



Selling Age-restricted Products

As an owner or manager of an organisation that sells age-restricted items, sales are almost always a good thing—except sales of age-restricted products to minors. Failing to monitor what you sell and to whom you sell it can be disastrous for your business. You and your employees should always follow proper precautions for selling age-restricted products.

But if there is a breakdown in those precautionary procedures, you, your managers or your employees could be held liable for selling age-restricted items to underage customers. You should be aware of what items are age-restricted and the consequences—like incurring a large fine or a reputation-tarnishing prosecution—if you sell to a minor.

Common Age-restricted Goods

Minors are often driven to purchase or steal age-restricted goods due to the sheer thrill of obtaining something they are not allowed to have. Below is a list of some of the most common age-restricted goods pursued by minors:

1. **Alcohol and liqueur confectionery** – The minimum age for purchasing alcohol in the United Kingdom is 18, and the minimum age for purchasing liqueur confectionery is 16. The maximum penalty for selling to a minor is a fine of £20,000 and a forfeiture of your licence, but you could also be held liable for any incidents or damages that occur after a minor has left the premises with the alcohol

purchase. You are allowed to refuse to sell alcohol to an adult that is accompanied by a child under 18, if you believe the purchase is intended for the child.

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2. **Tobacco** – The minimum age for purchasing tobacco is 18, and the maximum penalty is a fine of £2,500. If you are caught selling tobacco to minors at least three times over the course of two years, your business could face a restricted sales order—which means you will be prohibited from selling tobacco on the premises for an entire year. Violating this order could saddle you with a fine of up to £20,000.
3. **Knives, axes and blades** – The minimum age for purchasing these items is 18, and the maximum penalty for selling these products to children under 18 is a fine of £5,000 and a six-month imprisonment. This law does not apply to purchases of pocket knives under 7.6

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centimetres in length, although it does apply to kitchen and craft knives.

- Petrol** – Petrol has been purchased by underage children to make crude bombs and other explosive items. The minimum age for purchasing and dispensing petrol is 16, and the maximum penalty for selling to minors is a fine of £20,000 and a 12-month imprisonment.
- Aerosol paint** – Aerosol paint has often been used to write graffiti or otherwise damage public or private property. The minimum age for purchasing aerosol paint is 16 and the maximum penalty is a fine of £2,500.
- Lottery tickets** – The minimum age for purchasing lottery tickets and instant scratch cards is 16, and the maximum penalty for selling these items to minors is £5,000 and a two-year imprisonment.
- Category 2 and 3 fireworks (outdoor-use fireworks in confined and large open areas)** – The minimum age for purchasing adult fireworks is 18, and the maximum penalty for selling these items to minors is £5,000 and a six-month imprisonment. Christmas crackers are the exception to this law—children must be at least 12 to purchase them. Minors only have to be 16 to purchase category 1 fireworks (low-hazard, low-noise fireworks).
- Solvents/intoxicating substances** – If employees believe that a customer is buying these products for the purpose of inhaling them or becoming intoxicated, they should require the customer to show proof of age. The minimum age for purchasing these products is 18 (when it is believed that the product may be abused), and the maximum

penalty for selling these products to minors is £5,000 and a 6-month imprisonment.

Avoiding Fines and Penalties

In order to avoid the fines and penalties associated with selling age-restricted products to minors, you must establish an age-verification policy.

The government encourages you to implement the 'Challenge 25' method when creating an age-verification policy in order to ensure proof of age is verified for all customers that look to be under the age of 25. It also encourages you to enforce a 'No ID, No Sale' policy. Hanging posters of these policies around the store will make customers aware of them before they even approach the register. Statutory notices for all relevant products, such as tobacco or fireworks, should also be clearly posted around the premises.

Another way to prevent underage sales and avoid fines and penalties is by ensuring your staff is properly trained. Employees should be trained on the age restrictions for all products that you sell, on the steps for refusing a sale and on handling a confrontation after a refusal. They should also know what is considered an acceptable form of identification.

Refusing a Sale

If someone cannot produce proof of age, employees should refuse sales tactfully and politely. Employees should remain calm in this situation, especially if the customer is annoyed or upset.

After explaining to the customer that selling the product to him or her would be breaking the law, the employee should also explain your age verification policy and point out the numerous notices posted around the store. If the customer

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continues to argue, make sure employees know to remain firm and to call a manager or supervisor, if necessary.

Your staff should keep a record of all sale refusals. Each entry should include the date and time that the refusal occurred, the name of the product and the employee who refused the sale, a description of the customer and the reason the sale was refused.

You Cannot Afford Underage Sales

Any profit you potentially make from underage sales will not offset the huge fines and lost reputation you incurred from selling to minors. Selling to minors is simply not worth it. To make sure your business is protected and compliant, check with your local council and enforcing authority for guidance on following relevant legislation dictating the selling of age-restricted products. Contact the insurance professionals at Crendon Insurance Brokers Ltd for more information on compliant business practices.



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