

# NOTICE

## **UNLAWFUL TO ENGAGE IN DECEPTIVE PRACTICES RELATING TO STAMPING PACKAGES OF CIGARETTES - (GRAY MARKET CIGARETTES)**

Act No. 99-583 was passed in the 1999 Regular Session of the Legislature and became effective June 18, 1999. This Act amends Sections 8-19-5 and 8-19-12, Code of Alabama 1975, relating to deceptive practices concerning stamping packages of cigarettes. The following acts are declared unlawful:

### **SECTION 8-19-5(23) PROHIBITED ACTS:**

(1) Affixing an Alabama revenue stamp, including local municipal or county stamps, to or upon, any package of cigarettes, or (2) selling or holding for sale any package of cigarettes to which an Alabama revenue stamp, including local municipal or county stamps, has been affixed, if:

(a) The package differs in any respect with the requirements of the Federal Cigarette Labeling and Advertising Act (15 U. S. C. Sec. 1331 and following), for the placement of labels, warnings, or any other information upon a package of cigarettes that is to be sold within the United States;

(b) The package is labeled "For Export Only," "U.S. Tax Exempt," "For Use Outside U.S.," or similar wording indicating that the manufacturer did not intend that the product be sold in the United States;

(c) The package, or a package containing individually stamped packages, has been altered by adding or deleting the wording, labels, or warnings described in (a) or (b) above;

(d) The package has been imported into the United States after January 1, 2000, in violation of 26 U.S.C. Sec 5754; or

(e) The package in any way violates federal trademark or copyright laws.

### **SECTION 8-19-12 PENALTIES FOR VIOLATIONS:**

Violators of the above provisions: - Shall be guilty of a Class A misdemeanor. - Shall be subject to the revocation of any license or permit pertaining to the sale or distribution of cigarettes or other tobacco products, including, but not limited to, any license or permit issued by the Commissioner of Revenue pursuant to Chapter 25 of Title 40. - May subject products to seizure and destruction or sale by law enforcement officers.

Tobacco Tax Section P. O. Box 327555 Montgomery, AL 36132-7555 (334) 242-9627

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