

Tobacco Retailing

State Government legislation recently introduced new laws for tobacco retailing that affects any business that sells tobacco.

Tobacco Advertising

Any brand or tobacco product advertising inside or outside the shop is prohibited. This includes the display of posters, desk pads, flags, stickers, back-lit signs and tobacco advertising on vending machines.

Outdoor signs can still indicate that the shop sells tobacco but they must not promote the sale of discount or cheap cigarettes.

Tobacco Displays

Each retail outlet can only have one limited display of tobacco products and this must be located at a point of sale (eg. cash register)

Tobacco can be sold from more than one point of sale as long as there is only one display in the shop. If this is the case then the tobacco products at the additional points of sale must be obscured with price tickets.

A hotel / supermarket with an attached bottle shop, which are owned and operated by the same corporate entity, will generally only be permitted to have one display.

What is a Product Line ?

Only one of each kind of product can be displayed. This is called a product line and differs on basis of trademark, brand, nicotine or tar content and flavour. Different sizes and different types of cigarette packages (eg. hard and soft) can not be displayed.

What is a Price Ticket ?

Price tickets are used to obscure tobacco products that can not be on display, for example at additional points of sale or for obscuring different sizes of tobacco products.

Price tickets can contain information about product price (including discounts), name, strength, flavour and number of items, country of origin, barcode.

They can be up to four colours (consistent with others in the shop), and be the size of the largest immediate tobacco package on display. Lettering can be up to 2.1cm high and 1cm wide.

Size of the Tobacco Display

A variety of dispensers are available to display tobacco products and may either stack the products on top of each other or behind each other.

All dry tobacco products, including cigarettes, roll your own tobacco and dry cigars must be displayed within an area of four square meters.

Wet cigars in operating humidors are not included in the maximum display area.

Cigarette Cartons

Cigarette cartons must not be displayed and also must not be visible to the public in storage cabinets.

Price boards can be used to advertise that cigarette cartons are available for purchase.

Price Boards

A price board is a notice or sign, which lists the details of the tobacco products for sale. Each point of sale can have a price board positioned next to it to provide information about product lines.

A maximum of four colours can be used on the price board and can be up to 1.5 meters by 1.5 metres in size with lettering of a maximum of 2.1cm high and 1.5cm wide.

Please Turn Over

Cigars

Cigars sold in packages can be displayed in a dispenser. Alternatively, up to 13 of each product line can be displayed in an open box or container and / or one closed box of each product line of cigars

Vending Machines

Any premises with a vending machine is considered a tobacco retail outlet and must comply with the legislation.

Any advertising must be removed from the front of the vending machine. Tobacco products can only be displayed on one vending machine (other machines must have the products obscured by price tickets).

Vending machines also need to comply with the product line definition and not display different sizes or types of cigarette packages.

Other requirements covered by previous legislation, including display of a quit smoking or health a warning sign and display of the "No Tobacco Sales to Minors" sign must also be adhered to.

Signage Requirements

Tobacco retailers are required to display a health warning or quit smoking sign within their tobacco retail outlet.

Tobacco retailers must also display a prescribed 'No Tobacco Sales to U/18s' sign.

These signs need to be displayed next to where the tobacco products are sold, or at the entrance to the shop, so that customers can see it as they enter.

Tobacco retailers must not display advertising sandwich boards, overhead signage or promotional flags outside the premises (often used to promote 'discount cigarettes' or 'cheap smokes').

New Laws from 1 March 2006

From 1 March 2006 'buzz marketing' and 'non-branded tobacco advertising' marketing methods will be prohibited.

'Buzz Marketing' is the use of colours, images and props to create an environmental consistent with a brands identify. Generally this is undertaken in nightclubs, dance or, fashion events.

'Non-Branded Tobacco Advertising' includes backlit posters directly above cigarette displays, depicting images of smoking paraphernalia such as matches or lighters.

Penalties

There are a variety of penalties applicable to offences. They range from a \$100 on the spot fine, which can be issued by an Environmental Health Officer through to loss of the right to sell tobacco.

For further information on the Tobacco Laws please contact the Department of Human Services Tobacco Information Line on 1300 136 775 or visit the website at www.health.vic.gov.au/tobaccoreforms

Information is also available by contacting your Environmental Health Officer on 9658 8831 / 8815

Source: "How To Comply with The New Tobacco Retail Laws From 1 January 2002" Victorian Government, Department of Human Services, 2001. "New Tobacco laws, Banning of 'buzz marketing' and non-branded tobacco advertising" Victorian Government Department of Human Services, 2006.