

SECTION IV TEST METHOD

All cigarettes included in the certification have been tested using the following method (check one), and the test results are attached. Supply name, address, and telephone number of laboratory, if different from the manufacturer that conducted the test. The manufacturer certifies it will retain the testing data for a minimum of three years and will provide the data to the Attorney General and the Commissioner upon request.

- American Society of Testing and Materials Standard E2187-04
- Alternate method approved by the Pennsylvania State Fire Commissioner. Attach a copy of the Fire Commissioner's authorization of the proposed testing method required by Pennsylvania regulations.

SECTION V MARKING APPROVAL

All cigarettes included in the certification have an approved fire-safe marking on each pack, at or near the area of the UPC code as required by Pennsylvania regulation.

- Copy of Department of Revenue approval dated _____ is attached.
- Manufacturer proposed marking is attached and submitted with the certification (The proposed marking is 8-point type or larger).

SECTION VI FEE CALCULATION

1. The number of cigarette brand families listed on the certification _____
2. Certification Fee per brand \$ _____
3. Amount due to the Department of Revenue (Line 1 times Line 2) \$ _____
4. The number of cigarette brands added as supplemental certification _____
5. Supplemental fee per brand \$ _____
6. Amount due to the Department of Revenue (Line 4 times Line 5) \$ _____

AMOUNT REMITTED WITH THIS CERTIFICATION: \$ _____

No brand family will be certified for sale in Pennsylvania or included in the Pennsylvania Cigarette Fire Safety and Firefighter Protection Act List until the certification fee is paid in full.

SECTION VII WHOLESALE DEALERS AND AGENTS CERTIFICATION

The manufacturer certifies it has provided copies of the certification to all wholesale dealers and agents to which they sell cigarettes, and shall also provide sufficient copies of an illustration of the package marking utilized by the manufacturer for each retail dealer to which the wholesale dealers or agents sell cigarettes.

Designated Contact Name			Title	
Mailing Address				
City		State	ZIP Code	Country
Phone Number	Fax Number		Email	

SECTION VIII MANUFACTURER CERTIFICATION

Under penalties of perjury I certify that, to the best of my knowledge, all of the information contained herein and on any attached documents is true and accurate, and I am a person authorized by the manufacturer requesting this certification under the laws of Pennsylvania or the jurisdiction where the manufacturer resides or is organized. I understand the department may require additional information and/or documentation to determine whether the manufacturer qualifies for listing on the Pennsylvania State Directory of Fire Safe Cigarettes.

THIS DOCUMENT MUST BE SIGNED AND DATED BY AN AUTHORIZED DESIGNEE.

Authorized Designee Print Name	Title	Signature	Date
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The Department will not process incomplete or illegible certifications.

Instructions for DAS-115

Application for Fire-Safe Certification of Cigarette Manufacturer

GENERAL INFORMATION

WHO MUST FILE

Any participating or non-participating cigarette manufacturer that intends to offer its brand(s) for sale in Pennsylvania.

Beginning Jan. 1, 2009, it is unlawful to stamp or offer for sale in Pennsylvania any cigarette not compliant with the Pennsylvania Cigarette Fire Safety and Firefighter Protection Act.

WHEN IS THE CERTIFICATION DUE

The initial certification must be filed and approved by the Department before offering any cigarette for sale in Pennsylvania after Jan. 1, 2009. The Department will not process incomplete or illegible certifications.

Mail or email a completed application and related documents to:

PENNSYLVANIA DEPARTMENT OF REVENUE
PO BOX 280909
HARRISBURG PA 17128-0909
RA-RVBTFTCIGTAX@PA.GOV

All re-certifications (required every three years) must be filed 30 days before the prior certification expires. Re-certifications and related documents may be filed on myPATH at mypath.pa.gov.



NOTE: For additional forms and information email RA-RVBTFTCIGTAX@pa.gov.

DEFINITIONS

The following words and phrases, when used in this application, shall have the meanings that follow, unless the context clearly indicates otherwise.

AGENT

Any person authorized by the Commonwealth to purchase and affix tax stamps on packages of cigarettes.

BRAND

Trade name on package.

BRAND FAMILY

All styles of cigarettes sold under the same brand and differentiated from one another by additional modifiers, such as "menthol." A brand family includes any brand name alone, or in conjunction with any other word, logo, symbol, or identifier.

CIGARETTE

Either of the following:

1. A roll for smoking, whether made wholly or in part of tobacco or any other substance, the cover or wrapper of which is made of paper or any other substance regardless of size or shape, and whether or not the tobacco or substance is flavored, adulterated, or mixed with any other ingredient.
2. A roll for smoking, wrapped in any substance containing tobacco other than a product accepted by the federal government as a cigar, which, because of its appearance, the type of tobacco used in the filler or its packaging and labeling, is likely to be offered to or purchased by consumers as a cigarette as described in paragraph 1.

COMMISSIONER

The Pennsylvania State Fire Commissioner.

DEPARTMENT

The PA Department of Revenue.

MANUFACTURER

1. Any entity that produces cigarettes or causes cigarettes to be produced in any jurisdiction and intends to sell cigarettes in Pennsylvania.
2. The first purchaser that intends to resell in the U.S. cigarettes manufactured by a maker that did not intend for sale in the U.S.
3. Any entity that becomes a successor of any entity described under paragraph 1 or 2.

NON-PARTICIPATING MANUFACTURER

A tobacco product manufacturer that is not a signatory to the Master Settlement Agreement.

PARTICIPATING MANUFACTURER

A tobacco product manufacturer that is a signatory to the Master Settlement Agreement.

RETAIL DEALER

Any entity other than a manufacturer or wholesale dealer engaged in selling cigarettes or tobacco products.

SALE

Any transfer of title, possession or both; and/or any exchange or barter. In addition to cash and credit sales, giving cigarettes as samples, prizes or gifts, and exchanging cigarettes for any consideration other than money shall be considered sales.

SELL

To provide for purchase, offer, or agree to do the same.

WHOLESALE DEALER

Any entity, other than a manufacturer, that sells cigarettes or tobacco products to retail dealers or other persons for purposes of resale. Wholesale dealer also includes any entity that owns, operates, or maintains one or more cigarette or tobacco product vending machine in, at or upon premises owned or occupied by any other entity.

LINE INSTRUCTIONS**SECTION I****MANUFACTURER INFORMATION**

Provide the company name and address, FEIN, phone and fax numbers, and mailing address. Also provide the name, title, and email of the person completing the form.

SECTION II**TYPE OF CERTIFICATION**

Initial certification is due before offering for sale in Pennsylvania any cigarette after Jan. 1, 2009.

Re-certification is due 30 days before prior certification expires.

Supplemental certification must be filed if any brand styles are to be added or removed after initial certification.

SECTION III**BRAND FAMILY CERTIFICATION**

Identify each brand family and style of cigarettes the company intends to sell in Pennsylvania and seeks to have included in the Fire-Safe Directory.

Provide the brand name, test date, style (light, ultra light), length and circumference in millimeters, flavor (menthol, chocolate), filter/non-filter, and package description (soft pack, box).

A Brands Addendum page is included in the certification packet and is available on the Department of Revenue website.

SECTION IV**TEST METHOD**

Check the box indicating which test method applies to the brands being certified.

If an alternative test method is used, attach a copy of the Fire Commissioner's authorization of the test method.

Attach most recent test results.

SECTION V**MARKING APPROVAL**

Before any cigarettes are certified, a manufacturer must present its proposed package marking to the Department of Revenue for approval.

Attach a copy of approval or attach the proposed marking for approval.

Check whether 8-point or larger type is used in conjunction with, at, or around the UPC code.

SECTION VI**FEE CALCULATION**

Multiply the total number of brand families to be initially certified or re-certified by \$1,000.

Multiply the total number brand families to be supplementally certified by \$500.

Add Lines 3 and 6 for total amount due.

Remit with the completed certification the total amount due made payable to the Pennsylvania Department of Revenue.

SECTION VII**WHOLESALE DEALERS AND AGENTS CERTIFICATION**

Manufacturers are required to provide a copy of each certification to all wholesale dealers and agents to which they sell cigarettes.

Provide sufficient copies of an illustration of the package marking utilized by the manufacturer for each retail dealer to which the wholesale dealers or agents sell cigarettes.

DESIGNATED CONTACT

Provide the name, title, mailing address, email, and phone and fax numbers of the designated contact. The designated contact is the individual who will receive mailings and other communication from the Department.

SECTION VIII**MANUFACTURER CERTIFICATION**

The person completing the certification must be an officer, principal, director, or other authorized representative of the manufacturer. The authorized designee's name and title must be printed legibly.