

FIRE SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT (EXCERPT)
Act 56 of 2009

***** 29.493.new *THIS NEW SECTION IS EFFECTIVE JANUARY 1, 2010; THIS NEW SECTION IS ALSO REPEALED ON THE DATE THAT THE DIRECTOR NOTIFIES THE SECRETARY OF STATE IN WRITING THAT A FEDERAL REDUCED CIGARETTE IGNITION PROPENSITY STANDARD THAT PREEMPTS THIS ACT HAS BEEN ADOPTED AND IS IN EFFECT: See 29.511.new* *****

29.493.new Definitions.

Sec. 3. As used in this act:

- (a) "Agent" means a stamping agent, as defined in section 2 of the tobacco products tax act, MCL 205.422.
- (b) "ASTM" means ASTM international, formerly the American society for testing and materials.
- (c) "Cigarette" means that term as defined in section 2 of the tobacco products tax act, MCL 205.422.
- (d) "Department" means the department of energy, labor, and economic growth.
- (e) "Director" means the director of the department.
- (f) "Manufacturer" means any of the following:
 - (i) A manufacturer as defined in section 2 of the tobacco products tax act, MCL 205.422.
 - (ii) The first purchaser of gray market cigarettes, as that term is defined in section 2 of the tobacco products tax act, MCL 205.422, if that purchaser intends to resell the cigarettes in the United States.
 - (iii) A successor to a person described in subparagraph (i) or (ii).
- (g) "New York fire safety standards for cigarettes" means the New York executive law, section 156-c, and the New York fire safety standards for cigarettes, New York compilation of codes, rules, and regulations, title 19, sections 429.1 to 429.10.
- (h) "Quality control and quality assurance program" means laboratory procedures implemented to ensure that operator bias, systematic and nonsystematic methodological errors, and equipment-related problems do not affect the results of the testing of cigarettes and ensure that testing repeatability remains within the required repeatability values stated in section 5(2)(g) for all test trials used to certify cigarettes under this act.
- (i) "Repeatability" means the range of values within which the repeat results of cigarette test trials from a single laboratory will fall 95% of the time.
- (j) "Retail dealer" means a retailer, as that term is defined in section 2 of the tobacco products tax act, MCL 205.422.
- (k) "Sale" means that term as defined in section 2 of the tobacco products tax act, MCL 205.422.
- (l) "Secondary wholesaler" means that term as defined in section 2 of the tobacco products tax act, MCL 205.422.
- (m) "Sell" means to sell or to offer or agree to sell.
- (n) "Tobacco products tax act" means the tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436.
- (o) "Unclassified acquirer" means that term as defined in section 2 of the tobacco products tax act, MCL 205.422.
- (p) "Wholesale dealer" means a wholesaler, as that term is defined in section 2 of the tobacco products tax act, MCL 205.422.

History: 2009, Act 56, Eff. Jan. 1, 2010.