



Premium Cigar Association Bulletin:
Prevent All Cigarette Trafficking (PACT) Act and Cigars

September 18, 2025

The Premium Cigar Association (PCA) has received reports that certain United States Postal Service (USPS) employees have declined to accept and mail packages containing cigars. While the employees have purportedly cited the Prevent All Cigarette Trafficking (PACT) Act in declining to accept and mail such packages, this law does not apply to cigars. PCA provides this Bulletin as a resource to assist its members with clarifying the scope of the PACT Act prohibition.

PACT Act Prohibition

Subject to certain exceptions, the PACT Act, among other things, deems “nonmailable” all “cigarettes” and “smokeless tobacco,” and it prohibits USPS from accepting for delivery or transmitting through the mails any package that it knows or has reasonable cause to believe contains these products. 18 U.S.C. § 1716E(a)(1).

For purposes of the PACT Act prohibition, the term “cigarette” means:

- any roll of tobacco wrapped in paper or in any substance not containing tobacco;
- any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette;
- roll-your-own tobacco (as defined at 26 U.S.C. § 5702(o)); and
- electronic nicotine delivery systems.

15 U.S.C. § 375(2)(A).

Importantly, the PACT Act’s definition of “cigarette” expressly excludes “cigars” (defined at 26 U.S.C. § 5702(a) as any roll of tobacco wrapped in leaf tobacco or in any substances containing tobacco other than one meeting the definition of “cigarette”). See 15 U.S.C. § 375(2)(B).

PACT Act Exceptions

There exist limited statutory exceptions to the PACT Act prohibition against mailing cigarettes and smokeless tobacco through USPS. Specifically, the prohibition does not apply to:

- (1) cigars (as defined above);
- (2) mailings within Alaska or Hawaii; or



- (3) tobacco products mailed only (A) for business purposes between legally operating businesses that have all applicable state and federal licenses or permits and are engaged in tobacco product manufacturing, distribution, wholesale, export, import, testing, investigation, or research; or (B) for regulatory purposes between any such business and an agency of the Federal Government or a state government.

18 U.S.C. § 1716E(b).

Conclusion

Under the PACT Act, “cigars” remain mailable and not subject to the above-discussed prohibition, and they are otherwise not subject to its other requirements for cigarettes and smokeless tobacco regarding registration, reporting, and delivery sales. See 15 U.S.C. § 375 *et seq.*