



Non-Participating Manufacturer Certification Checklist Form

Tobacco Enforcement Section

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Harrisburg, PA 17120

Phone: (717) 783-1794

www.attorneygeneral.gov

Required Checklist – All documents must be submitted electronically:

- Attached the current Federal Trade Commission (FTC) compliance affidavit for health-warning rotation plan for all brand families. The affidavit must be signed by an individual who has the authority to legally bind the company.
- Attached a copy of the current Centers for Disease Control (CDC) ingredient listing compliance letter(s) for all brand families.
- Attached a copy of my TTB Manufacturer's and (if applicable) Importer(s)' Permit(s).
- Attached full live trademark for all brand families captured in the last 30 days. If you are not the trademark owner, attached an executed agreement that defines trademark rights and/or 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).
- Attached the brands and brand styles you own, license, market, or hold rights to market which you are seeking to certify in PA.
- 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. Included 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 displayed to the public on the Pennsylvania Tobacco Product Directory of Approved Brands.
- If required, attached a 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.
- If there has been a facility change, attached photographs and diagram of the new facility and on the brand list template identified any brand families whose production has changed to this location.
- Attached a list of all officers, owners, board members, or partners of your

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company, including their name, title, address, telephone number, and email address.

- Attached a list of any parent, subsidiary, sister, related, associated, or other affiliated entities, including any entities to or from which you supply or purchase manufacturing materials.
- Attached PA Department of Revenue's Cigarette Fire Safe Manufacturer Certificate and corresponding laboratory Ignition Propensity individual burn test results and Certifications for the Ignition Strength of Cigarettes for all brand styles.
- Attached any Pennsylvania Tobacco Products Licenses.
- Attached completed required Brand List template in Part III per Section A.
- 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.
- Attached Proof of Escrow Deposit and Escrow History.
- Attached the Manufacturer Resident Agent Letter.
- Attached the Importer Resident Agent Letter.
- Attached the Importer Declaration Form.
- Attached the Proof of Deposit and Escrow History.
- Attached Manufacturer Surety Bond.
- Attached signed and notarized FDA compliance affidavit and any necessary compliance documentation for new styles. The affidavit must be signed by an individual who has the authority to legally bind the company.
- Attached any renewed documentation for items that expired since your last certification (FTC, CDC, TTB, FSC Test Results and/or Certificate, Trademark etc.).
- Completed this certification in its entirety.
- Reviewed and complied with the attached instructions.

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.