

## Cigarette lighter refills and solvents

Solvent abuse is the inhaling (sniffing) of fumes given off by a wide range of solvent-based products, including cigarette lighter refills and aerosols. The supply of these products to people under the age of 18 is controlled by legislation. The penalty for offences under this legislation is a fine of up to £5,000 and/or six months' imprisonment.

Marker pens, aerosols, anti-freeze and nail varnish are household products that are classed as solvents and are commonly abused. Obvious signs of an abuser include the smell of solvents, slurred speech and spots/sores around the mouth. There are steps traders can take including refusing such sales to under 18s, asking for proof of age, recording refused sales, and training staff.

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### The legislation

The Cigarette Lighter Refill (Safety) Regulations 1999

(<http://www.legislation.gov.uk/uksi/1999/1844/contents/made>) make it an offence to supply any cigarette lighter refill canister containing butane or a substance with butane as a constituent to any person under the age of 18.

The Intoxicating Substances (Supply) Act 1985

(<http://www.legislation.gov.uk/ukpga/1985/26/contents>) makes it an offence to supply, or offer to supply, a substance to a person who you know, or have reasonable cause to believe, is under the age of 18 and if you know, or have reasonable cause to believe, the substance is to be used for intoxication.



A similar offence also exists where you supply, or offer to supply, to a person who is acting on behalf of someone under the age of 18 and you know, or have reasonable cause to believe, this is the case.

### **What is an intoxicating substance?**

Many products, including household items, can be classed as solvents and can be abused. Some of those most commonly sniffed are:

- solvent-based glue
- dry cleaning fluid
- correction fluid and thinner
- marker pens
- aerosols\* (for example, deodorant, air fresheners, hair spray, pain relief spray)
- 'cold start' and anti-freeze
- nail varnish and varnish remover

This list is not exhaustive and there are many more products open to abuse.

\* Note that the Anti-social Behaviour Act 2003 (<http://www.legislation.gov.uk/ukpga/2003/38/contents>) prohibits the sale of aerosol paint to persons under the age of 16.

### **How you can recognise if someone is an abuser?**

Some signs can be obvious:

- the smell of glue or solvents on the person's clothes
- slurred speech and behaviour similar to drunkenness
- spots and sores around the mouth and nose

Other indications that you must be alert to are:

- the frequent purchase or bulk purchase of solvents by a customer
- the purchase of plastic bags and solvents at the same time

However, solvents may be sold to persons under the age of 18 for their normal intended use.

### **Enforcement of the law**

Trading standards services enforce the law in the following ways:

- by providing advice and education to traders and consumers, including parents, teachers and young people
- by investigating complaints made by consumers or by traders
- by using young volunteers, in appropriate cases, to attempt to buy age restricted products - they behave as ordinary customers, under the supervision of a trading standards officer - strict guidelines ensure that the exercise is fair - if a sale takes place, legal proceedings may be commenced

### **What you can do:**

- refuse to sell cigarette lighter refills if the purchaser is under the age of 18
- refuse to sell solvents if the purchaser is under the age of 18 and cannot give you a genuine reason for buying the product
- always ask young people to produce proof of their age - trading standards services and the Government support the national Proof of Age Standards Scheme (PASS) (<http://www.pass-scheme.org.uk/>) - you can be confident that a card issued under the scheme and bearing the PASS hologram is an acceptable proof of age - there are a number of card issuers in the scheme - a driving licence photocard or passport is also acceptable
- keep a book to record details of refused sales
- identify the sensitive products in your shop and consider moving your displays of glues and solvents nearer to the counter
- display dummy packs or place such items behind the counter, so that people have to ask for them
- make your staff aware of the solvent-based products in your shop and advise them on the action they must take - ask your staff to read this leaflet - if you carry out staff training, make a record of the fact
- 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 bar codes
- display posters showing age limits and a statement regarding the refusal of such sales - this may deter potential purchasers and act as a reminder to staff

These laws exist to safeguard the health of young people. Offenders may be prosecuted without warning.

## Relevant legislation

Intoxicating Substances (Supply) Act 1985

(<http://www.legislation.gov.uk/ukpga/1985/26/contents>)

Cigarette Lighter Refill (Safety) Regulations 1999

(<http://www.legislation.gov.uk/uksi/1999/1844/contents/made>)

Anti-social Behaviour Act 2003

(<http://www.legislation.gov.uk/ukpga/2003/38/contents>)

## *Where can I get further help?*

This leaflet is not an authoritative document on the law and is only intended for guidance. For further details or clarification contact Derbyshire Trading Standards at:

Chatsworth Hall  
Chesterfield Road  
Matlock  
Derbyshire  
DE4 3FW

Telephone:

<b>Businesses:</b>	Call Derbyshire	08 456 058 058
<b>Consumers:</b>	Citizens Advice consumer helpline	08454 040506
<b>Fax:</b>	01629 536197	

Website: [www.derbyshire.gov.uk/tradingstandards](http://www.derbyshire.gov.uk/tradingstandards)

We want everyone to be able to understand us. On request, we will arrange:

- Language interpreters, including for sign language
- Translation of written materials into other languages
- Materials in large print, on tape or in Braille.

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or telephone us on 01629 536166.

