

661—61.4(101B) Alternate test method.

61.4(1) The manufacturer of a cigarette that the department determines cannot be tested in accordance with the test method prescribed in rule 661—61.3(101B) shall propose an alternate test method and performance standard for the cigarette.

61.4(2) A manufacturer proposing an alternate test method and performance standard pursuant to this rule shall submit such proposal on a form provided by the department and shall send such form by certified mail, return receipt requested, to the following address:

Fire Marshal Division
State Public Safety Headquarters Building
215 East 7th Street
Des Moines, Iowa 50319

61.4(3) The department shall approve or deny the proposed alternate test method and performance standard within 60 days of receipt of such proposal and shall send notification of such approval or denial by certified mail, return receipt requested, to the address provided by the manufacturer.

61.4(4) The department may approve an alternate test method and performance standard if the alternate test method and performance standard are determined to be equivalent to the test method and performance standard prescribed in rule 661—61.3(101B). If an alternate test method and performance standard are approved pursuant to this rule, the manufacturer may employ the alternate test method and performance standard to certify the cigarette in accordance with rule 661—61.3(101B).