

Family Smoking Prevention and Tobacco Control Act and how it affects Florida Cigarette Sales

One of the provisions of the Federal law requires a change to cigarette brand names and packaging. This change does have an affect on Florida's Reduced Cigarette Ignition Propensity law. Listed below are details regarding the specifics of the change.

Manufacturers and Importers

Brand Name Cross Reference

The cigarettes themselves did not change, therefore no re-testing is required. What is required is a brand name cross reference list between the current name and new name. A sample spreadsheet can be found on the RCIP web page and can be mailed to the division at the address below or sent via email to *email address here*.

Markings

The Federal law does require new packaging. The new packaging and markings will need to be approved by the division. Please submit a sample pack and carton (not an illustration or copy) for approval anytime before June 1, 2010 to the address below.

Department of Business and Professional Regulation
Division of Alcoholic Beverages and Tobacco
1940 North Monroe St.
Tallahassee, FL 32399-1022
Attn: RCIP

Sales into Florida

The Federal law states that no product with the old packaging should be manufactured after June 22, 2010, with a grace period of 30 days to sell any product in the old packaging. Therefore no product in the old packaging should be sold to wholesalers/distributors after July, 22 2010.

Wholesale Distributors

Buying from Manufactures and Importers

There is no change in this procedure; wholesalers/distributors can only buy cigarettes from a manufacturer or importer who is on the approved sales list and can only buy products that are on the approved brand list for that manufacturer or importer. As a manufacturer or importer's new brand packaging is approved, those brands will be added to the approved list and as of July 22, 2010, the old brands will be removed. To view the approved manufacturer and importer list

visit our site at

<http://www.myfloridalicense.com/dbpr/abt/auditing/RCIP/RCIP.html>

Sales to Retailers

Wholesale dealers may continue to sell their existing inventory of cigarettes to retailers on or after July 22, 2010, if they can establish that the state tax stamps were affixed to the cigarettes prior to this effective date. Retail dealers may continue to sell their existing inventory of cigarettes and those purchased from the wholesale dealers on or after July 22, 2010, if they can show that the state tax stamps were placed on the cigarettes prior to the effective date. The inventory must be in comparable quantity to the inventory purchased during the same period of the prior year. It is suggested that the wholesalers and retailers perform a certified inventory prior to opening for business on July 22, 2010, to designate the pre-existing inventory from any new purchases after that date.