



ALAN WILSON
ATTORNEY GENERAL

NOTICE

To: All South Carolina-Licensed Tobacco Distributors
From: Office of South Carolina Attorney General
Date: March 30, 2011
Re: Prevent All Cigarette Trafficking Act, 15 U.S.C. §§ 375, *et seq.*

The federal Prevent All Cigarette Trafficking ("PACT") Act, 15 U.S.C. §§ 375, *et seq.*, became effective on June 30, 2010. (Reference the U. S. Bureau of Alcohol, Tobacco, Firearms and Explosives website: <http://www.atf.gov/alcohol-tobacco>).

Per the terms of the Act, all persons who sell, transfer, or ship cigarettes for profit must: (1) register with the tobacco tax administrator of the state into which shipment is made and (2) file monthly reports, no later than the 10th of each month, with both the tobacco tax administrator and Attorney General, fully outlining the quantity, brands, and recipients of cigarette shipments into such state. These provisions clearly apply to distributors within the meaning of the South Carolina Tobacco Escrow Fund Act (S.C. Code Ann. §§ 11-47-10 *et seq.*).

Pursuant to S.C. Code Ann. § 11-48-50(D), the Attorney General may require a distributor to submit any additional information that will enable the Attorney General to determine whether tobacco product manufacturers are in compliance with S.C. Code Ann. § 11-48-10 *et seq.* There are a number of factors that the Attorney General has to consider when deciding whether to certify tobacco product manufacturers. Key factors include disclosure of units sold in South Carolina and deposit of escrow. Distributors' PACT Act reports will assist the Attorney General in determining whether manufacturers are in compliance with these requirements.

Effective immediately, all distributors are required to provide the Attorney General with copies of their PACT Act reports that are submitted to the South Carolina Department of Revenue. Please be advised that these reports are in addition to the Quarterly Reports required under S.C. Code Ann. § 11-48-50(A).

Please send all necessary reports under the PACT Act to both:

South Carolina Department of Revenue	South Carolina Attorney General
Attn: Tobacco/PACT	Attn: Tobacco Unit
P.O. Box 125	P.O. Box 11549
Columbia, SC 29214	Columbia, SC 29211-1549