



DEPARTMENT OF JUSTICE
CIVIL ENFORCEMENT DIVISION

MEMORANDUM

DATE: January 18, 2011

TO: All Oregon-Licensed Tobacco Distributors

FROM: Lisa M. Udland, Sr. Assistant Attorney General
Civil Recovery Section

SUBJECT: Notice of New Requirements Relating to Smokeless Tobacco Products

Pursuant to ORS 180.465 to 180.494, the Oregon Department of Justice regulates the sale of smokeless tobacco products to Oregon consumers. The purpose of this notice is to inform you of new statutory requirements applicable to tobacco distributors with respect to smokeless tobacco products.

Directory. Pursuant to ORS 180.477, the Oregon Department of Justice maintains a directory of smokeless tobacco product brands that maybe sold within the state of Oregon. The Directory can be found at: www.doj.state.or.us/tobacco/pdf/smokeless_tobacco_directory.pdf. Beginning today, sales of products that are not listed on the Directory at the time you purchase them may be subject to seizure by the Department of Revenue and may result in the imposition of penalties. ORS 180.486 and ORS 180.494. The Directory was published on January 13, 2011. You will be notified electronically when any changes are made to the Directory.

Reporting. ORS 180.483(1) requires distributors to complete the “Brand Specific Report for Smokeless Tobacco Products with Oregon Tax Paid for All Manufacturers” and file it with the Oregon Department of Justice. This report must be filed on a **quarterly** basis no later than the 20th day after the close of the reporting quarter, even if you have no sales in that quarter. A copy of the form can be found on our website. Please note that all distributors shall maintain all invoices and documentation of sales of smokeless tobacco products for a period of 5 years. ORS 180.483(2)

In addition to the above state law requirements, the federal Prevent All Cigarette Trafficking (“PACT”) Act, 15 U.S.C. §§ 375, *et seq.*, became effective on June 30, 2010. The PACT Act requires monthly reports of interstate shipments of certain tobacco products, including smokeless tobacco products. Please refer to our website for additional information about the PACT Act.

You can find copies all forms and complete instructions for compliance with your statutory obligations under the tobacco link on the State of Oregon website at www.doj.state.or.us.

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