

(10) THE DATE OF THE TESTING.

(C) THE CERTIFICATION SHALL BE MADE AVAILABLE TO:

(1) THE ATTORNEY GENERAL AND THE COMMISSION FOR PURPOSES CONSISTENT WITH THIS SUBTITLE; AND

(2) THE COMPTROLLER FOR THE PURPOSE OF ENSURING COMPLIANCE WITH THIS SECTION.

(D) (1) EACH CIGARETTE CERTIFIED UNDER THIS SECTION SHALL BE RECERTIFIED EVERY 3 YEARS.

(2) IF A MANUFACTURER OF A CIGARETTE THAT HAS BEEN CERTIFIED UNDER THIS SECTION MAKES A CHANGE THAT IS LIKELY TO ALTER THE CIGARETTE'S COMPLIANCE WITH THE PERFORMANCE STANDARD UNDER § 16-602(E) OF THIS SUBTITLE, THAT CIGARETTE MAY NOT BE SOLD IN THIS STATE UNTIL THE MANUFACTURER, IN ACCORDANCE WITH § 16-602 OF THIS SUBTITLE, RETESTS AND MAINTAINS THE PROPER RECORDS OF THE TESTING.

16-604.

(A) CIGARETTES THAT HAVE BEEN CERTIFIED IN ACCORDANCE WITH § 16-603 OF THIS SUBTITLE SHALL BE MARKED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION.

(B) THE MARKING SHALL:

(1) CONSIST OF:

(I) ANY MARKING IN USE AND APPROVED FOR SALE IN NEW YORK UNDER THE NEW YORK FIRE SAFETY STANDARDS FOR CIGARETTES; OR

(II) THE LETTERS "FSC" TO SIGNIFY FIRE STANDARDS COMPLIANT;

(2) BE IN A FONT OF AT LEAST 8 POINT TYPE; AND

(3) BE PERMANENTLY PRINTED, STAMPED, ENGRAVED, OR EMBOSSED ON THE PACKAGE AT OR NEAR THE AREA OF THE UPC CODE, IF PRESENT.