

(J) "WHOLESALE" HAS THE MEANING STATED IN § 16-201 OF THIS TITLE.

16-602.

(A) CIGARETTES MAY NOT BE MANUFACTURED IN THIS STATE OR SOLD OR OFFERED FOR SALE TO ANY PERSON IN THIS STATE UNLESS:

(1) THE CIGARETTES HAVE BEEN TESTED IN ACCORDANCE WITH THE TEST METHOD AND MEET THE PERFORMANCE STANDARD SPECIFIED IN THIS SECTION; AND

(2) THE MANUFACTURER HAS FILED A WRITTEN CERTIFICATION WITH THE COMPTROLLER IN ACCORDANCE WITH § 16-603 OF THIS SUBTITLE.

(B) THE PERFORMANCE STANDARD FOR CIGARETTES SOLD OR OFFERED FOR SALE IN THE STATE INCLUDES ALL OF THE REQUIREMENTS IN SUBSECTION (E)(1) OF THIS SECTION.

(C) (1) TESTING OF CIGARETTES SHALL BE CONDUCTED IN ACCORDANCE WITH THE AMERICAN SOCIETY OF TESTING AND MATERIALS (ASTM) STANDARD E2187-04 "STANDARD TEST METHOD FOR MEASURING THE IGNITION STRENGTH OF CIGARETTES".

(2) THE COMPTROLLER, IN CONSULTATION WITH THE COMMISSION, MAY ADOPT A SUBSEQUENT ASTM STANDARD TEST METHOD FOR MEASURING THE IGNITION STRENGTH OF CIGARETTES ON A FINDING THAT THE SUBSEQUENT METHOD DOES NOT RESULT IN A CHANGE IN THE PERCENTAGE OF FULL-LENGTH BURNS EXHIBITED BY ANY TESTED CIGARETTE WHEN COMPARED TO THE PERCENTAGE OF FULL-LENGTH BURNS THE SAME CIGARETTE WOULD EXHIBIT WHEN TESTED IN ACCORDANCE WITH ASTM STANDARD E2187-04 AND THE PERFORMANCE STANDARD OF THIS SECTION.

(D) TESTING OF CIGARETTES SHALL BE CONDUCTED ON 10 LAYERS OF FILTER PAPER.

(E) (1) NO MORE THAN 25% OF THE CIGARETTES TESTED IN A TEST TRIAL SHALL EXHIBIT FULL-LENGTH BURNS.

(2) FORTY REPLICATE TESTS SHALL COMPRISE A COMPLETE TEST TRIAL FOR EACH CIGARETTE TESTED.