

**POTPOURRI**

**Department of Revenue**

**Office of Alcohol and Tobacco Control**

Public Hearing—Change to Proposed Rule

Vapor Products Public Safety Regulations

(LAC 55:VII.3201-3215)

The Louisiana Department of Revenue, Office of Alcohol and Tobacco Control, published a Notice of Intent to enact LAC 55:VII.3201-3215, relative to the to the regulation of alternative nicotine and vapor products within the state of Louisiana, in the May 2020 edition of the *Louisiana Register*. At this time the Office of Alcohol and Tobacco Control would like amend the above mentioned notice.

**Title 55**

**PUBLIC SAFETY**

**Part VII. Alcohol and Tobacco Control**

**Subpart 2. Tobacco**

**Chapter 32. Alternative Nicotine and Vapor Products Public Safety Regulations**

**§3201. Definitions**

A. As used in this Chapter, the following terms have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

*Wholesale Dealer*- a dealer whose principal business is that of a wholesaler, who sells cigarettes, cigars, other tobacco products, vapor products, or alternative nicotine products to retail dealers for the purpose of resale, who is a bona fide wholesaler, and fifty percent of whose total tobacco, vapor, and alternative nicotine sales are to retail stores other than its own or those of its subsidiaries or parent companies within Louisiana. Wholesale dealer shall include any person in the state who acquires cigarettes solely for the purpose of resale in vending machines, provided such person services fifty or more cigarette vending machines in Louisiana other than his own, and a Louisiana dealer who was affixing cigarette and tobacco stamps as January 1, 1974. If any person is engaged in the business of making sales at both wholesale and retail, “wholesaler” shall apply only to the wholesale portion of the business.

AUTHORITY NOTE: Promulgated in accordance with R.S. 26:922.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Office of Alcohol and Tobacco Control, LR 46:

**§3209. Manufacturer Authorization**

D. Authorization forms will be valid for a period of one year. Applicants will have to apply for authorization annually, prior to December 31<sup>st</sup>.

AUTHORITY NOTE: Promulgated in accordance with R.S. 26:922.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Office of Alcohol and Tobacco Control, LR 46:

**§3213. Age Verification**

A. For all online sales permit holders must perform an age verification process through an independent, third party age verification service that compares information from public records to the personal information entered by the purchaser during the ordering process that establishes the person is of legal age or older.

AUTHORITY NOTE: Promulgated in accordance with R.S. 26:922.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Office of Alcohol and Tobacco Control, LR 46:

**Public Hearing**

In accordance with R.S. 49:968(H)(2), a public hearing will be held on Monday, August 24, 2020 at 10:30 a.m. at the Office of Alcohol and Tobacco Control, 7979 Independence Blvd. Baton Rouge, Louisiana 70806.

Any individual that needs special assistance in order to attend or speak at this public hearing should notify R. Danielle Barringer in writing at the Office of Alcohol and Tobacco Control, 7979 Independence Blvd., Suite 101, Baton Rouge, Louisiana 70806 or by email at [Danielle.barringer@atc.la.gov](mailto:Danielle.barringer@atc.la.gov) or by telephone at (225)925-4018. Request for special assistance must be received no later than 4:30pm on Thursday, August 20, 2020.

Any questions should be directed to R. Danielle Barringer at (225) 925-4018.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Juana Marine-Lombard  
Commissioner