

## Article - Business Regulation

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§16–602.1. IN EFFECT

**\*\* CONTINGENCY – IN EFFECT – CHAPTER 497 OF 2007 \*\***

(a) Cigarettes that are sold or distributed for the purpose of consumer testing in a controlled setting in which the cigarettes are either smoked on the site of the testing or returned to the testing administrator at the conclusion of the testing are not subject to the certification requirements of § 16–602 of this subtitle.

(b) (1) Except as provided in subsection (c) of this section, cigarettes that are sold or distributed for the purpose of consumer testing in any setting other than a controlled setting as described in subsection (a) of this section are subject to the certification requirements of § 16–602 of this subtitle.

(2) A manufacturer certification under this subsection may not be subject to § 16–605 of this subtitle.

(c) (1) (i) The manufacturer may submit to the Comptroller, as “confidential under seal”, descriptors for each cigarette sold or distributed for the purpose of consumer testing under subsection (b)(1) of this section.

(ii) Descriptors shall include brand, style, length, circumference, flavor, and package.

(2) Notwithstanding any other provision of law, the information submitted in accordance with paragraph (1) of this subsection:

(i) is not subject to disclosure under State law or discovery in civil litigation; and

(ii) may be used by the Comptroller or the Attorney General for the purpose of enforcing the provisions of this title.

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