ILLEGAL TOBACCO RETAILER GUIDE

PROTECTING CHILDREN PROTECTING YOUR COMMUNITY

This Retailer Guide will support you in tackling illegal tobacco and preparing yourself for new tobacco and vape legislation.

ILLEGAL TOBACCO
WHAT'S THE PROBLEM?

The illegal tobacco trade is a problem that enables local children to smoke. And its supply into the UK is linked to organised criminality and smuggling gangs.

WHAT IS CONSIDERED ILLEGAL TOBACCO?

ILLEGAL WHITES

Brands with no legal market in the UK, often imported from overseas.

NON-UK DUTY PAID TOBACCO

Genuine tobacco products brought into the UK without the correct duty being paid. Possession may be legal for personal use, but resale is illegal.

COUNTERFEIT TOBACCO

Products manufactured illegally to imitate recognised brands and packaging.

MOST RETAILERS DO NOT SELL ILLEGAL TOBACCO.
However, a minority of rogue traders continue to break the law and undermine communities.

RETAILERS
THE FRONT LINE OF DEFENCE

The Keep It Out campaign recognises the important role retailers like you play in protecting local communities and keeping illegal tobacco away from children

PROTECTING CHILDREN

Illegal tobacco often bypasses age-of-sale laws, making it easier for children and young people to access tobacco products. Children are often aware who is selling it locally and can buy it at pocket-money prices.

PROTECTING COMMUNITIES

The illegal tobacco trade is linked to organised criminal activity and other forms of crime within local communities.

SUPPORTING SMOKEFREE COMMUNITIES

Cheap tobacco encourages smokers to continue smoking and can make it harder for people to quit.

PROTECTING LOCAL SERVICES

Illegal tobacco reduces tax revenue that could otherwise support schools, hospitals and vital public services.

SPOTTING ILLEGAL TOBACCO

Be cautious of tobacco products that:

- Are not supplied in standardised packaging
- Have unfamiliar brand names
- Display foreign health warnings
- Have no health warnings
- Show flaws in packaging or printing
- Are offered by unexpected salespeople
- Are significantly cheaper than legitimate tobacco
- Are offered in unusually large quantities for resale

TOBACCO TRACEABILITY

All tobacco retailers must have an Economic Operator ID, and tobacco products are subject to track and trace regulations. Tobacco packaging must include specific security features.

FOR MORE INFORMATION VISIT:

www.gov.uk/guidance/selling-and-storing-tobacco-products

HOW YOU CAN HELP

By supporting Keep It Out you can protect both your business and your local community.

- ☑ Talk to colleagues about tobacco laws and retailer responsibilities
- ☑ Display Keep It Out materials in your premises
- ☑ Inform customers about the issues associated with illegal tobacco
- ☑ Refuse approaches from suspicious suppliers
- ☑ Remain vigilant to sales in local shops, pubs and clubs
- ☑ Report illegal tobacco activity

REPORT IT.
PROTECT YOUR COMMUNITY.

Direct information from retailers like you is one of the most effective ways of identifying and disrupting illegal tobacco sales. Whether you are concerned about another retailer, pub, club, suspicious supplier or street seller, your information could help protect children and tackle organised crime.

BE ON THE RIGHT SIDE OF THE LAW

THE RISKS OF WRONGDOING

Retailers who sell illegal tobacco or fail to comply with tobacco legislation risk serious consequences.

FINANCIAL PENALTIES

Businesses can face fixed penalty notices, substantial fines of up to £20,000, and legal action to recover unpaid taxes and duty.

CRIMINAL PROSECUTION

Serious offences relating to illegal tobacco and counterfeit products can result in prosecution and, in some cases, imprisonment.

Restrictions on your business you may face:

- Restricted sales orders
- Restricted premises orders
- Loss of alcohol licences or lottery terminals
- Closure orders
- Increased enforcement activity by Trading Standards and HMRC

DAMAGE TO YOUR REPUTATION

Enforcement action and court proceedings can damage customer trust and your standing in the local community.

TOBACCO & VAPES ACT 2026
KEY UPCOMING CHANGES FOR RETAILERS

New legislation comes into force for retailers, and you should begin preparing now.

FROM 29 OCTOBER 2026

VAPES AND NICOTINE PRODUCTS BECOME 18+

It will be illegal to sell vaping products or nicotine products to anyone under 18. This includes nicotine pouches and non-nicotine vapes.

PROXY PURCHASING

It will be an offence for an adult to buy vaping or nicotine products on behalf of someone under 18.

PROMOTIONS RESTRICTIONS

New restrictions will prohibit the free distribution of vaping and nicotine products and certain promotional discounts.

VENDING MACHINES

New restrictions will apply to vending machines supplying tobacco, vaping and nicotine products.

FROM 1 JANUARY 2027

A NEW TOBACCO AGE OF SALE

It will be illegal to sell tobacco products, herbal smoking products or cigarette papers to anyone born on or after 1 January 2009. This marks the beginning of the smokefree generation policy. Retailers will need to verify whether a customer was born before 1 January 2009.

NEW AGE-OF-SALE SIGNAGE

Retailers selling tobacco products must display updated tobacco age-of-sale notices at points of sale. The notice must state: "It is illegal to sell tobacco products to anyone born on or after 1 January 2009."

FOR DETAILED GUIDANCE VISIT:

https://www.gov.uk/government/collections/smoking-and-vaping-guidance-policy-and-regulation

RETAILER CHECKLIST

- [ ] Train staff on the new rules
- [ ] Review age-verification procedures
- [ ] Update age-of-sale signage
- [ ] Ensure tobacco products meet legal requirements
- [ ] Maintain Economic Operator ID requirements
- [ ] Stay alert to suspicious suppliers
- [ ] Report illegal tobacco activity

Need more information?
https://www.gov.uk/government/collections/smoking-and-vaping-guidance-policy-and-regulation

https://keep-it-out.co.uk/for-retailers/

REPORT ILLEGAL TOBACCO CONFIDENTIALLY
Call Crimestoppers on 0800 555 111
Visit keep-it-out.co.uk

TOGETHER, WE CAN KEEP ILLEGAL TOBACCO OUT OF OUR COMMUNITIES.

ILLEGAL TOBACCO
KEEP IT OUT