



# Are you ready for the tobacco display ban?

The law on the display of all products containing tobacco and the display of tobacco prices in Wales is changing. From 3 December 2012, new law will affect large shops (stores that are big enough to be restricted to only 6 hours trading on a Sunday) selling tobacco products.

**All other shops and businesses selling tobacco products will be affected from 6 April 2015.**

From these dates it will be illegal to display tobacco products in the relevant shops and businesses in Wales, except to people over the age of 18 years in the limited circumstances set out in the new law.

**Non-compliance with the new law is a criminal offence.** Any person, including shop managers and shop assistants, found guilty of these offences is liable:

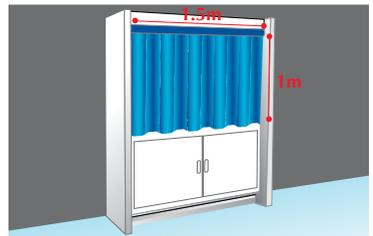
- on summary conviction in a magistrates' court to a fine not exceeding level 5 (£5,000 at the time of publication) on the standard scale, or imprisonment for a term not exceeding six months, or both
- OR**
- on conviction on indictment in the Crown Court to imprisonment for a term not exceeding 2 years, a fine or both.

This leaflet is designed to provide simple guidance, a more comprehensive guide developed by the Department for Public Health, Social Services and Children, is available at [www.acs.org.uk/tobaccodisplayban](http://www.acs.org.uk/tobaccodisplayban)

## Examples of possible solutions

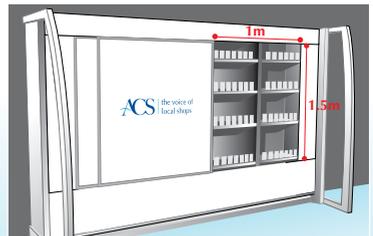
### 1 Curtain covered display

The rules do not prescribe how you cover your unit. It is therefore possible, and legal, to cover your tobacco display with a curtain. However the curtain must obscure the tobacco completely and when retrieving product from behind a curtain the maximum area that you can display should be less than 1.5m<sup>2</sup>.



### 2 Sliding doors

The most common example of a cover likely to be in place in retail stores is a sliding doors solution retrofitted to a tobacco display unit.



### 3 Non-visible storage solutions

Retailers may decide to put in place new under counter, or over counter, solutions that can be open units but must not be visible to customers.



# A typical transaction under the new regulations

Need advice on the regulations? Contact ACS: T 01252 515001 E [acs@acs.org.uk](mailto:acs@acs.org.uk) W [www.acs.org.uk](http://www.acs.org.uk)



**DOs** Other than when serving a customer with a tobacco purchase, a tobacco display may be open and visible to customers in the following exceptional scenarios. In all cases the display is only permitted when the activity in question is being actively carried out and must only last as long as necessary for that activity to be completed. You can also allow a temporary display following a request by an enforcement officer.



You can open the unit to retrieve one or more products if a customer asks for information about a tobacco product



You can open the unit to assess stock levels or to restock the unit



You can open the unit in response to a request from an adult even if they are accompanied by a child



You can open the unit for any form of repair or maintenance



You can open the unit for the purposes of cleaning the unit



You can open the unit when undertaking any form of staff training exercise

**DON'Ts** A display may NOT be open and visible in these scenarios:



Opening the unit at the request of a person under the age of 18



You are not permitted to open the unit to retrieve or display anything other than tobacco products



# Regulations on the design of price lists and POS information

## General information

The Display Ban legislation permits only three types of price lists and labels for tobacco products. The legislation sets out that each of these must only use black Helvetica plain font on a white background, which is the same size throughout the list, with **NO** underlining, italics or other distinguishing emphasis. It will be an offence to display prices in any other way. Retailers must still ensure they comply with Price Marking Order regulations which require the price of goods to be clearly displayed in store.

## Permitted lists and labelling

### 1 Display unit poster

One A3 poster may be displayed at each area tobacco products are sold. In addition to the above, the poster must:

- Be titled 'tobacco products price list'
- Have wording no larger than size 30 font
- Only contain the brand name, price and number of units per pack
- Must be bilingual

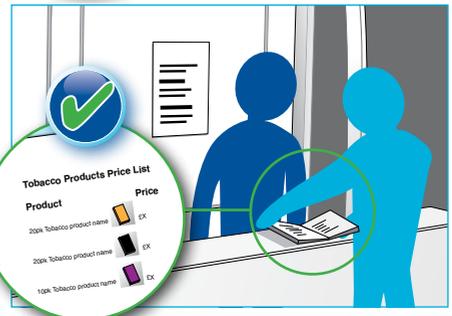


### 2 Counter tobacco catalogue

One product catalogue may be located at each point of sale, but must not be displayed unless requested by a person over 18.

In addition to the above, the catalogue must:

- Have wording no larger than size 14 font
- Contain images of branded packaging no larger than 50cm<sup>2</sup> (roughly the size of a standard pack)



### 3 Price labels

Price labels may be placed on covered shelving or the front of the storage unit. In addition to above:

- Have wording no larger than size 14 point
- Each label must be no larger than 9cm<sup>2</sup>
- There may only be one label per each location a product is stored
- Only contain the brand name, price and number of units per pack

