



Non-Participating Manufacturer Certification Checklist Form

Tobacco Enforcement Section

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Required Checklist – All documents must be submitted electronically, the certification and affidavits must be signed by a person with authority to legally bind the company, and the affidavits and any other signed forms must be executed no more than 30 days prior to the date the certification is submitted:

- Reviewed and complied with the attached instructions.
- Complete Part I: Tobacco Product Manufacturer Identification, entering all current and accurate information regarding the company and indicating whether you are submitting an annual, initial or supplemental certification.
- Attached the current Health Warning Rotation Plan compliance affidavit for all brand families.
- Attached the current Centers for Disease Control (CDC) ingredient listing compliance letter(s) for all brand families.
- Attached my TTB Tobacco Manufacturer Permit and (if applicable) Tobacco Importer Permit(s).
- Attached full live trademark for all brand families captured in the last 30 days prior to execution of the certification.
 - If you are not the trademark owner, attach an executed agreement that defines trademark rights and control over the manufacturing of the cigarettes (such as an exclusive manufacturing agreement). Ensure all fields of the trademark are expanded, displaying all details.
 - If ownership or rights to a trademark or a brand have changed, please explain and attach any applicable trademark(s) and/or licensing agreement(s).
- If this is an initial certification or there has been a facility change, attach photographs and diagram of the new facility and on the brand list template identify any brand families whose production has changed to this location.
- Attached a list of all officers, owners, board members, or partners of your company, including their name, title, address, telephone number, and email address.
- Attached a list of any parent, subsidiary, sister, related, associated, or other affiliates. An "affiliate" is defined as a person who, directly or indirectly,

owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of the definition of "affiliate," the terms "own," "owned," and "ownership" meaning ownership of an equity interest, or equivalent thereof, of 10% or more.

- Attached PA Department of Revenue's Cigarette Fire Safe Manufacturer Certificate and corresponding current laboratory Ignition Propensity individual burn test results and Certifications for the Ignition Strength of Cigarettes for all brand styles. **Reminder: test results expire three years after the date of the test regardless of the expiration date of the applicable fire safe certificate, so if such test results are set to expire within three months of submission of your certification, TES recommends providing updated tests to help expedite review and processing of the certification.**
- Attached any Pennsylvania Tobacco Products Licenses.
- Attached electronic color copy of all Brand family packaging (cartons, packs for cigs and pouches, canister/label for RYO) to be used in Pennsylvania during the certification year. Include views of each side of the packaging with UPC clearly visible. Please be sure the packaging provided is clear of any proprietary information, as it will be published on the Pennsylvania Tobacco Product Directory of Approved Brands.
- Attached a completed Required Brand List template **(updated 2026)**.
- If applicable, attached completed Required Brand Transfers template.
- Attached completed required Yearly Shipment History template of Unstamped Cigarettes and RYO in Part III per Section C.
- Attached completed required Units Sold History template of Cigarettes and RYO in Part III per Section D.
- If applicable, attached the Manufacturer Resident Agent Letter.
- If applicable, attached the Importer Resident Agent Letter and Importer Declaration Form.
- If required, attached copy of your Model Escrow Agreement. If your bank has changed, including a buyout or merger, you must submit a new escrow agreement for approval.
- Attached the Proof of Deposit and Escrow History.
- Attached Manufacturer Surety Bond.
- Attached a signed and notarized FDA compliance affidavit and any necessary compliance documentation for new styles.
- Attached any renewed documentation for items that expired since your last certification (Health Warning Rotation Plan, CDC, TTB, FSC Test Results and/or Certificate, Trademark etc.).
- If the certification and affidavits are signed by a person who is not an owner, officer, or director of the company, under Part III Section C attach documentation of the person's authority to legally bind the company.

Upon request, you may be required to submit additional documentation to verify your information such as articles of incorporation, corporate charters, corporate bylaws, operating agreements, contracts, leases, importer's certificates, licenses, BATF Form 7501s, bills of lading, customer invoices, etc.

Acceptance of this Certification by the Commonwealth does not waive any rights to enforce the provisions of the Tobacco Settlement Agreement Act (TSAA), 35

P.S. §§ 5671 – 5675 or the Tobacco Product Manufacturer Directory Act (TPMDA), 35 P.S. §§ 5702.101 - 5702.2102.