

**Department of Health's enforcement figures in relation to alternative smoking products (ASPs)**

		Referrals from other departments	Complaints received	No. of inspections conducted	Warning letters <sup>1</sup>	Self declaration <sup>2</sup>	Summons <sup>3</sup>	Convicted cases	Cannot be processed <sup>4</sup>	Processing
Import	Passenger	546	0	N.A. <sup>5</sup>	9	193	128	41	0	216
	Cargo	59	0		N.A.	N.A.	1	0	39	19
	Parcel	329	0				2	0	215	112
Manufacture		0	0	0			0	0	0	0
Sales	Face-to-face retail sales	25	35	670			4	0	33	26
	Online sales	39	22	N.A. <sup>6</sup>			0	0	38	23
	Leaflet sales	322	67	N.A. <sup>7</sup>			1	0	162	226
Possession for commercial purposes		7	1	2			10	2	1	1

1. During the grace period in the first three months of the Smoking (Public Health) (Amendment) Ordinance 2021, the Tobacco and Alcohol Control Office (TACO) issued warning letters to visitors who carried small quantities of ASPs into Hong Kong.
2. Some of the referrals were made by passengers who voluntarily declared to the Customs and Excise Department (C&ED) on possession of ASPs. The TACO will not prosecute these passengers as they have no intention to illegally import ASPs.
3. For cases on sales and possession of ASPs, each case may involve more than one charge (or summons).
4. These concern cases where there is insufficient information or evidence for further actions, or where there is insufficient evidence for prosecution after seeking legal advice from the Department of Justice.
5. The C&ED is responsible for intercepting illegally imported ASPs at border control points and referring them to the TACO for follow-up; hence, the TACO does not conduct inspections at border control points.
6. The TACO has assigned dedicated staff to conduct regular online surveillance of the online sale of ASPs. The monitoring figures cannot be quantified per action.

7. The Housing Department, the Police and the TACO have established a co-operation mechanism to take immediate action and refer cases to the TACO for follow-up if the distribution of leaflets is found.