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trading standards law explained

Cigarette lighter refills

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland

Cigarette lighter refill canisters are abused by some people, who inhale the butane they contain.

The Cigarette Lighter Refill (Safety) Regulations 1999 prohibit the supply of any cigarette lighter refill canister containing butane, or a substance with butane as a constituent part, to any person under the age of 18.

There are steps that traders can take to keep within the law, including asking for proof of age, recording refused sales and training staff.

Defence

If you are charged with an offence under the Consumer Protection Act 1987 for a breach of the Cigarette Lighter (Safety) Regulations 1999, you have the defence that you took all reasonable precautions and exercised all due diligence to avoid committing the offence. What does this mean? It means that you are responsible for making sure that you and your staff do not supply cigarette lighter refills or products containing butane to anyone under the age of 18.

Keeping within the law

In order to keep within the law and satisfy the legal defence, you are advised to introduce an age verification policy and have effective systems to prevent an underage sale. To ensure these systems stay effective, they need to 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 the following.

Age verification checks

Always ask young people to produce proof of their age. The Chartered Trading Standards Institute, the Scottish Government, and Police Scotland support the UK's national Proof of Age Standards Scheme (PASS), which includes a number of card issuers. You can be confident that a card issued under the scheme and bearing the PASS hologram is an acceptable proof of age. The Scottish Government also endorses the Young Scot card.

A passport, UK photocard driving licence, Ministry of Defence form 90, European Union national identity card or a biometric immigration document is also acceptable, but make sure that the card matches the person using it and the date of birth shows they are at least the minimum age.

You do not have to accept all of the above forms of identification, and it may be best to exclude any type of document that your staff are not familiar with.

Some young people may present false identification cards, so it is advisable to also check the look and feel of a card. For example, the PASS hologram should be an integral part of a PASS card and not an add-on.

If the person cannot prove that they are at least the minimum legal age, or if you are in any doubt, refuse the sale.

Operate a Challenge 25 policy

This means that if the person appears to be under the age of 25, they will be asked to verify that they are 18 or over by showing valid proof of age.

Staff training

Make sure your staff are properly trained. They need to know which products are age restricted, what the

age restriction is, and the action they must take if they believe a person under the age of 18 is attempting to buy. It is important that you can prove your staff have understood what is required of them under the legislation. This can be done by keeping a record of the training and asking members of staff to sign to say that they have understood it. These records can then be checked and signed on a regular basis by management or the owner.

Maintain a refusals log

It is best practice to record all refusals (date, time, incident, description of potential buyer). Maintaining a refusals log will help to demonstrate that you actively refuse sales and have an effective system in place. It is advisable that the manager / owner checks the log to ensure that all members of staff are using it.

A specimen refusals log is attached.

Some tills have a refusals system built in. If you use a till-based system, ensure that refusals can be retrieved at a later date. Be aware that some refusals are made before a product is scanned.

Till prompts

If you possess an EPoS system, it may be possible to use it to remind staff of age restrictions via a prompt. Alternatively, stickers can be used over certain product barcodes.

Store and product layout

Identify the age-restricted products in your store and consider moving them nearer to, or even behind, the counter. Consider displaying dummy packs so that people have to ask for the products if they want to buy them.

Signage

Consider displaying posters that show age limits and a statement regarding the refusal of such sales. This may deter potential purchasers and act as a reminder to staff.

Closed circuit television (CCTV)

A CCTV system may act as a deterrent and reduce the number of incidents of underage sales. It will also help you to monitor 'blind spots' within your store if it is not possible to change the layout or relocate the products behind, or closer to, the counter.

Online sales

If you sell by distance means, such as online or via a catalogue, it is best practice to set up an effective system capable of verifying the age of potential purchasers. Please see 'Online sales of age-restricted products' for more information.

Cigarette lighter refill canisters are dangerous goods and can only be transported for supply by specialist couriers. Ordinary couriers and Royal Mail will not carry dangerous goods.

Tobacco and vapes

For information on the law and how it applies to tobacco and vapes, see 'Tobacco and vapes' and 'Tobacco, vapes, etc: packaging, labelling, advertising and tracking'.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: December 2025

Key legislation

- Consumer Protection Act 1987
- Cigarette Lighter Refill (Safety) Regulations 1999

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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