

State of Wisconsin
Checklist for Certification by Non-Participating Manufacturers or Participating Manufacturers
Sec. 995.12, Wis. Stats.

WHO MUST COMPLETE THIS CERTIFICATION

All foreign and domestic tobacco manufacturers requesting certification for their cigarette products, as defined in sec. 995.10 (1)(d), Wis. Stats., for sale and distribution to Wisconsin consumers whether directly or indirectly through any distributor, retailer, or similar intermediary must complete this certification and submit it along with all forms, schedules and other documentation to the Attorney General's Office.

FILING DUE DATE

A complete and legible certification submission must be received by the Attorney General's Office no later than April 30th of each year.

WISCONSIN DEPARTMENT OF REVENUE (WDOR) MANUFACTURER PERMIT

A domestic (U.S.) manufacturer of cigarette or tobacco products (for imported product, the First Importer of Record of that product into the U.S.) must hold a valid manufacturer and/or importer permit with the Wisconsin Department of Revenue (WDOR). Application for Cigarette and Tobacco Products Permits/Registration (CTP-129) is available on WDOR's website at revenue.wi.gov/forms/excise/index-c.html#permit.

CERTIFICATION FORMS & ATTACHMENTS

Include this checklist with your certification. Check each form and attachment you have included and label the Exhibits as indicated below.

Forms:

- CTP-120 Certification by Participating Manufacturer
- CTP-121 Certification by Non-Participating Manufacturer
- CTP-122 Brand Summary List for Domestic (U.S.) Manufactured Cigarette Products
 - CTP-122a Schedule A: Brand Disclosure – Domestic Cigarettes
 - CTP-122b Schedule B: Brand Disclosure – Domestic Roll-Your-Own
 - CTP-122c Schedule C: Brand Disclosure – Domestic Little Cigars
- CTP-123 Brand Summary List for Foreign Manufactured/Imported Cigarette Products
 - CTP-123a Schedule A: Brand Disclosure – Imported Cigarettes
 - CTP-123b Schedule B: Brand Disclosure – Imported Roll-Your Own
 - CTP-123c Schedule C: Brand Disclosure – Imported Little Cigars

Exhibits:

- Exhibit A** Government Issued Permits/Licenses – U.S. and Foreign
- Exhibit B** Federal Tax and Trade Bureau reporting form 5210.5 from prior year.
- Exhibit C** Certificate of Good Standing from the Secretary of State/Department of Financial Institutions or equivalent. Non-Participating Manufacturers only.
- Exhibit D** Articles of Incorporation and bylaws
- Exhibit E** FTC Letters of Compliance for brand label warning approval.
- Exhibit F** HHS Letters of Compliance (If all brands are not listed in the HHS letter, include a notarized affidavit/statement signed by the manufacturer, listing all brands whose full ingredients were included in the listed submission to HHS.)
- Exhibit G** Trademark Owner's Authorization to Customs to Allow Importation of Product into the U.S.
- Exhibit H** Current Price List (Product names must match those used on CTP-122 or CTP-123.)

Note: The Wisconsin Department of Revenue may require, along with the Letter of Direct Buy, a copy of a signed agreement between the Manufacturer/First Importer of Record and distributors who affix Wisconsin tax stamps to the product for sale and distribution in Wisconsin. The agreement must provide evidence of pricing to cover the MSA charge for Wisconsin sales and should also establish reporting requirements of Wisconsin sales by the distributor to the Manufacturer/First Importer of Record.

- Exhibit I** Sample of packaging (Include one package or one bag of each brand name (any style) of Cigarettes, RYO, or Little Cigars you are seeking to certify with the products identified by the same Brand Reference No. as used on CTP-122 or CTP-123. Packaging is required each year; digital versions are acceptable.)
- Exhibit J** Registered Agent's Signed Letter of Acknowledgement (on company letterhead); Non-Participating Manufacturers only.
- Exhibit K** Current Escrow Agreement and most recent statement of account. Non-Participating Manufacturers only.
- Exhibit L** Other (as described here): _____

ASSISTANCE AND FORMS

Information, forms and assistance are available.

Direct Inquires to: Gregory Myszkowski, Assistant Attorney General
Phone: (608) 266-7656
Email: myszkowskiga@doj.state.wi.us

Wisconsin Department of Justice
PO Box 7857
Madison, WI 53707-7857

Forms are available on the Wisconsin Department of Revenue's website at revenue.wi.gov/forms/excise/index-c.html#msa under Tobacco Master Settlement Agreement (MSA) heading.