Occurrence Number:		URN				

Witness contact details: Statement of: David WILLIAMS			
Home address:	[redacted]		
Home telephone No.:		Work telephone No.:	[redacted]
Mobile/Pager No.:	[redacted]	Email address:	[redacted]
Preferred means of contact (specify details):	Mobile		
Best time of contact (specify details):	Daytime		
Gender:	Male	Date of Birth:	[redacted]
Ethnicity code (16+1):	W 1	Place of Birth:	[redacted]
Former Name:		Religion/Belief (specify):	[redacted]
DATES OF WITNESS NON-AVAILABILITY:			

Witness care		
a)	Is the witness willing and likely to attend court?	YES If 'No', include reason(s) on form **MG6**
b)	What can be done to ensure attendance?	
c)	Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case)	NO If 'Yes', submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
d)	Does the witness have any particular needs?	NO If 'Yes', what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)		
a)	The Victim Personal Statement scheme (victims only) has been explained to me:	NO
b)	I have been given the Victim Personal Statement leaflet and I DO NOT / I DO wish to make a Victim Personal Statement at this time.	NO
c)	I have been given the leaflet "Giving a witness statement to the police – what happens next?"	NO
d)	I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice):	N/A
e)	I consent to my medical record in relation to this matter being disclosed to the defence:	N/A
f)	I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA:	N/A

Signature of witness:		PRINT NAME:	D WILLIAMS
Signature of parent/guardian/ appropriate adult:		PRINT NAME:	
Address and telephone number if different from above:			
Statement taken by (print name):	Self	Station:	Lincoln
Time and Place Statement taken:	10am place of work		

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Occurrence Number:		URN				

Statement of:	**David WILLIAMS**		
Age if under 18:	**Over 18** (if over 18 insert 'over 18')	Occupation:	Controlled Drugs Officer

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:	D WILLIAMS	**Date:**	22/12/2020

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am employed by Lincolnshire Police as the force Controlled Drugs Officer. I work within the various legislations that regulate the use of Controlled Drugs and I am empowered by the Secretary of State for Health under section 20 (5) of the Health Act 2006 to carry out inspections for the purpose of securing the safe, appropriate and effective management and use of Controlled Drugs.

As part of my role I have assisted and carried out inspections of premises throughout the county with members of staff from the Medicines and Healthcare Products Regulatory Agency (MHRA), in relation to the possession and sale of unauthorised medicinal products from shop premises. These products are regulated under the Human Medicines Regulations 2012 (HMR 2012) and make it an offence under regulation 46(3) and 47(1) to possess unlicensed medicines knowing or having reasonable cause to believe that the product was intended to be sold or supplied to another person within the European Economic Area. Under medicines legislation, it is unlawful for medicinal products for human use to be marketed, manufactured, imported from a third country, distributed and sold in the United Kingdom (UK) except in accordance with the appropriate licences or exemptions. The UK has three legal classes of authorised medicines:

General sale list (GSL) medicines are suitable for sale and normal use without supervision or advice from a pharmacist or doctor and in the UK GSL medicines can be sold in most shops

Signature:	D Williams	Signature witnessed by:	

Occurrence Number:		URN				

Statement of:	**David WILLIAMS**

(without a licence) for example Anadin, Panadol, Nurofen Ibruprofen but these have to be UK sourced, and have the marketing authorisation and correct UK packaging and leaflets, you cannot sell foreign medicines even GSL's as you would breach the HMR 2012.

Pharmacy (P) medicines can only be obtained from a pharmacy and are sold or supplied under the supervision of a pharmacist

Prescription-only medicines (POM) must be prescribed by an authorised healthcare professional, for example a doctor, dentist or independent prescriber. Genuine foreign versions of UK licensed POMS will be POMS under regulation 3(b) because even though the foreign version will not have a UK marketing authorisation, it will contain the same active ingredient as the UK licensed product and that active ingredient will be listed in column 1 of schedule 1 to the POM order.

For the medicines to be licensed for use in the UK they must be manufactured and branded in English livered writing and the enclosed patient leaflet also must be the same. The use of over stickers and translated leaflets is not allowed and is also an offence and could be classed as manufacturing. As well as the English livery the packaging will also have a PL number, this refers to the product licence and who the licence holder is.

A product will only be a medicine if it satisfies the following definition:

Any substance or combination of substances presented as having properties for treating or preventing disease in human beings

Any substance or combination of substances which may be used in or administered to human beings either with a view to restoring, correcting or modifying physiological functions by exerting a pharmacological, immunological or metabolic action, or to making a medical diagnosis.

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When medicines are manufactured the packaging, it is contained in will include a lot or manufacturing code (i.e. batch number) and an expiry date. The purpose of the batch number is so if a product must be recalled then it is often identified by the batch number. The expiry date relates to when the medication should be used by and should not be available for sale after this date. After the expiry date medicines may not be safe or as effective.

On the 9th December 2020 Officers attended the premises of Zabka, Portland Street, Lincoln. The officers attending carried out a search of the premises and seized a quantity of foreign livered medicines from display in the shop. These products were placed in two large plastic bags and sealed with an evidence seal tag. The tag numbers are Bag 1 Tag number 0479381 Police Exhibit GMM/1 and Bag 2 Tag number 0479287 Police Exhibit GMM/2. I have since examined the contents of these bags and confirm that although they appear to be medicines and supplements manufactured by licensed manufacturers they are in non-English livery. None of the boxes have a PL number on them but were labelled with a price label so were clearly for sale to the public, all the products were in date. I do not intend to comment on all the individual medicines seized from the shop as there were 190 individual products of various sorts. I have used both the British National Formulary (BNF) and the EMC as a reference; the electronic Medicines Compendium (eMC) contains up to date, easily accessible information about medicines licensed for use in the UK. The eMC has more than 14,000 documents, all of which have been checked and approved by either the UK or European government agencies which license medicines. These agencies are the UK Medicines and Healthcare Products Regulatory Agency (MHRA) and the European Medicines Agency (EMA).

Upon examination of the sealed bags there were some products that in the UK would be

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classed as prescription only medication (POM) these were 3 boxes of Duomox Amoxicillinum (amoxicillin) 1g tabletek (tablets) with 20 tablets in each box priced at £15:49 each box. This is a form of penicillin type drug containing Amoxycillin and in the UK isn't available in this strength. The equivalent product in the UK is only available on prescription from a GP and obtained from a pharmacy. There were also 3 boxes of Ketonal Forte 100mg tabletek Sandoz brand with 30 tablets in each priced at £13:99 each. These are an anti-inflammatory drug containing Ketoprofen the equivalent product in the UK is only available on prescription from a GP and obtained from a pharmacy. There were 3 boxes of Allegra 120mg tabletek Sanofi brand there were 10 tablets in each box priced at £3.99. These tablets contain the drug Fexofenadine which in the UK is a prescription only medication which is prescribed as an antihistamine from a GP and obtained from a pharmacy. From the other medicines that I examined what should be born in mind is that if they were to be sold in Poland they would only available from a pharmacy under the direction of a pharmacist as they have to be happy that suitable advice can be given to the person who is taking them should they be pregnant or if it is being purchased for a child as a lot of the medication was for babies and infants so they should ensure that the correct dose is given depending upon the age of the child. From the medicines that I examined I have formed the opinion that if they were licensed for sale in the UK which none were there would be a mixture of prescription only medication, pharmacy and general sales list products.

Signature:	D Williams	Signature witnessed by:	