businesscompanion
trading standards law explained

Underage sales

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Before you start, make sure you choose your location by using the drop-down list at the top of the page and then clicking on the arrow.

For more detailed information, please see the In-depth Guides below. Some laws are different in England, Scotland and Wales, and some are enforced differently, so the In-depth Guides provide country-specific information.

Once you've finished, make sure you look at the full range of Quick Guides to see whether there are any other areas of law that affect your business.

There are laws that restrict the sale of certain products (which includes goods, services and digital content) to underage people.

This guide introduces you to these age-restricted products, and the minimum age of the young people you can legally sell them to.

You will also find essential information on what you can do to prevent the sale of age-restricted products to underage people and stay on the right side of the law.

Minimum legal age

There are many laws that deal with the sale of age-restricted products. For some products, such as alcohol, you are required to obtain a licence before you can legally sell them.

To help you to work out which laws you need to comply with, first check the table below to see if there are any products you sell or intend to sell that are age restricted and what the age restriction is.

Goods	Age restriction
Adult fireworks and sparklers (category F2 and category F3 fireworks)	18 and over
Aerosol paint	16 and over
Alcohol	18 and over
Animals	16 and over
Botulinum toxin (Botox) and cosmetic fillers (England only)	18 and over
Christmas crackers	12 and over
Corrosive substances	18 and over
Crossbows	18 and over
Knives / axes / blades	18 and over (in Scotland, domestic knives can be sold to those aged 16 and over)
Lighter refills containing butane	18 and over
Liqueur confectionery (Scotland only)	16 and over
Lottery draw-based and instant-win (such as scratchcards and online instant win) games	18 and over
Party poppers and similar low-hazard low-noise fireworks (category F1) (except Christmas crackers)	16 and over
Petrol	16 and over
Sunbeds	18 and over
Tobacco	18 and over
Vapes* (legally known as nicotine inhaling products in England and Wales, and nicotine vapour products in Scotland)	18 and over
Video recordings: U (universal)	unrestricted
Video recordings: PG (parental guidance)	unrestricted
Video recordings: classification 12	12 and over
Video recordings: classification 15	15 and over
Video recordings: classification 18	18 and over
Video recordings: classification R18	18 years and over in a licensed sex shop
Video games: PEGI rating 3	unrestricted
Video games: PEGI rating 7	unrestricted
Video games: PEGI rating 12	12 and over
Video games: PEGI rating 16	16 and over
Video games: PEGI rating 18	18 and over

[*Single-use vapes are banned (regardless of the buyer's age) as of 1 June 2025.]

> Most products have corresponding In-depth Guides in which you can find out more information (see below).
>
> There are no age restrictions on the sale of energy drinks, but retailers may voluntarily choose to have a policy that restricts their sale to those over a certain age.

Taking steps to prevent underage sales

If you sell age-restricted products to a person under the minimum legal age, you may commit an offence under the relevant law. The penalties can include a fine or even imprisonment. There are laws that give you a legal defence, which is often referred to as the 'due diligence' defence.

Basically, you must prove that you took 'all reasonable precautions / all reasonable steps' and exercised 'all due diligence' to avoid committing an offence.

This means that you are responsible for making sure that you and your staff do not sell age-restricted products to people under the minimum legal age. You can do this by setting up effective systems within your business.

These systems should be regularly monitored and updated (where necessary) to identify and put right any problems or weaknesses, and to keep pace with any advances in technology.

Key best-practice features of an effective system include:

- **Age verification checks.** Verify the age of potential buyers by asking to see an identity card that bears the PASS hologram. The Proof of Age Standards Scheme (PASS) is the UK's national proof-of-age accreditation scheme, and is supported by the Home Office, the Scottish Government, the National Police Chiefs' Council, Police Scotland and the Chartered Trading Standards Institute (CTSI). The Scottish Government also endorses the Young Scot card
- **Challenge 21 / Challenge 25.** In England and Wales, you can participate - or must participate as a licensing condition if you sell alcohol - in a scheme to carry out age verification checks on anyone who looks younger than 21 or 25. When selling alcohol, tobacco or vapes in Scotland, it is a legal requirement to check the age of any customer who appears to be under 25
- **Staff training.** Make sure your staff receive adequate training on underage sales. Keep a training record and make sure the training is regularly updated
- **Use of till prompts.** You can use prompts that appear on the till when an age-restricted product is scanned, to remind staff to carry out age verification checks
- **Store layout, signage and CCTV.** Keep your age-restricted products where they can be monitored by staff. For example, fireworks stored on the shop floor must by law be kept in a secure cabinet. Ensure you have adequate signs to inform consumers of the minimum legal age to purchase. You are legally required to display notices for tobacco and fireworks
- **Keep and maintain a refusals register.** This means keeping a record (date, time, incident, description of potential buyer) where sales of age-restricted products have been refused. This helps to demonstrate that you actively refuse sales and have an effective system in place

You will find more information on effective 'due diligence' systems in the In-depth Guides on age-restricted

products below.

Digital identity checks

There are plans in place to allow consumers in England and Wales to use a digital identity service, likely via their phones, to prove their age when buying alcohol. Using a digital identity will require both consumers and businesses to use services and processes that meet Government requirements, to ensure that they are effective and secure. For example, a digital photograph of a driving licence is not an acceptable digital identity.

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