

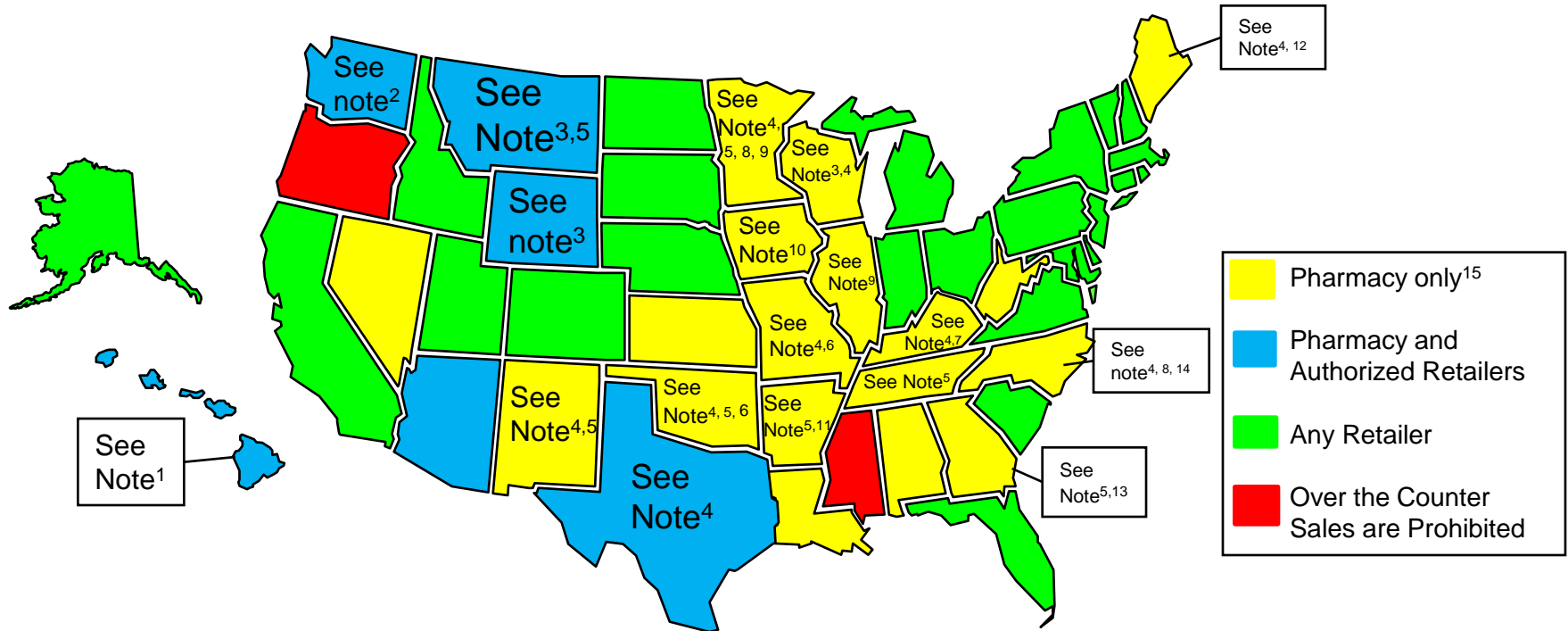
# Individuals and Businesses Permitted to Sell Over-the-Counter Products Containing Pseudoephedrine



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Please refer to second page for information about footnotes.

1. Retail distributors who sell, transfer, or furnish any over-the-counter pseudoephedrine product in “safe harbor packaging” in a single transaction to an individual for legitimate medical use are exempt from permit requirements. “Safe harbor packaging” means a product that is, if not a liquid, sold in packages of not more than three grams of the base ingredient and is packaged in blister packs of not more than two tablets per blister; or, if a liquid, sold in package sizes of not more than three grams of the base ingredient.
2. Licensed shopkeepers and itinerant vendors may not sell products that contain pseudoephedrine if the total monthly sales of the products exceed ten percent of the shopkeeper's total prior monthly sales of nonprescription drugs in March through October. In November through February, the shopkeeper or itinerant vendor may not sell any quantity of products containing pseudoephedrine if the total monthly sales of these products exceed twenty percent of the shopkeeper's total prior monthly sales of nonprescription drugs. “Monthly sales” means total dollars paid by buyers.
3. Products that are in liquid, liquid capsule, or gel capsule form are exempted from the pharmacy or by a permitted retailer requirement if pseudoephedrine is not the only active ingredient.
4. Products that are in liquid or liquid filled gel capsule form are exempted from the pharmacy only requirement.
5. Products may be exempted by rule if the product is formulated as to effectively prevent the conversion of pseudoephedrine into methamphetamine.
6. Products may be exempted by rule if it is found the products are not used in the manufacture of methamphetamine.
7. Products may be exempted by rule if it is found they are not subject to abuse.
8. Pediatric products labeled pursuant to federal regulation primarily intended for administration to children under 12 years of age according to label instructions are exempted from the pharmacy only requirement.
9. Compounds, mixtures, or preparations in powder form where pseudoephedrine constitutes less than one percent of its total weight and is not its sole active ingredient are exempted from the pharmacy only requirement.
10. Retailers may sell pseudoephedrine products that contain three hundred sixty milligrams or less of pseudoephedrine, its salts, optical isomers, and salts of its optical isomers, if they are in liquid, liquid capsule, or liquid-filled gel capsule form. Retailers are also subject to the same daily and monthly limits as pharmacies, and are also prohibited from selling more than one package to an individual in a 24 hour period.
11. Retail stores may sell products containing pseudoephedrine in liquid, liquid capsule, or liquid gel capsule form if the drug is dispensed, sold, transferred in a single transaction and limited to no more than three packages, with any single package containing no more than 96 liquid capsules or liquid gel capsules or no more than three grams of ephedrine or pseudoephedrine base.
12. Retailers may sell pseudoephedrine in single dose packages of not more than 60 milligrams when kept within 30 feet, and in direct line of sight of a staffed cash register or store counter.
13. Pediatric products primarily intended for administration to children under 12 years of age, according to label instructions, are exempted when: in solid dosage form and the recommended dosage, according to label instructions, does not exceed 15 milligrams of pseudoephedrine, per individual dosage unit; or in liquid form when the recommended dosage, according to label instructions, does not exceed 15 milligrams of pseudoephedrine, per five milliliters of liquid product. Also exempted are pediatric liquid products primarily intended for administration to children under two years of age for which the recommended dosage does not exceed two milliliters and the total package content does not exceed one fluid ounce.
14. Itinerant merchants, peddlers, special market operators, and specialty market vendors are prohibited from selling products that contain pseudoephedrine as the sole active ingredient or in combination with other active ingredients.
15. Products are only permitted to be dispensed in a pharmacy, and may only be dispensed by pharmacy personnel specified in state statute or regulations. For more information on specific personnel who may dispense over the counter ephedrine and pseudoephedrine products, please refer to the statutory and regulatory compilation, “Individuals and Businesses Permitted to Sell Over the Counter Ephedrine and Pseudoephedrine Products”.