

Attorney General Raoul Announces Settlement With U.S. Postal Service To Curb Illegal Cigarette Shipments

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CHICAGO – Attorney General Kwame Raoul today announced a settlement with the United States Postal Service that implements robust measures to end the unlawful practice of foreign shippers mailing cigarettes into the United States. The settlement resolves a lawsuit filed by Raoul’s office, as well as the city of New York and three state attorneys general alleging the Postal Service transported cigarettes in violation of a 2010 federal law.

“Cigarette usage causes significant health concerns and kills hundreds of thousands of Americans each year. We must use every legal tool at our disposal to protect our residents from addiction to cigarettes, which includes ensuring the Postal Service follows federal law preventing sellers from using the mail system to ship cigarettes,” Raoul said. “I will continue to collaborate across jurisdictions and state lines on actions that help reduce usage of and addiction to cigarettes.”

Enacted by Congress in 2010, the [Prevent All Cigarette Trafficking Act](#) prohibits the Postal Service from knowingly accepting or transporting cigarettes in the mail, unless authorized by certain narrow exceptions. For the most part, the law appears to have deterred domestic sellers from using the Postal Service to ship cigarettes, but it has been less effective in eliminating cigarettes mailed from overseas.

Investigations conducted by the New York City Sheriff’s Office and multiple state attorneys general around the country, including Attorney General Raoul, revealed that an estimated hundreds of thousands of packages of cigarettes are mailed through foreign postal services, transferred into the U.S. mail system, and delivered to American households each year. The investigations included package audits of the Postal Service’s international mail facilities and undercover investigations of international cigarette sellers delivering to U.S. households. The investigations demonstrated that the Postal Service’s practices for detecting and stopping the transport and delivery of cigarettes from overseas sources to consumers over the last decade have been ineffective.

Following unsuccessful attempts by New York City and others to negotiate improvements to the Postal Service’s compliance with the Prevent All Cigarette Trafficking Act, a lawsuit was filed in October 2019 in federal court. The lawsuit sought a permanent injunction prohibiting the Postal Service from delivering packages known or reasonably believed to contain cigarettes and prohibiting the Postal Service’s practice of returning identified packages of cigarettes to shippers. The court denied the Postal Service’s attempt to dismiss the lawsuit and ruled that the Postal Service was subject to lawsuits by state and local governments for violations of the Prevent All Cigarette Trafficking Act. The court also ruled that the Postal Service’s practice of returning cigarette packages to overseas senders, as alleged in the complaint itself, violated the law.

[In the settlement](#), the Postal Service has agreed to implement the following comprehensive reforms:

- Upgrade its Advance Electronic Data technology to significantly improve its ability to detect cigarette packages in international mail.
- Permanently discontinue its practice of returning cigarette packages to senders who would often just resend the packages. Instead, the Postal Service has agreed to

destroy these cigarette packages as allowed by law, a costly disincentive to international shippers.

- Provide illegal shippers' identifying information to plaintiffs' law enforcement arms so enforcement actions can be taken.
- Designate a compliance manager to oversee and manage Prevent All Cigarette Trafficking Act compliance, including ensuring that the changes in this agreement are implemented.
- Form a joint committee with representatives of each of the plaintiffs that will assess the Postal Service's progress on implementing reforms.
- Implement additional policies and employee training to ensure compliance with the act, and help employees recognize and dispose of packages containing cigarettes.

Cigarette smoking is a leading cause of preventable premature death in the United States. Smoking kills more than 480,000 people nationwide each year, a figure that exceeds the combined number of deaths from alcohol, motor vehicle collisions and firearms. According to the World Health Organization and numerous public health studies, maintaining high taxes on cigarettes is the most effective anti-smoking policy intervention, particularly among youth.

For more information and free resources to help quit tobacco, please visit the [Illinois Tobacco Quitline website](#) or call 1-866-QUIT-YES.

Joining Attorney General Raoul in announcing this settlement are the attorneys general of California, Connecticut, and Pennsylvania, as well as New York City.