



# **The New Tobacco Display Law from 6 April 2015**

## **Your Questions Answered**

January 2015

**1. Action for retailers selling tobacco**

When do the changes come in?

What exactly do I need to do?

**2. Why the changes?**

Why did the Government change the law?

Will the Government pay for the cost of replacing my tobacco gantry?

Why cover tobacco displays if the Government plans

# Questions and Answers

## 1. Action for retailers selling tobacco

When do the changes come in?

All open tobacco displays in shops must be covered up from 6 April 2015. Large retailers have had to cover tobacco displays since 2012 and now the law is coming into force for small and medium businesses.

What do I need to do?

From April 2015, if you sell tobacco you will need to:

- Make sure that tobacco products are not displayed to the public (apart from in limited circumstances which are explained below); and
- Make sure that the prices of tobacco products are only displayed in the formats set out in the new law.

The law does not set out *how* you have to cover your tobacco display but you must cover the tobacco completely and when you retrieve the tobacco, the maximum area that can be displayed is 1.5 square meters. Retailers are free to choose for themselves the most appropriate and efficient means of removing tobacco products from sight. Some retailers may receive support if their gantry is owned by tobacco manufacturers but this support is not guaranteed.

## 2. Why the changes?

Why did the Government change the law?

Ending permanent tobacco displays aims to help to reduce the numbers of young people taking up smoking, and to help do4(b)-4.33116436(a)-4.32873(i9i)1.87122(l)1.87122(e)5.676(o4(92.72 Tmb)-4

## Will the Government pay for the cost of replacing my tobacco gantry?

The start date for this new law was deferred to 2015 for small shops and one reason was to allow time for smaller retailers to benefit from the range of solutions developed for larger shops. You may want to contact the owner of your gantry to discuss plans for compliance. The Government will not pay for any changes to tobacco gantries.

Does the ban only apply to shops? What about pubs and off licences? What about shisha bars?

However, it is your responsibility to comply with these requirements; failure to do so is a criminal offence. Anyone, including shop managers and shop assistants, who does not comply may be taken to court and have to pay a fine (up to £5000 currently) or could face imprisonment for up to six months.

What if a customer asks to see the full range of tobacco products before they buy?

It is not an offence to show a tobacco product to a person aged 18 or over who asks to buy a tobacco product or who has asked for information about a tobacco product. This display is described in the legislation as a “requested display”. It is not an offence if other people in the shop (including children) see a tobacco product as a result of a “requested display”.

## **5. Impact to date**

Have large shops lost money from covering up their tobacco displays?

There is no evidence to suggest that sales of tobacco will fall significantly after tobacco displays are covered up. Adults who smoke will continue to be able to buy their cigarettes and tobacco in the usual way.

What's the likely impact on my business?

Other than the initial costs of covering tobacco display gantries, which in many cases will be covered by the tobacco industry who own most of the gantries, the impact will be minimal. The Government recognises the difficulties being faced by some small businesses in the current economic climate which is why the implementation date for small shops was delayed until 2015. This was to give small businesses longer to prepare and to benefit from the range of solutions developed for larger shops (where the law came into