

Trading Standards Service Age Restricted Sales Legal Update

With new laws coming into force on 1st April 2009, we thought that this was a good opportunity to let you know about the changes and about the work we've done in the county over the past year.

Underage Sales of Cigarettes

From 1st April 2009, tobacco sales can be suspended for a period of up to one year following three instances of selling tobacco/cigarettes to under-18s. These new powers are aimed at preventing problem retailers who flout the law and persistently sell to underage purchasers without asking for proof of age. Magistrates can either suspend sales from a particular shop, or prevent a specified person from selling tobacco products for a period of up to one year.

This action can be taken as well as a prosecution for the actual sale, which could result in a fine of up to **£2500**.

Anyone who continues to sell cigarettes when they have been issued with a suspension notice will face a fine of up to **£20,000**. The legal age to buy cigarettes was increased to 18 years on 1st October 2007.



Underage Sales of Alcohol

Gloucestershire County Council Trading Standards Service continues to work with colleagues at Gloucestershire Police to undertake test purchase exercises.

Many premises have now adopted the Challenge 21 initiative, which gives an extra "safety zone" when assessing customers ages. In January 2009, the Home Office supported a move towards "**Challenge 25**" – which should help your staff in preventing sales to under-18s.

The Violent Crime Reduction Act 2006 has introduced new offences for those found to be persistently selling alcohol to children. Persons found guilty of selling alcohol to a minor on 3 or more occasions within 3 consecutive months will be liable to a maximum fine of £10,000 and could have their alcohol licence suspended for three months.



Test Purchasing Results for 2008-2009

Alcohol test purchasing has been carried out by Trading Standards and the Police. A total of 218 premises were visited and 20 of those (9%) were prepared to sell alcohol to youngsters. This is an improvement on 2006-2007, where the failure rate was 13.9% - but there are still too many shops that are prepared to sell alcohol to under-18s. Remember that the fine for selling alcohol to under-18s is up to **£5000** – and you could lose your licence.

Trading Standards have also carried out a series of cigarette test purchasing, and were shocked to find that 29% of retailers were prepared to sell cigarettes to our test purchasers without asking for proof of age. Legal action is now being taken against the sellers and the retailers, and the people involved are facing fines of up to **£2500**.

When Trading Standards carried out knife test purchasing this year, out of 18 premises visited, 4 were prepared to sell knives to our test purchasers – in one case, the seller was seemingly unaware that the age to purchase a knife had increased from 16 to 18 years in October 2007. If you sell a knife to a person under 18, you can be fined up to **£5000**.

Training Materials available to retailers....

Gloucestershire County Council Trading Standards Service has produced a training pack to assist retailers in training their staff in age related sales matters. The pack is called “No proof of age, No sale” and is available **free of charge** to all retailers within the county. Please call 01452 426238 if you wish to receive a copy.

Legal Updates Online

Please check our website regularly for news of changes in legislation that may affect you – this is also the place to download posters and information that may help your business.

www.tradingstandards.gov.uk/glos

Underage Sales Business Advice

If you want to get advice about how to prevent underage sales and to protect your business, our Underage Sales Officer will be happy to pay a visit and look at your current processes to see if there are any improvements that can be made. If you wish to make an appointment, please call Rachel Davis on 01452 426238 or e-mail rachel.davis@gloucestershire.gov.uk