Notice Regarding the Changing Definition of Cigarette

Due to the passage of LB 397 the State of Nebraska’s definition of “cigarette”, as listed in § 77-2601, will be changing on September 1, 2019. The Nebraska Reduced Cigarette Ignition Propensity Act (§ 69-501 – 69-511) requires all manufacturers to obtain a certification from the Nebraska State Fire Marshal for their brand families of cigarettes attesting that the brand families are in compliance with the Act’s requirements, which includes American Society of Testing and Materials Standard E2187-04.

Any manufacturer who wishes to utilize an alternative test method for their products to be offered for sale or sold in Nebraska or offered for sale or sold to persons located in this state must submit a notarized letter of intent to propose alternative testing methods to the State Fire Marshal Agency prior to September 1, 2019. The State Fire Marshal shall publish a list of Manufacturers and their Brand Families which have submitted the letter of intent. All Manufacturers who have submitted the letter of intent shall be required to submit details of their alternative testing method no later than December 31, 2019. If the Agency does not receive the detailed alternative methods the Manufacturer and all brand families shall be removed from the list. The Agency will review the alternative proposed methods and make a determination about each method. Notifications about each proposal shall be transmitted to the submitting party no later than April 15, 2020.