Council  
Trading Standards  
County Hall  
St Anne's Crescent  
Lewes  
East Sussex  
BN7 1UE

**Certificate of Analysis or Examination carried out under the Food Safety  
(Sampling and Qualifications) (England) Regulations 2013**

Reference number: **A0980B**  
Date sample taken: **16 June 2020°**  
Description: **Blossom Hill White Zinfandel Wine - Lot None**  
Place of Sampling: **Four Seasons, Hastings°**  
Date analysis completed: **1 July 2020**  
Weight or Volume:

I, the undersigned, Public Analyst for East Sussex County Council, certify that on 17 June 2020, the sample marked as above was received by me from G Wolstenholme. I certify that the sample was analysed by me or under my direction and the results are as follows:-

A summary opinion based solely on the tests applied to the sample is provided to assist the reader however the report as a whole must be read.

Determination	Result	Method Code	Method Recovery %
Alcohol	6.0 ± 0.1 %vol	KSS M6a	
Methanol	95.6 g/100LEtOH	KSS M61 *	

**My opinion and observations are:**

The sample was a red coloured mobile liquid which had a detectable alcoholic odour and taste.

An alcoholic drink (wine) with a declared alcohol content of 10.5%vol is permitted to contain a maximum of 11.0%vol and a minimum of 10.0%vol and therefore the amount of alcohol found was low and outside the acceptable tolerance (Regulation (EU) No 1169/2011, Annex XII).

Methanol was found at a concentration of 95.6g/100L of Ethanol and other volatile congeners consistent with the production of an alcoholic drink by a fermentation process were detected.

The food was described as "Wine of USA". Wine, as defined, is a product obtained exclusively from the total or partial alcoholic fermentation of fresh grapes or grape must and should have an alcoholic strength of not less than 8.5% volume. Based on the analysis carried out, therefore, the sample was not wine as defined (Regulation (EU) No 1308/2013, Annex VII, Part II).

In my opinion, the sample was falsely described within the meaning of section 15 of the Food Safety Act 1990.


I further certify that the sample had undergone no change which would affect my results, opinion or observations.

Certified by me this 1st day of July 2020, at Kings Hill.

KSS Ref: 162151  
Client Ref: A0980B  
Date: 1 July 2020

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JON GRIFFIN  
Public Analyst  
BSc (Hons) MChemA CChem  
MRSC



The test result for a food or feed contaminant has been corrected for recovery using the average method recovery indicated and consists of the analytical result followed by the measurement uncertainty value that is based on a coverage factor of 2 providing a level of confidence of approximately 95%.

Tests marked \* in this report are not UKAS accredited and are not included in the UKAS Accreditation Schedule for our laboratory.

Test methods developed under the UKAS flexible scope are marked ^.

Methods marked + in this report are subcontracted.

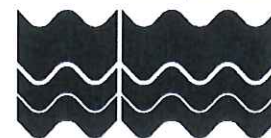
Information marked ° in this report has been provided by the customer.

The results in this report apply to the sample as received.


The results in this report relate only to the items tested.

Opinion and interpretations which are not based on the reported analytical results are outside the scope of UKAS accreditation.





**EXHIBIT LABEL**

Seized Property No:	NA
Identification reference:	TD04
Description:	Photographs taken during inspection
Time/date:	22/10/2020
Produced by:	Tim DOWDING
Signed:	<u></u>











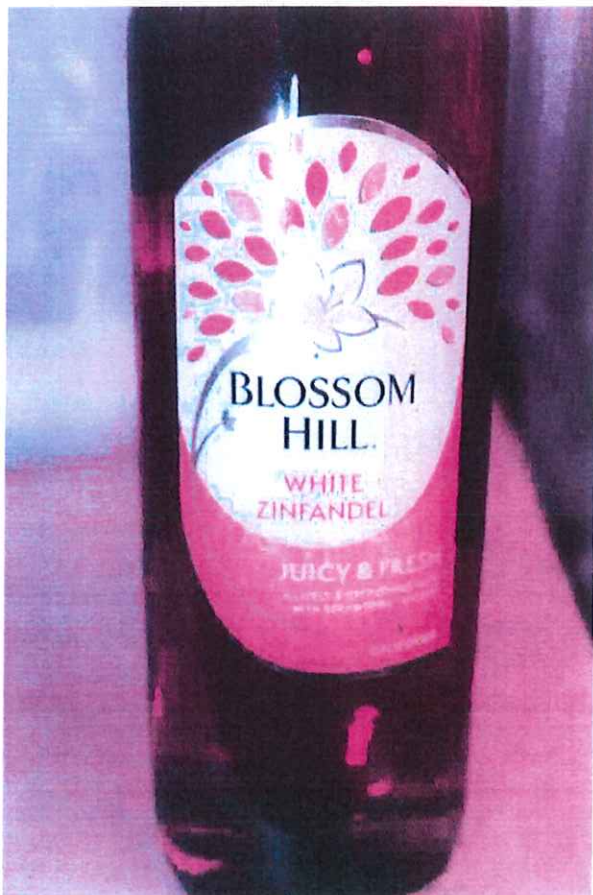






[illegible]

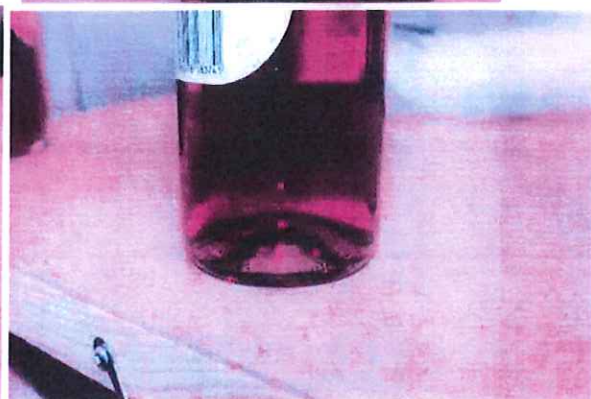
Exhibit TD01a



Signed: *Rachelle Rush*  
Rachelle Rush  
Head of Supply Chain Projects, NPD and Quality  
Treasury Wine Estates EMEA  
Date: 20/10/2020



**Exhibit TD01b**



Signed:   
Rachelle Rush  
Head of Supply Chain Projects, NPD and Quality  
Treasury Wine Estates EMEA  
Date: 20/10/2020

Exhibit TD01c



Signed: *Rachelle Rush*  
Rachelle Rush  
Head of Supply Chain Projects, NPD and Quality  
Treasury Wine Estates EMEA  
Date: 20/10/2020

[Skip to main content](#)

## **Intellectual Property Office**

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**Trade mark number**

WE00001305079

**Status**

Protected

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### **Overview**

#### **Trade mark**

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### **Mark details**

**Trade mark type**

Mark consists of colour or colours per se

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### **Dates**

**Date protection granted in EU**

19 January 2017

**Renewal date**

17 May 2026



**International registration date**

17 May 2016

**Date of Designation of the EU**

17 May 2016

**Office of origin**

Australia

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**Priority details**

**Priority date**

12 May 2016

**Priority country**

Australia

**TM from which priority claimed**

1770495

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**Goods and services**

**Classes and terms**

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**Class 33**

Wine.

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**Names and addresses**

**Holder's name**

**Treasury Chateau & Estates**

240 Gateway Road West, Napa California 94558, United States of America

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**WIPO representative name**

**TREASURY WINE ESTATES AUSTRALIA LIMITED**

Level 8, 161 Collins Street, Melbourne Victoria 3000, Australia

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The information displayed is our version of the details supplied by WIPO. For the official register of the case please refer to the [WIPO website](#).

Intellectual Property Office is an operating name of the Patent Office

**Statement of Grant of Protection where no notification of provisional refusal  
has been communicated pursuant to Rule 18ter(1) of the Common Regulations  
under the Madrid Agreement and Protocol and Rule 116(2) EUTMIR**

Alicante, 19/01/2017

*International registration number:* **1305079**  
*Date of notification to the EUIPO:* **11-08-2016**  
*Name of the Holder:* **Treasury Chateau & Estates**  
*Trade Mark:* **BLOSSOM HILL**

The opposition period has expired without any opposition or observations by third parties being filed and the abovementioned mark is accepted for protection in the European Union.

The mark has been published pursuant to Article 152(2) EUTMR on **19/01/2017**.

Pursuant to Article 151(2) EUTMR and Rule 116(1) EUTMIR, it shall have the same effect as the registration of a mark as an European Union trade mark.

**SIRVINSKIENE, Julija**