

WHAT IS THE **ILLEGAL TRADE** IN CIGARETTES?

Types of illicit trade:

- Duty-not-Paid
 - Compliant with the Tobacco Products Control Act but duties not paid.
 - Non-compliant with the Tobacco Products Control Act and no duties paid.
- Counterfeit

** In South Africa, Duty-not-Paid is the most common one.*



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HOW TO SPOT ILLEGAL CIGARETTES

1. PRICE

As of March 2014, a retail price to the consumer of less than R16.50 per pack could indicate that excise and VAT has not been paid (Contravenes the Customs and Excise Act)

5. TAR / NICOTINE READING

Readings on the pack are higher than 12 mg Tar and / or 1,2 mg Nicotine (Contravenes the Tobacco Products Control Act)

HEALTH WARNING

Absence of / incorrect health warnings (Contravenes the Tobacco Products Control Act)

3.

Tobacco smoke contains many harmful chemicals such as carbon monoxide, cyanide, nicotine and tar, which can cause disease and death. Non-smokers and ex-smokers, on average, live longer and are healthier than smokers. For more information call (011) 720-3145

DANGER: SMOKING
CAUSES HEART DISEASE

5.

Reduced
Ignition
Propensity

DANGER: SMOKING
CAUSES HEART DISEASE

6.

'REDUCED IGNITION PROPENSITY' MARKING

Absence of the 'Reduced Ignition Propensity' marking on the pack (Contravenes the Tobacco Products Control Act – Regulation No. R429 Relating to the Standards for Manufacturing of Reduced Ignition Propensity Cigarettes)

2.

SA DIAMOND STAMP

Absence of the SA diamond stamp, which could be positioned anywhere on the pack, but is normally positioned at the bottom of the pack (Contravenes the Customs and Excise Act)

4.

QUIT LINE NUMBER

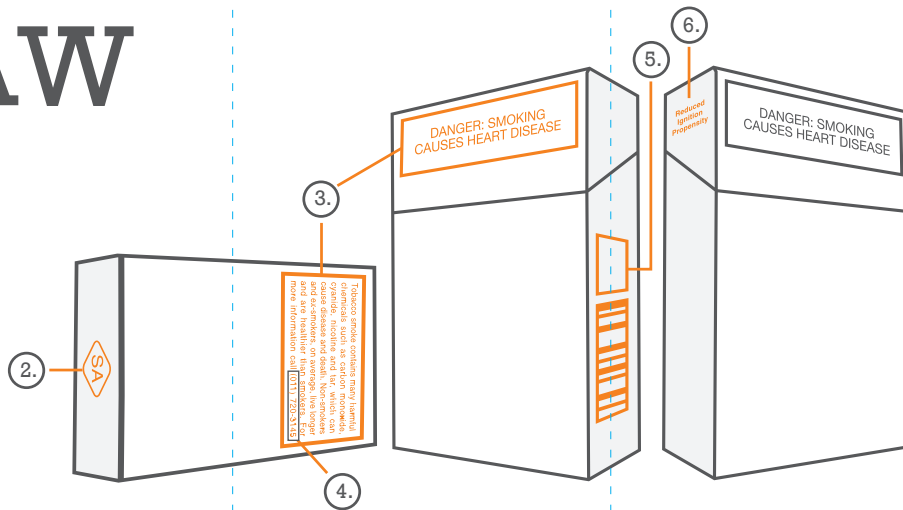
Absence of quitline number or incorrect quitline number (Contravenes the Tobacco Products Control Act)



WHAT THE LAW SAYS ABOUT ILLEGAL CIGARETTES



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GLUE



ISSUE	PRESCRIBED ACT	DESCRIPTION	CHARGE	PENALTY FOR NON-COMPLIANCE
01 Price.	Customs and Excise Act, No. 91 of 1964 (As Amended).	As of March 2014, a retail price to the consumer of less than R16.50 per pack of 20 cigarettes could indicate that the necessary taxes (excise tax and VAT) have not been paid. ¹	Contravention in terms of Section 80(1)(a) of the Customs and Excise Act, No. 91 of 1964 (as amended):	<ul style="list-style-type: none"> • A fine of R20 000 or three times the value of the goods, • Up to 5 years in prison.
02 Absence of the SA diamond stamp on the pack.	Customs and Excise Act, No. 91 of 1964 (As Amended).	The stamp impression is an embossed imprint of the letters "SA" inside a diamond shape, normally positioned at the bottom of the pack, but could be positioned anywhere on the pack.	<ul style="list-style-type: none"> • Possession of illicit goods. • Duty not paid. 	
03 Absence of health warnings or incorrect health warnings.	Tobacco Products Control Act, No.83 of 1993 (As Amended).	The labeling regulations require that 1 out of 8 sets of corresponding front and back health warnings must appear at the top across the full width of the pack, with the required size and colours.	Contravention of Section 3A and-/ or Section 3(7)(a) as set out in Section 7(3) of the Tobacco Products Control Act, No. 83 of 1993 (as amended):	<ul style="list-style-type: none"> • Government has the right to confiscate the non-compliant stock and the seller can be liable for a penalty of up to R 1 million upon conviction.
04 Absence of the quitline number or incorrect quitline number on the back of pack.	Tobacco Products Control Act, No.83 of 1993 (As Amended).	The warning at the back must contain the quitline number of (011) 720-3145. Also note 011 720-3145 is also acceptable and can include the international dialling code +27(0).		
05 Readings on the pack exceeding 12 mg Tar and 1,2 mg Nicotine.	Tobacco Products Control Act, No.83 of 1993 (As Amended).	The maximum levels of 12 mg tar and 1,2 mg nicotine apply to all cigarettes sold in the Republic of South Africa and must be indicated on one of the long sides of the pack.		
06 Absence of the 'Reduced Ignition Propensity' marking on the pack, carton and master case.	Tobacco Products Control Act – Regulation No. R429 Relating to the Standards for Manufacturing of Reduced Ignition Propensity Cigarettes.	Reduced Ignition Propensity is a South African Government safety standard which attempts to reduce the chances of an accidental fire being caused by a burning cigarette when left unattended. All cigarettes imported into, manufactured or sold in South Africa must comply with this safety standard and feature the words: "Reduced Ignition Propensity" anywhere on the pack.	Sale of tobacco products that are not marked in the prescribed manner.	

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GLUE

TO REPORT ILLEGAL
CIGARETTES CONTACT:

TISA HOTLINE
0800 214 710



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