

Robin J. Balmain  
**H.M. CORONER**



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**BLACK COUNTRY CORONER'S DISTRICT**  
**(SANDWELL • DUDLEY • WALSALL • WOLVERHAMPTON**  
**Metropolitan Borough Councils)**

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Date: 16 October 2013

Our Ref: RJB/BAP

Your Ref:

REGULATION 28 REPORT TO PREVENT FUTURE DEATHS

**THIS REPORT IS BEING SENT TO :**

The Secretary of State  
Department of Health  
Richmond House  
79 Whitehall  
London SW1A 2NL

1. CORONER

I Robin John Balmain am the Senior Coroner for the Black Country Coroners Jurisdiction

2. CORONER'S LEGAL POWERS

I make this report under {paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.

3. INVESTIGATION AND INQUEST

On 2<sup>nd</sup> May 2013 I commenced an investigation into the death of JOHN JAMES JACKSON. The investigation concluded at the end of the inquest on 10<sup>th</sup> October 2013. The conclusion of the inquest was that death was due to an accident.

4. CIRCUMSTANCES OF THE DEATH

This man was found dead at his home. Life was pronounced extinct at 12 noon on 2<sup>nd</sup> May 2013.

5. CORONERS CONCERNS

I heard and accepted evidence that the deceased was a compulsive user of a product called "Hero Energy Mints". This produce is advertised as having "More than all the normal advantages of energy drinks in an easy to use format". The advertising says that one mint equals one whole energy drink. It went onto say that the product

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contains caffeine. However, the information available on the internet at the time of the inquest contained no information at all as to the dangers of consuming large quantities of the mints. At the inquest, the evidence from the pathologist showed that Mr. Jackson had in his blood at the time of death, more than twice the level of caffeine that can produce a fatality and around 50 times the level that would be found normally in someone drinking tea and coffee.

The **MATTERS OF CONCERN** are as follows :-

- a) There was at the time little information available as to the level of caffeine in this product and the dangers of consuming large amounts of caffeine,
- b) The product seems to me to sit uncomfortably in a gap between medication and sweets, hence any person treating the product simply as sweets maybe in danger. I acknowledge of course, that part of the answer is public awareness and I trust that the publicity that was given to this case may assist in that regard.

### **6. ACTION SHOULD BE TAKEN**

In my opinion action should be taken to prevent future deaths and I believe you have the power to take such action.

### **7. YOUR RESPONSE**

You are under a duty to respond to this report within 56 days of the date of the report, namely by 11<sup>th</sup> December 2013.

### **8. COPIES and PUBLICATIONS**

I have sent a copy of my report to the Chief Coroner and to the following interested Persons :

- (a) [REDACTED] (Wife)
- (b) Hero Energy Ltd

I am also under a duty to send the Chief Coroner a copy of your response.

The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the Coroner, at the time of

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your response, about the release or the publication of your response by the Chief Coroner.

R.J. Balmain  
H.M. Senior Coroner