**Section 400.10 Scope**

a) On and after January 1, 2008, no cigarettes subject to the provisions of the Cigarette Fire Safety Standard Act or this Part shall be sold or offered for sale in this State unless:

1) the cigarettes have been tested in accordance with the test method prescribed in Section 400.30;

2) the cigarettes meet the performance standard specified in Section 400.40; and

3) a written certification has been filed by the manufacturer with the Office of the State Fire Marshal, Division of Safety Compliance, 1035 Stevenson Drive, Springfield IL 62703 and the Office of the Attorney General, Tobacco Enforcement Bureau, 500 S. Second Street, Springfield IL 62706, in accordance with Section 400.60.

b) Nothing in this Part shall prohibit wholesale dealers or retail dealers from selling their inventory of cigarettes existing on January 1, 2008, provided that the wholesale dealer or retail dealer can establish that Illinois State tax stamps were affixed to these cigarettes prior to January 1, 2008, and provided further that the wholesale dealer or retail dealer can establish that the inventory was purchased prior to January 1, 2008 in comparable quantity to the inventory purchased during the same period in the prior year.

c) Nothing in this Part shall be construed to prohibit cigarettes that have not been certified by the manufacturer in accordance with Section 30 of the Act if the cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States.