



State of New Jersey
Non-Participating Manufacturer
Certification of Appointment of
Agent for Service of Process

NPM-A

Part 1: Certification Year and Type of Certification

Certification Year: Complete a separate form for each Certification Year that you are certifying. Certification Year 2022 is for sales made in 2021.		<input type="checkbox"/> 2022	<input type="checkbox"/> Other: _____
Type of Certification: (check one)	<input type="checkbox"/> Initial	<input type="checkbox"/> Annual	<input type="checkbox"/> Supplemental

Part 2: Manufacturer Identification

Company Name:			
Name and Title of Person Completing this Form:			
Mailing Address:			
City:	State:	Zip Code:	Country:
Phone:	Fax:	FEIN:	

Part 3: Manufacturer Status (Check one)

<input type="checkbox"/> The NPM certifies that it is registered to do business in New Jersey. (<i>Attach certification from New Jersey Secretary of State.</i>)
<input type="checkbox"/> The NPM certifies that it is a non-resident or foreign NPM that has not registered to do business in New Jersey, and hereby certifies that it has appointed an agent, located within the State of New Jersey, to receive service of process on its behalf. (<i>Complete Part 4 and attach proof of appointment and availability of Agent.</i>)

Part 4: Agent Appointed for Service of Process

Company:	Contact Name:	
Physical Address:		
City:	State:	Zip Code:
Mailing Address:		
City:	State:	Zip Code:
Phone:	Fax:	
E-mail:		
Availability of Agent (hours of business):		



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Part 5: Manufacturer Certification

Under penalties of perjury, I state that, to the best of my knowledge, all of the information contained in this Certification and any attached documents are true and accurate and that I am a person authorized to bind the manufacturer making this certification either under the laws of the State of New Jersey or of the jurisdiction where the manufacturer resides or is organized. I understand that the Attorney General may require additional information and/or documentation to determine whether the manufacturer qualifies for listing on the New Jersey Directory. *This document must be signed and dated by an authorized notary public.*

NPM Authorized Designee (Print Name)

Title

Signature of NPM Authorized Designee

Date

Subscribed and sworn to _____
before me this date:

Signature of Notary Public

County
Expires

Commission



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General Information

Who must file this Certification?

Any Non-Participating Manufacturer (NPM) whose cigarettes or roll-your-own tobacco (RYO) were sold in New Jersey during the preceding calendar year or who intends for its brands to be listed as compliant in the New Jersey Directory of Compliant NPMs.

Who Must Appoint an Agent for Service of Process?

Non-resident (out-of-state) and foreign NPMs who are not registered to do business in New Jersey are required to continually engage, without interruption, an agent in this State for acceptance of service of process.

Where an NPM's products are sold in New Jersey and the NPM fails to appoint an agent as required by N.J.S.A. 52:4D-1 *et seq.*, the NPM shall be deemed to appoint the New Jersey Secretary of State as the agent on whom process may be served on its behalf. However, such appointment will not satisfy the condition precedent for having its brand families listed in the Directory of Compliant NPMs.

When is this Certification due?

The annual certification must be filed with the Attorney General no later than April 30 of each year for the preceding year's sales. An initial certification may be filed at any time.

Updates

If the NPM terminates the authority of an agent, the NPM shall notify the Attorney General at least 30 calendar days prior to the termination and provide proof of the appointment of a new agent at least 5 calendar days prior to the termination.

If the agent terminates an agency appointment, the NPM shall notify the Attorney General of the termination within 5 calendar days of the termination and shall include proof of the appointment of a new agent.

Specific Instructions

Part 1: Certification Year and Type of Certification

- Mark appropriate certification year. You must submit a separate certification for each year you are certifying.
- If "Other" is checked, enter certification year for which certification is being provided.
- Mark whether this is an initial (manufacturer is not currently

listed on the New Jersey Directory), annual (due April 30, 2022 for 2021 sales) or supplemental (change of information provided to the Attorney General) certification.

Part 2: Manufacturer Identification

Provide your company name, address, and phone, fax, FEIN numbers, person filling out certification and email.

Part 3: Manufacturer Status

- If you are registered to do business in New Jersey, **attach certification from New Jersey Division of Revenue, Business Registration.**
- If you are not registered to do business in New Jersey you must appoint an agent for service of process who is located within New Jersey, complete Part 4 and **attach current proof of appointment and availability of agent.**

Part 4: Agent Appointed for Service of Process

- Provide contact name and company of Agent appointed for service of process. Provide their physical (street) address as well as mailing address, phone and fax numbers, e-mail address and availability.
- Availability of Agent: normal business hours during which the agent is available at the address provided for the purpose of service of process.

Part 5: Manufacturer Certification

The authorized designee executing the certification must be an officer, principal, director or other authorized representative of the manufacturer. The authorized designee's name and title must be legibly printed and **the signature must be notarized.**

For Additional Information

Phone Tobacco Enforcement Unit at (973) 648-4846 or visit:

https://www.nj.gov/oag/oag_tobacco.html

Mail original document, with attachments to:

**Tobacco Enforcement Unit
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101**