

9 July 2025

Brynn Pierce
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Tēnā koe Brynn

Your request for official information, reference: HNZ00090435

Thank you for your email on 10 June 2025, asking Health New Zealand | Te Whatu Ora for the following under the Official Information Act 1982 (the OIA):

“Total number of controlled purchase operations undertaken within the Wellington Region, since the beginning of 2025.

The percentage of stores which failed these controlled purchase operations.

The resulting enforcement actions taken against
a) Individuals, such as store attendants and owners
b) The company as a whole

The specific stores that have been visited, and the result from this investigation (ex, which stores specifically passed/failed.) Health NZ's approach to issuing infringement notices rather than starting criminal proceedings. My understanding is that infringement notices is the usual approach; given the severity, and low penalty comparative to the profits, why is this the case.

Health NZ's method for undertaking controlled purchase operations in Wellington, and the frequency these are done at.
Reoffending rates, and what is done to manage this.”

Response

For clarity, I will address each part of your request.

Total number of controlled purchase operations undertaken within the Wellington Region, since the beginning of 2025.

The percentage of stores which failed these controlled purchase operations.

The resulting enforcement actions taken against
a) Individuals, such as store attendants and owners
b) The company as a whole

I can advise that from 1 January 2025 to 4 July 2025; 34 premises have been tested for compliance with the law where tobacco and regulated products must not be sold to persons under 18 years of age. Two of the 34 (5.9%) premises failed and sold to a minor.

The legal entity of each premises who sold to a young person under 18 years of age receives an infringement notice of up to \$2,000.

The specific stores that have been visited, and the result from this investigation (ex, which stores specifically passed/failed.

Please refer to the below table for the compliance result of these 34 premises.

Table One: Premises visited between 1 January 2025 to 4 July 2025 and the compliance result.

Premises	Store Type*	Result
Shosha Lower Hutt	SVR	No Sale
Park Ave Vape	SVR	No Sale
Discount T Vape Lower Hutt	SVR	No Sale
Cosmic Corner Lower Hutt	SVR	No Sale
Vape Hub Lower Hutt	SVR	No Sale
I-Vape Taita	SVR	No Sale
Vape King	SVR	No Sale
Vape Pen Zone	SVR	No Sale
The Vape Shop	SVR	No Sale
Vape & Juice Petone	SVR	No Sale
Kiwi Vapes	SVR	No Sale
Petone Vape	SVR	No Sale
E Vape Petone	SVR	No Sale
Supervape	SVR	Sale (Vape)
Shosha Otaki	SVR	No Sale
Otaki Minimart Vape Store	SVR	No Sale
Vape Vend Paraparaumu	SVR	No Sale
E-Vape Paraparaumu	SVR	No Sale
Caktus Vape	SVR	No Sale
Shosha Paraparaumu	SVR	No Sale
I-VAPE Shop Waikanae	SVR	No Sale
E Vape Waikanae	SVR	No Sale
Big Barrel Newtown	Tobacco	No Sale
Central Street	GR	No Sale
Coromandel Corner Store	GR	No Sale
Eastern Food Distributors	GR	No Sale
Jimmy's Fruit Mart	GR	Sale (Vape)
New World Newtown	GR	No Sale
One General Grocer Newtown	GR	No Sale
Vasana Traders	Tobacco	No Sale
E Vape Newtown	SVR	No Sale
Capital Mart	GR	No Sale
Invincible mini-mart	GR	No Sale
Willis Street Superette	GR	No Sale

*SVR Specialist vape retailer, GR general retailer who sells tobacco and regulated products including vapes, Tobacco sells tobacco products only.

Health NZ's approach to issuing infringement notices rather than starting criminal proceedings. My understanding is that infringement notices is the usual approach; given the severity, and low penalty comparative to the profits, why is this the case.

Health NZ takes a graduated and proportionate approach to enforcement to ensure responses are appropriate to the nature and seriousness of the offending. Infringement notices are typically

issued as the first enforcement step to address breaches of regulated product laws. This allows for timely intervention to correct non-compliance before next steps of legal action.

Prosecutions are generally reserved for the most serious or deliberate breaches, or where a retailer demonstrates an ongoing pattern of non-compliance, despite receiving infringement notices or other enforcement action.

Health NZ's method for undertaking controlled purchase operations in Wellington, and the frequency these are done at.

Controlled purchase operations (CPOs) involve trained young persons aged 15–17 years who enter retail premises and attempt to purchase products that are legally restricted based on age. In selecting sites for CPOs, Wellington staff prioritise premises based on a range of factors; including prior compliance history, local demographics and levels of deprivation, complaints received and the time elapsed since the last operation. The CPOs are typically conducted during school holidays, when participating young people are more readily available.

Repeat CPOs are conducted with those who breach the Smokefree, Environments and Regulated Products Act (SERPA).

Reoffending rates, and what is done to manage this

Health NZ closely monitors compliance trends, including instances of reoffending by retailers and individuals. Where a pattern of non-compliance is identified, stronger enforcement responses i.e. prosecution, approval suspension can be applied to ensure repeated breaches are appropriately addressed.

How to get in touch

If you have any questions, you can contact us at h.nzOIA@tewhatuora.govt.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

As this information may be of interest to other members of the public, Health NZ may proactively release a copy of this response on our website. All requester data, including your name and contact details, will be removed prior to release.

Nāku iti noa, nā



Sasha Wood

Head of Government Services

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Te Kāwanatanga o Aotearoa
New Zealand Government