

DH responds to media enquiries on case of importing alternative smoking products

In response to media enquiries about a convicted case of importing alternative smoking products (ASPs), a spokesman for the Department of Health (DH) today (April 25) reiterated that the government has always been taking stringent enforcement actions to deter illegal activities under the relevant ordinances.

The Hong Kong Customs and Excise Department intercepted a man in the West Kowloon Station of the Express Rail Link on January 28, 2024, when over 100 ASPs were found on him and in his luggage. Upon investigation by the Tobacco and Alcohol Control Office (TACO) of the DH, the man was charged with contravening the Import and Export Ordinance (Cap. 60) by importing ASPs. He was convicted at the Kowloon City Magistrates' Courts today, and fined \$5,000.

According to the Import and Export Ordinance (Cap. 60), a person who imports alternative smoking products, including electronic smoking products, heated tobacco products and herbal cigarettes, commits an offence and is liable on summary conviction to a fine of \$500,000 and imprisonment for two years; or is liable on conviction on indictment to a fine of \$2,000,000 and imprisonment for seven years.

Moreover, in accordance with the Smoking (Public Health) Ordinance (Cap. 371), no person may promote, manufacture, sell, or possess for commercial purposes alternative smoking products, offender is liable to a fine of \$50,000 and imprisonment for six months.

The spokesman stressed that TACO has always been closely monitoring and taking stringent enforcement actions against violations of the ordinances. TACO will also conduct an investigation upon receiving complaints or referrals, and lay charges against offenders when sufficient evidence is found. Since the ban on ASPs came into effect on April 30, 2022, more than 350 cases have been convicted of importing ASPs as of March 31, 2024. The highest penalty for these convicted cases was a fine of \$24,000.

The spokesman cautioned against the use of any ASPs and stressed that these products contain amounts of nicotine similar to those of conventional cigarettes in order to sustain addiction. In addition, health hazards of long-term exposure to ASPs are unknown. The Government appeals to smokers to quit smoking as early as possible for their own health and that of others. They are encouraged to call the DH's Integrated Smoking Cessation Hotline on 1833 183, and information on smoking cessation can also be obtained from www.livetobaccofree.hk.