

Price indications for food and drink in pubs and restaurants etc.

Trading Standards Information

www.southwark.gov.uk

1. Main legal requirements

The prices of food and drink, which are sold for consumption on business premises or at takeaways, should be displayed so that consumers can see them before they decide to buy.

The price is material information key to any purchasing decision so it must not be misleading, unclear, unintelligible, ambiguous or untimely.

If the price is only applicable to certain circumstances or, for example at certain times, then this should also be clear.

2. How should the prices be shown?

Typically businesses achieve compliance as follows;

- In pubs – by having a price list displayed on a list or on bar menus etc. which can be seen or referred to before orders are placed
- In restaurants – by displaying menus with prices outside the premises and giving out menus with prices to consumers before they order
- In takeaways – by having a price display board which can be seen or referred to before orders are placed

If other charges are made in addition to the price of any food or drink then these should also be indicated as prominently as the food and drink prices.

3. What about service charges, VAT and other charges?

You should not include suggested optional sums, whether for service or any other item, in bills. If your customers in hotels, restaurants or similar places must pay any non-optional extra charge, for example a service charge, then you should;

- incorporate the charge within fully inclusive prices wherever practicable; and
- should display the fact clearly on any price list or priced menu,

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whether displayed inside or outside (for example by using statements like “all prices include service”).

It may not be practical to include some non-optional extra charges in a quoted price; for example if you make a flat charge per person or per table in a restaurant (often referred to as a “cover charge”), or if you levy a minimum charge. In such cases the extra charge should be shown as prominently as other prices on any list or menu, whether displayed inside or outside the establishment.

- Prices shown must include VAT if applicable.

4. What happens if I don't comply with these requirements?

Failure to comply could result in prosecution for a breach of the Consumer Protection from Unfair Trading Regulations 2008. On conviction the maximum penalties are a fine of £5,000 in the Magistrates court or, in the Crown court, an unlimited fine or imprisonment for up to two years, or both.

For breaches of these regulations, and the Provision of Services Regulations 2009, enforcement authorities can also seek a court order using the Enterprise Act 2002. A breach of any such order could lead to up to two years imprisonment and/or an unlimited fine.

5. Further information

If you require further assistance or would like additional guidance, please contact us at the address given.