



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

NOTICE

To Cigarette and Other Tobacco Products Retailers Concerning Commercial Roll-Your-Own or Other Cigarette Making Machines in Retail Establishments

April 13, 2012

(This replaces the Notice issued by the Idaho Attorney General's Office on December 7, 2011)

On April 4, 2012, Idaho Governor Butch Otter signed into law legislation concerning commercial cigarette rolling machines, which will become effective July 1, 2012. A copy of the legislation is enclosed. The law applies to any person who makes available for use by another person in a commercial setting a cigarette rolling machine that has the capacity to produce at least one hundred fifty (150) cigarettes in less than thirty (30) minutes.

By June 1, 2012, the Office of the Attorney General will publish information and forms on its website, located at www.ag.idaho.gov, for operators of commercial cigarette rolling machines to certify compliance with this act prior to July 1, 2012. In addition to annual certification to the Attorney General no later than April 30 of each year, operators of commercial cigarette rolling machines will be required to:

- Use loose tobacco that has been approved for sale in Idaho by the Attorney General and is listed on the Idaho Attorney General's Directory of Compliant Tobacco Product Manufacturers and Brand Families (AG Directory);
- Ensure customers use only loose tobacco that was first purchased from the operator;
- Have a current Tobacco Retailer permit issued by the Department of Health and Welfare pursuant to Idaho Code Section 39-5704;
- Place the commercial cigarette rolling machine in a location where 75% of the total revenue from the operator's merchandise sales are comprised of tobacco products, or where minors are prohibited from entering;
- Not sell, or allow customers to manufacture, less than twenty (20) cigarettes per transaction except for a sample cigarette that is consumed or destroyed on the premises where the cigarette rolling machine is located;
- Not offer for sale cigarettes manufactured by the operator's cigarette rolling machine unless the operator also holds a federal cigarette manufacturer permit.
- Submit quarterly reports to the Attorney General of the number of cigarettes manufactured, the brand family and ounces of tobacco used, and the persons from whom the operator purchased the tobacco.

After July 1, 2012, any person in possession of a commercial cigarette rolling machine that has not first been certified by the Attorney General can be subject to the consequences outlined in the Act, including seizure and forfeiture of the cigarette rolling machine, suspension or revocation of their tobacco permit issued by the Department of Health and Welfare for a period of at least three months but up to one (1) year, and civil penalties.