

# Test purchases of medium-strong beer, tobacco and non-prescription medicinal products

INFORMATION FOR THOSE WHO SELL MEDIUM-STRONG BEER, TOBACCO AND MEDICINAL PRODUCTS

According to the provisions of the Swedish Alcohol Act (2010:1622), Swedish Tobacco Act (1993:581) and Swedish Act (2009:730) on Trade in Certain Non-Prescription Medicinal Products, municipalities can perform test purchases of *folköl* (low-alcohol beer 2.8% or 3.5% percent by volume), tobacco and non-prescription medicinal products. This leaflet informs you about what these test purchases entail for those who sell *folköl*, tobacco and non-prescription medicinal products.

## What is a test purchase?

A test purchase means that a person over 18 years of age with a youthful appearance tests if it is possible to purchase medium-strong beer, tobacco or medicinal products without identification.

## Why is there a law on test purchases?

The law provides municipalities, which have a supervisory function, with better possibilities for controlling that those who sell *folköl* and tobacco products only serve customers over the age of 18. The same applies for medicinal products, as municipalities also have a controlling function.

## Age limit and age checking

According to the Alcohol Act, the Tobacco Act and the Act on Trade in Certain Non-Prescription Medicinal Products, medium-strong beer, tobacco and non-prescription medicinal products, including nicotine medicine, may not be sold or provided to anyone under 18 years of age. The person providing the product is to make sure that the customer has reached 18 years of age.

Making sure that the client has reached the proper age is most easily done by asking for identification. If the seller is unsure of whether the customer has reached 18 years of age the seller is to request identification. If the customer does not have identification or refuses to present identification, the customer should not be allowed to buy medium-strong beer, tobacco or medicinal products.



## How does the municipality conduct test purchases?

Test purchases is a method that the municipality may use in their supervision to make sure that those who provide medium-strong beer, tobacco or medicinal products in retail trade in connection to sales, make sure that the person purchasing the product has reached the proper age.

The result of the test purchase is used as source material in a dialogue between the municipalities and the seller of the product. Municipalities have the right to perform test purchases without providing advance notice. On the other hand, the municipalities shall, inform the business practitioner that a test purchase has been made and the result as soon as possible after performing the test purchase.

A test purchase may not be used by the municipality as the basis of any administrative measures against the business proprietor. This means that the municipality may not, for example, put you as the business proprietor under a sales prohibition due to the results of the test purchase.

## Why are test purchases necessary?

The majority of those who sell *folköl*, tobacco and medicinal products are good at informing the customers and putting up signs about the 18 year age limit, but the routines for age-checking can be improved. Test purchasing is an effective control method and helps you as a business practitioner to improve your routines and enforce the age limit. During the discussion after the test purchase, the municipality will make sure that you and your personnel understand the rules in the area and will explain the reasons why there is an age limit on purchases of tobacco, *folköl* and medicinal products.

The municipality can also inform you about the risks in not asking for identification. Sales of medium-strong beer, tobacco and medicinal products to individuals under 18 years of age is illegal and the person selling the products can be sentenced to fines or prison.

**REMEMBER** to inform your employees that you may be visited by someone who will make a test purchase!

Alcohol and tobacco are addictive and entail health risks. The age limit limits the availability for youths and prevents early alcohol and tobacco debuts. Non-prescription medicinal products wrongly used or handled can cause considerable damage. Young persons are not offered any pharmaceutical guidance by the retail industry, outside of pharmacies. The age limit is therefore important for improving public health in Sweden and preventing the wrongful use of medicinal products.

You as a business proprietor is responsible for organising the sales in such a way that customers under 18 years of age cannot purchase the products. It can be difficult to judge a young person's age based solely on appearance. One way of making sure that a person has reached 18 years of age is to ask everyone who appears to be under 25 for identification.

## The self-monitoring of business proprietors

As the tradesman you are obliged to control the sales of *folköl*, tobacco, and medicinal products. This is called internal control. Self-monitoring means that you as the business proprietor must have a self-monitoring programme in which it is clear what procedures you and your staff are to follow in order to adhere to legislated sales regulations. One of the most important thing is ensuring that the 18 year age limit can be upheld. You as the business proprietor must also give your staff the support and the information they need in order to follow the sales regulations.

FOR MORE INFORMATION CONTACT YOUR MUNICIPALITY.