

**Article - Business Regulation**

16-222.

(A) A PERSON MAY NOT SHIP, IMPORT, OR SELL INTO OR WITHIN THIS STATE ANY BRAND OF CIGARETTE UNLESS THAT PERSON:

- (1) IS THE OWNER OF THE BRAND;
- (2) IS THE UNITED STATES IMPORTER FOR THE BRAND; OR
- (3) IS A DESIGNATED AGENT IN MARYLAND OF:
  - (I) THE OWNER OF THE BRAND; OR
  - (II) THE UNITED STATES IMPORTER OF THE BRAND; AND
- (4) HOLDS ANY LICENSE REQUIRED BY THIS SUBTITLE.

(B) A PERSON WHO SHIPS, IMPORTS, OR SELLS CIGARETTES INTO OR WITHIN THIS STATE:

(1) SHALL COMPLY WITH ANY FEDERAL AND STATE REQUIREMENTS CONCERNING THE PLACEMENT OF WARNING LABELS OR OTHER INFORMATION ON THE CONTAINERS OR INDIVIDUAL PACKAGES OF CIGARETTES; AND

(2) SHALL ENSURE THAT THE CONTAINERS OR INDIVIDUAL PACKAGES OF CIGARETTES DO NOT CONTAIN ANY INFORMATION OR MARKINGS THAT ARE FALSE, MISLEADING, OR CONTRARY TO:

- (I) FEDERAL TRADEMARK OR TAX LAWS;
- (II) THE TRADEMARK LAW OF THIS STATE UNDER TITLE 1, SUBTITLE 4 OF THIS ARTICLE; OR
- (III) THE TAX LAWS OF THIS STATE UNDER TITLE 12 OF THE TAX - GENERAL ARTICLE.

(C) A PERSON WHO SHIPS, IMPORTS, OR SELLS CIGARETTES INTO OR WITHIN THIS STATE IN VIOLATION OF THIS SECTION IS SUBJECT TO DISCIPLINARY ACTION BY THE COMPTROLLER UNDER § 16-210 OF THIS SUBTITLE AND TO THE PENALTY SPECIFIED IN § 13-1015 OF THE TAX - GENERAL ARTICLE.

**Article - Tax - General**

13-1015.

A person who willfully SHIPS, IMPORTS, SELLS INTO OR WITHIN, OR transports [in] WITHIN, [the] THIS State [unstamped] cigarettes in violation of TITLE 12 OF THIS ARTICLE OR [§ 16-219] § 16-219 OR § 16-222 of the Business Regulation Article is guilty of a felony and, on conviction, is subject to a fine not exceeding ~~\$25~~ \$50 for each carton of cigarettes transported or imprisonment not exceeding ~~1-year~~ 2 YEARS or both.