

United States Postal Service®

INDUSTRYALERT

October 21, 2021

Treatment of E-Cigarettes in the Mail (Corrected Federal Register Reference Number)

The Postal Service published a final rule, *Treatment of E-Cigarettes in the Mail*, in the Federal Register on October 21, 2021 (86 FR 58398), revising part 47 of Publication 52, Hazardous, Restricted and Perishable Mail. The final rule implements new statutory restrictions on mailing electronic nicotine delivery systems (ENDS), including their liquids, parts, components, or accessories. Despite the name, ENDS include devices that deliver any substance, not just nicotine, via an aerosolized solution to users inhaling from the device (e.g., electronic cigarettes, e-hookahs, or vape pens). The new rules also revise provisions and processes relating to the mailability of cigarettes and smokeless tobacco.

By law, ENDS are now generally subject to the same prohibitions and restrictions as cigarettes and smokeless tobacco. All such items are prohibited in inbound and outbound international mail; mail to and from overseas military and diplomatic addresses; and mail to and from the Republic of the Marshall Islands, the Federated States of Micronesia, and Palau. In domestic mail, permissible mailing of such items is restricted to a small number of limited exceptions.

Further details available on [Postal Pro](#) and the [Federal Register-Postal Service](#).

Statutory Exceptions (domestic mail only):

- Intra-Alaska and Intra-Hawaii Shipments
- Business/Regulatory Purposes—shipments between authorized businesses or between such businesses and federal or state regulators
- Certain Individuals—infrequent, lightweight, noncommercial shipments by individual adults
- Consumer Testing/Public Health (combustible cigarettes only)—infrequent, lightweight shipments to individual test subjects by authorized businesses or federal agencies

Each exception is subject to numerous conditions and requirements. For details, please see Publication 52 part 473.

Application Process:

Each customer seeking to mail restricted products under the Business/Regulatory Purposes or Consumer Testing/Public Health exception must submit the following application materials to MDA@usps.gov, with all applicable supporting documentation.

Business/Regulatory Purposes:

- Combustible cigarettes or smokeless tobacco: PS Form 4615, *PACT Act Application for Business/Regulatory Purposes Exception—Cigarettes/Smokeless Tobacco*
- ENDS: PS Form 4615-E, *PACT Act Application for Business/Regulatory Purposes Exception—ENDS*, with PS Form 4615-ER – *Recipient Information Worksheet* and PS Form 4615-EM – *Mailer Information Worksheet* (if needed)

Consumer Testing/Public Health (combustible cigarettes only):

- PS Form 4616, *PACT Act Application for Consumer Testing/Public Health Exception*

You can find all forms and applications available for download here:

PostalPro: <https://postalpro.usps.com/product-classification/tobacco>

NOTE: Application processing times can vary depending on the volume of applications, their complexity, and the thoroughness of documentation provided up front and whether the Postal Service must communicate with you to address those issues. Due to the variability of all these factors, it is impossible to predict how long processing may take for any individual application.

Please direct any inquiries or concerns to the *Product Classification* via email (ProductClassification@usps.gov).

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