



NOTICE

UPDATE BELOW

TO: All South Carolina Licensed Tobacco Distributors
FROM: Office of South Carolina Attorney General
DATE: March 30, 2011
RE: Prevent All Cigarette Trafficking Act

The federal Prevent All Cigarette Trafficking ("PACT") Act, 15 U.S.C. §§ 375, et seq., became effective on June 30, 2010. 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 comply with these requirements.

November 2021 Update

In an effort to streamline the management of PACT Reports filed with the State of South Carolina, this Office is standardizing the PACT submission forms. Beginning January 2022, please use the Alcohol, Tobacco, and Firearms forms (PA-1 and PA-2) linked on this website. The PA-1 reports sales of cigarettes into the state, and the PA-2 reports sales of other tobacco (OTP) products and electronic nicotine delivery system (ENDS) products. If you are reporting both products, please submit the files as separate workbooks. As the instructions indicate, provide business information on the Part 1 worksheet and sales and delivery information on the Part 2 and Part 3 worksheets. Please do not change the names of the worksheet tabs at the bottom of the workbooks. Further, please submit these forms as .xlsx file types and send them via email to this Office at SCPACT@scag.gov and to the South Carolina Department of Revenue at PactAct@dor.sc.gov. If you have any questions, please contact us at 803-734-9927. Thank you for your cooperation.