**Section 440.75 Cigarette Package Sizes; Sale of Individual or Loose Cigarettes Prohibited; Penalties**

a) *Cigarettes may only be sold in packages of 20 or 25 cigarettes. The sale of individual or loose cigarettes is prohibited.* If an authorized agent of the Department finds open packages of cigarettes and empty packages of cigarettes at or behind the sales counter, a prima facie presumption shall arise that the person is selling individual or loose cigarettes in violation of the Act. A person who is unable to rebut this presumption is in violation of the Act and is subject to the penalties provided in this Section.

b) *Any person who violates subsection (a) is liable to pay to the Department, for deposit in the Tax Compliance and Administration Fund, a penalty of $1,000 for the first violation and $3,000 for any subsequent violation.* The Department cannot assess more than one penalty under this Section on a person in a 24-hour period.

c) *Any person who violates subsection (a) shall be guilty of a Class 4 felony.* [35 ILCS 130/18d]

(Source: Added at 43 Ill. Reg. 8898, effective July 30, 2019)