

ATTORNEY GENERAL
STATE OF MONTANA

Tim Fox
Attorney General



Office of Consumer Protection
555 Fuller Avenue
PO Box 200151
Helena, MT 59620-0151

Re: Prevent All Cigarette Trafficking Act, 15 U.S.C. §§ 375, *et seq.*

On June 30, 2010, the Prevent All Cigarette Trafficking (“PACT”) Act, 15 U.S.C. §§ 375, *et seq.*, became effective. The Act requires all persons who sell, transfer, or ship cigarettes for profit to: (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 the State’s Attorney General, fully outlining the quantity, brands, and recipients of cigarette shipments into this state. These provisions apply to tobacco product manufacturers, including Non-Participating Manufacturers (“NPMs”) within the meaning of the Mont. Code Ann. § 16-11-502(5).

Pursuant to Mont. Code Ann. § 16-11-507(4), the Montana Attorney General may require a distributor, importer, or tobacco product manufacturer to submit additional information as necessary to determine compliance with Montana’s escrow and reporting obligations. Montana requires that a distributor, importer, or tobacco product manufacturer file a monthly PACT Act Report with this office even if the report would be filed as “zero” sales into the state of Montana.

Many distributors, importers, or tobacco manufacturers file PACT Act Reports in their native form as an Excel Spreadsheet or a letter sent with attached invoices via e-mail, fax, or postal mail.

Accordingly, please send all PACT Act Reports to:

Attorney General’s Office
Office of Consumer Protection
Tobacco Enforcement Program
P.O. Box 200151
Helena, MT 59620-0151
E-mail: bbessey@mt.gov
Fax: (406) 442-1894

AND

Department of Revenue
Miscellaneous Tax Unit
Attn: Mark Schoenfeld
P.O. Box 5805
Helena, MT 59604-5805
E-mail: mschoenfeld@mt.gov
Fax: (406) 444-7997

If you have any legal questions, please contact the Tobacco Enforcement Program Attorney at (406) 444-2026.

Thank you for your attention to this matter.