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REVISED INSTRUCTIONS: North Carolina Participating Manufacturer Annual Brand Certification

North Carolina General Statute § 66-294(a) requires participating manufacturers to submit a list of all the manufacturer's brand families to the Office of the Attorney General by April 30th of each year to avoid removal from the North Carolina Tobacco Directory. If there is a change in information at any time during the year, the participating manufacturer must notify the Office of the Attorney General thirty (30) days prior to that change.

New Information for 2024: All Annual and Supplemental Brand Certifications must be submitted via email (tobaccocertification@ncdoj.gov) or CertiVault only.

By April 30 of each year, please provide the following information to our office regarding all brands you wish to sell in North Carolina:

1. A list of all brands and brand styles that you wish to appear on the tobacco directory, along with any additions and deletions.
2. **Verification that the brands submitted are fire safe compliant ("FSC"). For additional information, see: <https://www.ncosfm.gov/community-risk-reduction/fire-prevention-education/fire-safe-cigarettes>.**
3. A copy of the current certificate of compliance issued by the Department of Health and Human Services, Centers for Disease Control ("CDC") and Prevention and the Office on Smoking Health showing compliance with the ingredient list submission requirement of 15 U.S.C. §1335a for all brands.
4. A copy of the current approval letter from the U.S. Federal Trade Commission ("FTC") pursuant to 15 U.S.C. §1335a showing an approved warning label plan for all brands.

5. **Resolution of Discrepancies: Please review your FSC list, FTC approval letter, and CDC letter, and if there is not a direct name match between and among the brand families or styles listed in these documents, then provide an explanation of the discrepancy and/or how the discrepancy will be or has been resolved. Examples of discrepancies: a brand style in the FTC letter is not listed in the FSC list or there are name variations between styles in the FTC letter and the FSC list.**
6. Ownership of the brand trademark including documentation showing that the tobacco product manufacturer either owns or is permitted to use the trademark.
7. Affirmative certification that the tobacco product manufacturer is in full compliance with all registration and reporting requirements of the Prevent All Cigarette Trafficking (PACT) Act, 15 U.S.C. § 375, *et seq.*
8. Execution of the Sworn Affidavit.*

***IMPORTANT: FAILURE TO SUBMIT THE EXECUTED AFFIDAVIT** will result in an incomplete submission. The Attorney General's Office will not process incomplete submissions.

9. **Where a brand has been licensed/transferred from one North Carolina Participating Manufacturer to another, as shown on the current North Carolina Tobacco Directory, provide sample packaging (via email at tobaccocertification@ncdoj.gov or uploaded to CertiVault) for each style of the transferred cigarette brand(s) approved for sale in North Carolina, if applicable.**

The Prevent All Cigarette Trafficking (PACT) Act, 15 U.S.C. § 375, *et seq.* provides for certain reporting requirements to the N.C. Department of Revenue and the N.C. Attorney General's Office. For further information and any questions you may have, please contact the ATF (PACT Act Info.) at 202-648-7130.

***IMPORTANT: ALL DISTRIBUTORS/WHOLESALEERS** must be in compliance with NC DOR requirements. Questions: call NC DOR 919-707-7500.

If you have any questions or need additional information, please contact the Tobacco Unit at (919) 716-6900. Thank you in advance for your cooperation and assistance.