**Section 400.20 Definitions**

For the purposes of this Part:

"Act" means the Cigarette Fire Safety Standard Act [425 ILCS 8].

*"Agent" means any person licensed by the Department of Revenue to purchase and affix adhesive or meter stamps on packages of cigarettes.*

*"Cigarette" means any roll for smoking, whether made wholly or in part of tobacco or any other substance, irrespective of size or shape, and whether or not such tobacco or substance is flavored, adulterated, or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material except tobacco.*

*"Manufacturer" means:*

*any entity that manufactures or otherwise produces cigarettes or causes cigarettes to be manufactured or produced anywhere that the manufacturer intends to be sold in this State, including cigarettes intended to be sold in the United States through an importer;*

*The first purchaser anywhere that intends to resell in the United States cigarettes manufactured anywhere that the original manufacturer or maker does not intend to be sold in the United States; or*

*any entity that becomes a successor of an entity described* above*.*

"OSFM" means the Office of the State Fire Marshal.

*"Quality Control and Quality Assurance Program" means the laboratory procedures implemented to ensure that operator bias, systematic and nonsystematic methodological errors, and equipment-related problems do not affect the results of the testing. This program ensures that the testing repeatability remains within the required repeatability values stated in* Section 400.30(e) of this Part *for all test trials used to certify cigarettes in accordance with the Act.*

*"Repeatability" means the range of values within which the repeat results of cigarette test trials from a single laboratory will fall 95% of the time.*

*"Retail Dealer" means any person, other than a manufacturer or wholesale dealer, engaged in selling cigarettes or tobacco products.*

*"Sale" means any transfer of title or possession or both, exchange or barter, conditional or otherwise, in any manner or by any means whatever or any agreement therefore. In addition to cash and credit sales, the giving of cigarettes as samples, prizes, or gifts and the exchanging of cigarettes for any consideration other than money are considered sales.*

*"Sell" means to sell or to offer or agree to sell.*

*"Wholesale Dealer" means any person who sells cigarettes or tobacco products to retail dealers or other persons for purposes of resale, and any person who owns, operates or maintains one or more cigarette or tobacco product vending machines in, at or upon premises owned or occupied by any other person.* [425 ILCS 8/5]