AN ACT TO PROHIBIT DECEPTIVE PACKAGING RELATING TO STAMPING PACKAGES OF CIGARETTES; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) It shall be unlawful to affix a Mississippi revenue stamp, including any local municipal or county stamp, to or upon any package of cigarettes or to sell or hold for sale any package of cigarettes to which a Mississippi revenue stamp, including any local municipal or county stamp, has been affixed if:

(a) The package differs in any respect with the requirements of the Federal Cigarette Labeling and Advertising Act, 15 USCS 1331 et seq., for the placement of labels, warnings, or any other information upon a package of cigarettes that is to be sold within the United States;

(b) The package is labeled "For Export Only," "United States Tax Exempt," "For Use Outside United States," or similar wording indicating that the manufacturer did not intend that the product be sold in the United States;

(c) The package, or a package containing individually stamped packages, has been altered by adding or deleting the wording, labels, or warnings described in (a) or (b) above;

(d) The package has been imported into the United States after January 1, 2000, in violation of 26 USCS 5754; or

(e) The package in any way violates federal trademark of copyright laws.
(2) Any person who violates this section shall be fined not more than One Thousand Dollars ($1,000.00) or imprisoned for not more than one (1) year, or both. In addition to such fine and imprisonment, a person who violates this section is subject to the revocation of any license or permit pertaining to the sale of cigarettes or other tobacco products and to the seizure and destruction or sale of any cigarettes by law enforcement officers as provided by law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2000.