



From mountain to sea

# Trading Standards Bulletin

## Bulletin No. 38

### Doorstep Crime/ Cold Calling

Nothing to report

### Scams

#### Covid Texts

One resident from the Formartine area recently received a text on his mobile phone purporting to be from the NHS. The text claimed that the resident had recently been in contact with someone who had tested positive for the Omicron variant of Covid-19. The resident felt fit and well and had had no positive Lateral Flow Test (LFT) results.

The text went on to say that the recipient should order a polymerase chain reaction (PCR) test kit from a named web address (which was nothing to do with the NHS or the [www.gov.uk](http://www.gov.uk) website) and that they would have to pay for postage, which was substantial. Rightly discerning that the text was a scam, he ignored it and reported the matter to Trading Standards.

Please bear in mind that PCR tests are used only when someone already displays symptoms of Covid, otherwise it's a LFT that's required. These can be ordered, completely free, from <https://www.gov.uk/order-coronavirus-rapid-lateral-flow-tests> or if a PCR kit is required these can be ordered from <https://www.gov.uk/get-coronavirus-test> regardless of where you live in the United Kingdom.

One last point; spam texts where possible should be forwarded to 7726 so that telecoms companies can collate information on the sender, with a view to blocking their texts.

### Misc.

#### Chargeback

In a previous Bulletin, we addressed the subject of Section 75 protection for some transactions made with credit cards. A similar facility called Chargeback

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exists for most transactions made by debit card, and some credit card transactions where Section 75 doesn't apply or the cost of goods and/or services is below £100.

Chargeback can apply when the goods you ordered arrive and you find that they have been damaged in transit, or if the goods are not as they had been described in the advert which caused you to make the purchase. Chargeback can also apply where goods are not delivered at all, perhaps because the trader has ceased trading.

Unlike Section 75 protection, there's no joint liability between the trader and the debit card issuer. Where there is a problem, the customer should make a complaint to the bank which issued their card within 120 days of the date of the transaction or expected delivery date for the goods. This bank will then seek to recover the money from the trader's bank for returning to the customer.

There are some conditions to be aware of though: there is no guarantee that the complaint will be successful; not all banks subscribe to the Chargeback scheme (which is a voluntary scheme); the customer will have to provide some evidence of breach of contract (such as wrongdoing by the trader or failure to fulfil their promise). There may also be insufficient funds in the trader's bank account to cover the sum of the Chargeback. There is no upper limit to a Chargeback claim but it can only be up to the same amount originally charged to the customer's card. Cash withdrawals are not covered and payments via PayPal may also not be covered.

Should a claim be turned down, a customer can appeal to the Financial Ombudsman ( <https://www.financial-ombudsman.org.uk/> ). If in doubt, Trading Standards can provide advice on Chargeback and Section 75 protection.

### Avian Influenza

This article has been included at the request of the Animal Health & Welfare Team.

On 3 November 2021, the whole of Scotland was declared an Avian Influenza Prevention Zone by Scottish Ministers.

Avian Influenza (commonly known as bird flu) is a group of over 20 highly infectious viruses which occur in wild and domesticated birds. These viruses can be easily transmitted from wild birds to domesticated birds of any type, usually through physical contact, feathers or faeces. Most commonly, the H5N1 strain has been detected in the UK.



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The Order to house all kept birds came into force on 29<sup>th</sup> November 2021

Declaration of an Avian Influenza Prevention Zone brings with it certain responsibilities under the Animal Health Act 1981 on the owners of all domesticated birds, including chickens, ducks and geese. Where domesticated birds are kept, these responsibilities include:

- Precautions being taken to prevent the transmission of the disease by means of disinfection and good biosecurity practices.
- Effective vermin control is carried out.
- Feed, water and bedding are stored in a way which minimises the risk of virus contamination.
- Effective measures are in place to keep domesticated birds separate from wild birds, their feathers or faeces.
- Additional measures are placed on the owners of more than 50 birds and again further measures on the owners of more than 500 birds.
- Poultry keepers are encouraged to register their flock with APHA, this is compulsory if you keep more than 50 birds.

These provisions also apply to captive single birds such as parrots, parakeets and budgies.

If you suspect that your captive birds may have Avian Influenza you must report it to APHA or on discovery of dead wild birds report it to the Defra Helpline on 0345 933 5577.

For further advice on the housing requirement, please contact the Animal Health & Welfare Team at Aberdeenshire Council at [animalhealth@aberdeenshire.gov.uk](mailto:animalhealth@aberdeenshire.gov.uk)

Due to the potential damage bird flu could cause to industry and the environment, failure to abide by the legislation may amount to an offence which may be punishable by a fine, imprisonment or both. Further information can be found at <https://www.gov.scot/publications/avian-influenza-prevention-zone-including-housing-november-2021/>

### **Conclusion**

Please note that the advice given in these bulletins has been deliberately kept simple, so that if you are faced with a scenario such as the ones discussed here where fear, panic and alarm are often tools used deliberately by scammers, you



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will know what to do at that time. Remember, after the initial panic is over, you may have rights which Trading Standards can help you with.

If you have been the victim of a Doorstep Crime or an attempted crime, whether Bogus Caller or Rogue Trader, please report the matter to Consumer Advice Scotland so that Trading Standards can build a detailed, ongoing picture of the activities of these scammers throughout the Shire. This would be a great help to us to tackle this sort of crime.

If you have any information to share about the unlawful sale of tobacco or disposable vapes, please use the Contact Info below to pass that information to Trading Standards. If you would prefer, you can report the information anonymously to Crimestoppers on 0800 555 111.

### **Contact Info**

For urgent Trading Standards matters, contact Aberdeenshire Council's Trading Standards at 01467 537222. For non-urgent enquiries, please contact Consumer Advice Scotland at <https://www.consumeradvice.scot/> or on 0808 164 6000.

Contact Police Scotland on 999 if you need urgent Police assistance or 101 for non-urgent matters.

For more information about scams please visit Friends Against Scams at <https://www.friendsagainstscams.org.uk/> or Take Five at <https://takefive-stopfraud.org.uk/>

Please direct any media queries to [news@aberdeenshire.gov.uk](mailto:news@aberdeenshire.gov.uk) or 01467 538222 during office hours.

All previous Trading Standards bulletins can be found at: <http://publications.aberdeenshire.gov.uk/dataset/trading-standards-crime-and-scams-bulletin>