

December 2009

Department of Health consultation on proposed tobacco control regulations for England (under the Health Bill 2009): Vending machine supplement

Question 1

Do you think the intended effect of prohibiting the sale of tobacco from vending machines will be achieved by the proposed regulations?

Cancer Research UK fully supports the complete ban on vending machines set out in the regulations. Removing vending machines altogether is the only effective way to prevent underage smokers obtaining cigarettes from these sources.

Various test purchase studies have shown that children can easily obtain cigarettes from tobacco vending machines. The measures will not restrict adult smokers' freedom of choice as they will still be able to purchase cigarettes and other tobacco products from other venues, or from behind the bar.

Evidence from other countries suggests that age-restriction mechanisms have not been effective. In Florida, where an ID card stating the consumer's age is required, test purchases found that young people successfully accessed cigarettes through vending machines in one third of their attempts.¹ Underage smokers have also managed to circumvent age verification cards that have been implemented in Japan.² This is clear evidence that legislation entailing a complete prohibition of vending machines is crucial to prevent sales of cigarettes to children.

In Europe 22 countries, including France, Belgium and Norway, as well as many others across the globe do not allow tobacco vending machines. A ban of cigarette vending machines in England therefore brings the country in line with many European nations.

Question 2

Do you think the proposed regulations will be enforceable?

The removal of vending machines should be straightforward since it simply requires the removal of the machines. It should also be easy for trading standards officers to check that they have been removed. The regulations are clear who is responsible for compliance breaches.

The British Heart Foundation has recently released survey findings of pub landlords' views towards vending machines and the changes in legislation. Findings demonstrate that pubs and other businesses currently housing cigarette vending machines have expressed a preference for a complete, rather than partial, ban.

Question 3

¹ Morbidity and Mortality Weekly Report (1996). Accessibility to minors of cigarettes from vending machines- Broward County, Florida, 1996. <http://www.ncbi.nlm.nih.gov/pubmed/8965805?dopt=Abstract>

² See Article <http://www.pinktentacle.com/2008/06/magazine-photos-fool-age-verification-cameras/> (Accessed 22nd January 2009)

Do you have any other comments on the proposed vending machine regulations?

No.

We would be happy to provide any further information or detail as required. Please contact Helen Haggart, Tobacco Control Officer at Helen.Haggart@cancer.org.uk, or on 020 7061 8153.