

## **State Ephedrine and Pseudoephedrine Single Over-The-Counter Transaction Limits**



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**Arizona**

Arizona Revised Statutes Annotated

Title 13. Criminal Code

Chapter 34. Drug Offenses

**§ 13-3404.01. Possession or sale of precursor chemicals, regulated chemicals, substances or equipment; exceptions; classification**

**A.** A person shall not do any of the following:

...

3. Knowingly purchase more than three packages, not to exceed nine grams of pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine without a valid prescription order as defined in § 32-1901 or a license or permit issued pursuant to title 32, chapter 18.

...

5. Knowingly purchase any ephedrine that is uncombined or is the sole active ingredient of a product or more than three packages, not to exceed nine grams of ephedrine that is combined with another active ingredient in any ephedrine product without a license or permit issued pursuant to title 32, chapter 18.

...

9. Sell, transfer or furnish ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine in a total amount of more than nine grams in a single transaction in this state unless the recipient possesses a valid and current permit issued by the board pursuant to title 32, chapter 18.

...

**C.** A retailer shall not sell more than a total of three packages, not to exceed nine grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine in a single transaction unless the person has a valid prescription order as defined in § 32-1901.

...

**H.** A violation of subsection A, paragraph 1 or 6 is a class 2 felony. A violation of subsection A, paragraph 2, 3, 4, 5, 7, 9, 11 or 12 is a class 5 felony. A violation of subsection A, paragraph 8 or 10 is a class 6 felony. A violation of subsection B, D or E is a class 5 felony. A violation of subsection C is a class 5 felony, except that if the violation involves less than a total of fifty grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine, the first violation is a class 2 misdemeanor and the second violation is a class 1 misdemeanor. An enterprise is not criminally accountable for a violation of subsection C unless the conduct constituting the offense is engaged in, authorized, commanded or recklessly tolerated by the directors of the enterprise in any manner or by a high managerial agent acting within the scope of employment.

## Arkansas

Arkansas Code Annotated

Title 5. Criminal Offenses

Subtitle 6. Offenses Against Public Health, Safety, or Welfare (Chapters 60 to 79)

Chapter 64. Controlled Substances

Subchapter 11. Ephedrine, Pseudoephedrine, Phenylpropanolamine

### § 5-64-1103. Sales limits

(a) It is unlawful for any person, other than a person or entity described in § 5-64-1101(a)(3) and (4), to knowingly sell, transfer, or otherwise furnish in a single transaction a product containing ephedrine, pseudoephedrine, or phenylpropanolamine except in a licensed pharmacy by a licensed pharmacist or a registered pharmacy technician.

(b) Unless the product has been rescheduled pursuant to § 5-64-212(c), this section does not apply to a retail distributor sale for personal use of a product:

...

(2) Containing ephedrine or pseudoephedrine in liquid, liquid capsule, or liquid gel capsule form if the drug is dispensed, sold, transferred, or otherwise furnished in a single transaction limited to no more than three (3) packages, with any single package containing not more than ninety-six (96) liquid capsules or liquid gel capsules or not more than three grams (3 g) of ephedrine or pseudoephedrine base.

...

(d) Except under a valid prescription, it is unlawful for a licensed pharmacist to dispense or a registered pharmacy technician to knowingly sell, transfer, or otherwise furnish in a single transaction:

(1) More than three (3) packages of one (1) or more products that contain ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers;

(2) Any single package of any product that contains ephedrine, pseudoephedrine, or phenylpropanolamine, that contains more than ninety-six (96) pills, tablets, gels, capsules, or other individual units or more than three grams (3 g) of ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, or a combination of any of these substances, whichever is smaller;

(3) Any product containing ephedrine, pseudoephedrine, or phenylpropanolamine, unless:

(A) The product is sold in a package size of not more than three grams (3 g) of ephedrine, pseudoephedrine, or phenylpropanolamine base and is packaged in a blister pack, each blister containing not more than two (2) dosage units;

(B) When the use of a blister pack is technically infeasible, that is packaged in a unit dose packet or pouch; or

(C) In the case of a liquid, the drug is sold in a package size of not more than three grams (3 g) of ephedrine, pseudoephedrine, or phenylpropanolamine base; or

...

(e)(1)(A) A person who violates subsections (a) or (d) of this section for a first or second offense upon conviction is guilty of a Class A misdemeanor and also may be subject to a civil fine not to exceed five thousand dollars (\$5,000).

(B) A person who violates subsections (a) or (d) of this section for a third offense upon conviction is guilty of a Class D felony and also may be subject to a civil fine not to exceed five thousand dollars (\$5,000).

(C) A person who violates subsections (a) or (d) of this section for a fourth or subsequent offense upon conviction is guilty of a Class C felony and also may be subject to a civil fine not to exceed ten thousand dollars (\$10,000).

(2) A plea of guilty or nolo contendere to or a finding of guilt under a penal law of the United States or another state that is equivalent to subsections (a) or (d) of this section is considered a previous offense for purposes of this subsection.

(3)(A) The prosecuting attorney may waive any civil penalty under this section if a person establishes that he or she acted in good faith to prevent a violation of this section, and the violation occurred despite the exercise of due diligence.

(B) In making this determination, the prosecuting attorney may consider evidence that an employer trained employees how to sell, transfer, or otherwise furnish substances specified in this subchapter in accordance with applicable laws.

(f)(1)(A) It is unlawful for any person, other than a person or entity described in § 5-64-1101(a), to knowingly purchase, acquire, or otherwise receive in a single transaction:

(i) More than three (3) packages of one (1) or more products that the person knows to contain ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers; or

(ii) Any single package of any product that the person knows to contain ephedrine, pseudoephedrine, or phenylpropanolamine, that contains more than ninety-six (96) pills, tablets, gelcaps, capsules, or other individual units or more than three grams (3 g) of ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, or a combination of any of these substances, whichever is smaller.

...

(2)(A) A person who violates subdivisions (f)(1)(A) or (B) of this section for a first or second offense upon conviction is guilty of a Class A misdemeanor.

(B) A person who violates subdivisions (f)(1)(A) or (B) of this section for a third offense upon conviction is guilty of a Class D felony.

(C) A person who violates subdivisions (f)(1)(A) or (B) of this section for a fourth or subsequent offense upon conviction is guilty of a Class C felony.

...

Arkansas Code Annotated

Title 5. Criminal Offenses

Subtitle 6. Offenses Against Public Health, Safety, or Welfare (Chapters 60 to 79)

Chapter 64. Controlled Substances

Subchapter 11. Ephedrine, Pseudoephedrine, Phenylpropanolamine

**§ 5-64-1105. Definitions**

As used in this subchapter:

(1) "Ephedrine", "pseudoephedrine", and "phenylpropanolamine" means any product containing ephedrine, pseudoephedrine, or phenylpropanolamine or any of their salts, isomers, or salts of isomers, alone or in a mixture;

...

(3)(A) “Retail distributor” means a grocery store, general merchandise store, drugstore, convenience store, or other related entity, the activities of which, as a distributor of ephedrine, pseudoephedrine, or phenylpropranolamine products, are limited exclusively to the sale for personal use of ephedrine, pseudoephedrine, or phenylpropranolamine products, both in number of sales and volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales.

(B) “Retail distributor” includes any person or entity that makes a direct sale or has knowledge of the direct sale.

(C) “Retail distributor” does not include:

(i) Any manager, supervisor, or owner not present and not otherwise aware of the direct sale; or

(ii) The parent company of a grocery store, general merchandise store, drugstore, convenience store, or other related entity if the parent company is not involved in direct sales regulated by this subchapter; and

(4) “Sale for personal use” means the sale in a single transaction to an individual customer for a legitimate medical use of a product containing ephedrine, pseudoephedrine, or phenylpropranolamine in a quantity at or below that specified in § 5-64-1103, and includes the sale of those products to an employer to be dispensed to employees from a first-aid kit or medicine chest.

#### Arkansas Administrative Code

##### Title 070. Board of Pharmacy

##### Division 00.

##### Rule 7. Drug Products/Prescriptions

##### 07-04. Controlled Substances

##### **070.00.7-07-04-0008. Schedule V--Ephedrine, Pseudoephedrine or Phenylpropranolamine**

(a) As provided in Ark. Code Ann. § 5-64-1101, et seq., unless dispensed under a valid prescription, all sales or transfers of ephedrine, pseudoephedrine or phenylpropranolamine are subject to the following quantity limits and restrictions:

(1) In a single transaction, no more than three (3) packages of one (1) or more products that contain ephedrine, pseudoephedrine, or phenylpropranolamine, or their salts, isomers, or salts of isomers;

(2) In a single transaction, no more than a single package of any product that contains ephedrine, pseudoephedrine, or phenylpropranolamine, that contains more than ninety-six (96) pills, tablets, gelcaps, capsules, or other individual units or more than three grams (3g) of ephedrine, pseudoephedrine, or phenylpropranolamine, or their salts, isomers, or salts of isomers, or a combination of any of these substances, whichever is smaller;

(3) In a single transaction, any product containing ephedrine, pseudoephedrine, or phenylpropranolamine, unless:

(A) The product is sold in a package size of not more than three grams (3g) of ephedrine, pseudoephedrine, or phenylpropranolamine base and is packaged in a blister pack, each blister containing not more than two (2) dosage units;

(B) When the use of a blister pack is technically infeasible, that is packaged in a unit dose packet or pouch; or

(C) In the case of a liquid, the drug is sold in a package size of not more than three grams (3 g) of ephedrine, pseudoephedrine, or phenylpropranolamine base; or

...

## California

Annotated California Codes

Health and Safety Code

Division 10. Uniform Controlled Substances Act

Chapter 3. Regulation and Control

Article 1. Reporting

### § 11100. Transactions reported; exemptions; punishment; offenses involving minors

<Section prior to amendment by Stats.2011, c. 15 (A.B.109), eff. April 4, 2011, operative no earlier than Oct. 1, 2011, and only upon the creation and funding of a community corrections grant program. See, also, section as amended by Stats.2011, c. 15 (A.B.109), eff. April 4, 2011, operative no earlier than Oct. 1, 2011, and only upon the creation and funding of a community corrections grant program.>

...

(3) Notwithstanding any other law, it is unlawful for any retail distributor to (i) sell in a single transaction more than three packages of a product that he or she knows to contain ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine, or (ii) knowingly sell more than nine grams of ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine, other than pediatric liquids as defined. Except as otherwise provided in this section, the three package per transaction limitation or nine gram per transaction limitation imposed by this paragraph shall apply to any product that is lawfully sold, transferred, or furnished over the counter without a prescription pursuant to the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.), or regulations adopted thereunder, unless exempted from the requirements of the federal Controlled Substances Act by the federal Drug Enforcement Administration pursuant to Section 814 of Title 21 of the United States Code.

(4)(A) A first violation of this subdivision is a misdemeanor.

(B) Any person who has previously been convicted of a violation of this subdivision shall, upon a subsequent conviction thereof, be punished by imprisonment in a county jail not exceeding one year, by a fine not exceeding ten thousand dollars (\$10,000), or by both the fine and imprisonment.

(h) For the purposes of this article, the following terms have the following meanings:

...

(4) "Pediatric liquid" means a nonencapsulated liquid whose unit measure according to product labeling is stated in milligrams, ounces, or other similar measure. In no instance shall the dosage units exceed 15 milligrams of phenylpropanolamine or pseudoephedrine per five milliliters of liquid product, except for liquid products primarily intended for administration to children under two years of age for which the recommended dosage unit does not exceed two milliliters and the total package content does not exceed one fluid ounce.

(5) "Retail distributor" means a grocery store, general merchandise store, drugstore, or other related entity, the activities of which, as a distributor of ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine products, are limited exclusively to the sale of ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine products for personal use both in number of sales and volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales. "Retail distributor" includes an entity that makes a direct sale, but does not include the parent company of that entity if the company is not involved in direct sales regulated by this article.

(6) "Sale for personal use" means the sale in a single transaction to an individual customer for a legitimate medical use of a product containing ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine in dosages at or below that specified in paragraph (3) of subdivision (g). "Sale for personal use" also includes the sale of those products to employers to be dispensed to employees from first-aid kits or medicine chests.

...

Annotated California Codes

Health and Safety Code

Division 10. Uniform Controlled Substances Act

Chapter 3. Regulation and Control

Article 1. Reporting

**§ 11100. Transactions reported; exemptions; punishment; offenses involving minors**

<Section as amended by Stats.2011, c. 15 (A.B.109), eff. April 4, 2011, operative no earlier than Oct. 1, 2011, and only upon the creation and funding of a community corrections grant program. See, also, section prior to amendment by Stats.2011, c. 15 (A.B.109), eff. April 4, 2011, operative no earlier than Oct. 1, 2011, and only upon the creation and funding of a community corrections grant program.>

...

(3) Notwithstanding any other law, it is unlawful for any retail distributor to (i) sell in a single transaction more than three packages of a product that he or she knows to contain ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine, or (ii) knowingly sell more than nine grams of ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine, other than pediatric liquids as defined. Except as otherwise provided in this section, the three package per transaction limitation or nine gram per transaction limitation imposed by this paragraph shall apply to any product that is lawfully sold, transferred, or furnished over the counter without a prescription pursuant to the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.), or regulations adopted thereunder, unless exempted from the requirements of the federal Controlled Substances Act by the federal Drug Enforcement Administration pursuant to Section 814 of Title 21 of the United States Code.

(4)(A) A first violation of this subdivision is a misdemeanor.

(B) Any person who has previously been convicted of a violation of this subdivision shall, upon a subsequent conviction thereof, be punished by imprisonment in a county jail not exceeding one year, by a fine not exceeding ten thousand dollars (\$10,000), or by both the fine and imprisonment.

(h) For the purposes of this article, the following terms have the following meanings:

...

(4) "Pediatric liquid" means a nonencapsulated liquid whose unit measure according to product labeling is stated in milligrams, ounces, or other similar measure. In no instance shall the dosage units exceed 15 milligrams of phenylpropanolamine or pseudoephedrine per five milliliters of liquid product, except for liquid products primarily intended for administration to children under two years of age for which the recommended dosage unit does not exceed two milliliters and the total package content does not exceed one fluid ounce.

(5) "Retail distributor" means a grocery store, general merchandise store, drugstore, or other related entity, the activities of which, as a distributor of ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine products, are limited exclusively to the sale of ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine products for personal use both in number of sales and volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales. "Retail distributor" includes an entity that makes a direct sale, but does not include the parent company of that entity if the company is not involved in direct sales regulated by this article.

(6) "Sale for personal use" means the sale in a single transaction to an individual customer for a legitimate medical use of a product containing ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine in dosages at or below that specified in paragraph (3) of subdivision (g). "Sale for personal use" also includes the sale of those products to employers to be dispensed to employees from first-aid kits or medicine chests.

...

## Florida

Florida Statutes Annotated  
 Title XLVI. Crimes (Chapters 775-899)  
 Chapter 893. Drug Abuse Prevention and Control

### 893.1495. Retail sale of ephedrine and related compounds

(1) For purposes of this section, the term "ephedrine or related compounds" means ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers.

(2) A person may not knowingly obtain or deliver to an individual in any retail over-the-counter sale any nonprescription compound, mixture, or preparation containing ephedrine or related compounds in excess of the following amounts:

...

(b) In any single retail, over-the-counter sale, three packages, regardless of weight, containing ephedrine or related compounds; or

...

(11) Any individual who violates subsection (2), subsection (3), or subsection (4) commits:

(a) For a first offense, a misdemeanor of the second degree, punishable as provided in s. 775.083.

(b) For a second offense, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) For a third or subsequent offense, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084

...

## Georgia

Code of Georgia Annotated  
 Title 16. Crimes and Offenses  
 Chapter 13. Controlled Substances  
 Article 2. Regulation of Controlled Substances  
 Part 1. General Provisions

### § 16-13-30.3. Ephedrine, pseudoephedrine, and phenylpropanolamine; unlawful possession; violations

(a) As used in this Code section, the term:

(1) "Ephedrine," "pseudoephedrine," or "phenylpropanolamine" means any drug product containing ephedrine, pseudoephedrine, or phenylpropanolamine, or any of their salts, isomers, or salts of isomers, alone or in a mixture.

...

(b.1)...

(2) No person shall deliver in any single over the counter sale more than three packages of any product containing pseudoephedrine as the sole active ingredient or in combination with other active ingredients or any number of packages that contain a combined total of more than nine grams of pseudoephedrine or its base, salts, optical



isomers, or salts of its optical isomers.

...

(4) This subsection shall not apply to:

(A) Pediatric products labeled pursuant to federal regulation as primarily intended for administration to children under 12 years of age according to label instructions; and

(B) Products that the Georgia State Board of Pharmacy, upon application of a manufacturer, exempts because the product is formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine or its salts or precursors.

...

(6)(A) Except as otherwise provided herein, it shall be unlawful for any person knowingly to violate any prohibition contained in paragraph (1), (2), or (3) of this subsection.

(B) Any person convicted of a violation of paragraph (1) or (2) of this subsection shall be guilty of a misdemeanor which, upon the first conviction, shall be punished by a fine of not more than \$500.00 and, upon the second or subsequent conviction, shall be punished by not more than six months' imprisonment or a fine of not more than \$1,000.00, or both.

...

(D) It shall be a defense to a prosecution of a retail business or owner or operator thereof for violation of paragraph (1) or (2) of this subsection that, at the time of the alleged violation, all of the employees of the retail business had completed training under Georgia Meth Watch, the retail business was in compliance with Georgia Meth Watch, and the defendant did not knowingly, willfully, or intentionally violate paragraph (1) or (2) of this subsection. For purposes of this subsection only, the term "Georgia Meth Watch" shall mean that program entitled "Georgia Meth Watch" or similar program which has been promulgated, approved, and distributed by the Georgia Council on Substance Abuse.

(7) Except as otherwise provided in this subsection, the Georgia State Board of Pharmacy may adopt reasonable rules and regulations to effectuate the provisions of this subsection. The board is further authorized to charge reasonable fees to defray expenses incurred in maintaining any records or forms necessitated by this subsection or otherwise administering any other provisions of this subsection.

(c) This Code section shall not apply to:

(1) Pediatric products primarily intended for administration to children under 12 years of age, according to label instructions, either:

(A) In solid dosage form whose recommended dosage, according to label instructions, does not exceed 15 milligrams of ephedrine, pseudoephedrine, or phenylpropanolamine per individual dosage unit; or

(B) In liquid form whose recommended dosage, according to label instructions, does not exceed 15 milligrams of ephedrine, pseudoephedrine, or phenylpropanolamine per five milliliters of liquid product;

(2) 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; or

(3) Products that the Georgia State Board of Pharmacy, upon application of a manufacturer, exempts by rule from this Code section because the product has been formulated in such a way as to prevent effectively the conversion

of the active ingredient into methamphetamine or its salts or precursors.

...

## Illinois

Smith-Hurd Illinois Compiled Statutes Annotated

Chapter 720. Criminal Offenses

Offenses Against the Public

Act 648. Methamphetamine Precursor Control Act

### 648/10. Definitions

§ 10. Definitions. In this Act:

...

“Convenience package” means any package that contains 360 milligrams or less of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in liquid or liquid-filled capsule form.

“Covered pharmacy” means any pharmacy that distributes any amount of targeted methamphetamine precursor that is physically located in Illinois.

...

“Dispense” has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

...

“Methamphetamine precursor” has the meaning provided in Section 10 of the Methamphetamine Control and Community Protection Act.

“Package” means an item packaged and marked for retail sale that is not designed to be further broken down or subdivided for the purpose of retail sale.

“Pharmacist” has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

“Pharmacy” has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

“Practitioner” has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

“Prescriber” has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

“Prescription” has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

...

“Single retail transaction” means a sale by a retail distributor to a recipient at a specific time.

“Targeted methamphetamine precursor” means any compound, mixture, or preparation that contains any detectable quantity of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

“Targeted package” means a package, including a convenience package, containing any amount of targeted methamphetamine precursor.

...

Smith-Hurd Illinois Compiled Statutes Annotated  
 Chapter 720. Criminal Offenses  
 Offenses Against the Public  
 Act 648. Methamphetamine Precursor Control Act  
**648/15. Basic provisions**

§ 15. Basic provisions.

...

(e) No targeted methamphetamine precursor shall be administered, dispensed, or distributed except by:

- (1) a pharmacist pursuant to the valid order of a prescriber;
- (2) any other practitioner authorized to do so by the Illinois Controlled Substances Act;
- (3) a drug abuse treatment program, pursuant to subsection (d) of Section 313 of the Illinois Controlled Substances Act;
- (4) a pharmacy pursuant to Section 25 of this Act;
- (5) a retail distributor pursuant to Sections 30 and 35 of this Act; or
- (6) a distributor authorized by the Drug Enforcement Administration to distribute bulk quantities of a list I chemical under the federal Controlled Substances Act and corresponding regulations, or the employee or agent of such a distributor acting in the normal course of business.

...

Smith-Hurd Illinois Compiled Statutes Annotated  
 Chapter 720. Criminal Offenses  
 Offenses Against the Public  
 Act 648. Methamphetamine Precursor Control Act  
**648/20. Restrictions on purchase, receipt, or acquisition**

§ 20. Restrictions on purchase, receipt, or acquisition.

...

(c) Except as provided in subsections (d) and (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire more than 2 targeted packages in a single retail transaction.

(d) Except as provided in subsection (e) of this Section, no person shall knowingly purchase, receive, or otherwise acquire more than one convenience package from a retail location other than a pharmacy counter in a 24-hour period.

(e) This Section shall not apply to any person who purchases, receives, or otherwise acquires a targeted methamphetamine precursor for the purpose of dispensing, distributing, or administering it in a lawful manner described in subsection (e) of Section 15 of this Act.

Smith-Hurd Illinois Compiled Statutes Annotated  
 Chapter 720. Criminal Offenses  
 Offenses Against the Public  
 Act 648. Methamphetamine Precursor Control Act  
**648/25. Pharmacies**

§ 25. Pharmacies.

(a) No targeted methamphetamine precursor may be knowingly distributed through a pharmacy, including a pharmacy located within, owned by, operated by, or associated with a retail distributor unless all terms of this Section are satisfied.

(b) Any targeted methamphetamine precursor other than a convenience package or a liquid, including but not limited to any targeted methamphetamine precursor in liquid-filled capsules, shall: be packaged in blister packs, with each blister containing not more than 2 dosage units, or when the use of blister packs is technically infeasible, in unit dose packets. Each targeted package shall contain no more than 3,000 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

...

(h) No retail distributor operating a pharmacy, and no pharmacist or pharmacy technician, shall knowingly distribute to a single person more than 2 targeted packages in a single retail transaction.

...

Smith-Hurd Illinois Compiled Statutes Annotated  
 Chapter 720. Criminal Offenses  
 Offenses Against the Public  
 Act 648. Methamphetamine Precursor Control Act  
**648/40. Penalties**

...

(b) Violations of Section 15, 20, 25, 30, or 35 of this Act, other than violations of subsection (b) of Section 20 of this Act.

(1) Any pharmacy or retail distributor that violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) of Section 20 of this Act, is guilty of a petty offense and subject to a fine of \$500 for a first offense; and \$1,000 for a second offense occurring at the same retail location as and within 3 years of the prior offense. A pharmacy or retail distributor that violates this Act is guilty of a business offense and subject to a fine of \$5,000 for a third or subsequent offense occurring at the same retail location as and within 3 years of the prior offenses.

(2) An employee or agent of a pharmacy or retail distributor who violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) of Section 20 of this Act, is guilty of a Class A misdemeanor for a first offense, a Class 4 felony for a second offense, and a Class 1 felony for a third or subsequent offense.

(3) Any other person who violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) of Section 20 of this Act, is guilty of a Class B misdemeanor for a first offense, a Class A misdemeanor for a second offense, and a Class 4 felony for a third or subsequent offense.

...

## Indiana

Annotated Indiana Code

Title 35. Criminal Law and Procedure

Article 48. Controlled Substances

Chapter 4. Offenses Relating to Controlled Substances

**35-48-4-14.7 Restrictions on sale and purchase of ephedrine or pseudoephedrine; reporting of suspicious activities or theft**

Sec. 14.7. (a) This section does not apply to the following:

...

(2) "Convenience package" means a package that contains a drug having as an active ingredient not more than sixty (60) milligrams of ephedrine or pseudoephedrine, or both.

(3) "Ephedrine" means pure or adulterated ephedrine.

(4) "Pseudoephedrine" means pure or adulterated pseudoephedrine.

(5) "Retailer" means a grocery store, general merchandise store, drug store, or other similar establishment where ephedrine or pseudoephedrine products are available for sale.

...

(e) This subsection only applies to convenience packages. A retailer may not sell drugs containing more than sixty (60) milligrams of ephedrine or pseudoephedrine, or both in any one (1) transaction if the drugs are sold in convenience packages. A retailer who sells convenience packages must secure the convenience packages behind the counter in an area inaccessible to a customer or in a locked display case that makes the drug unavailable to a customer without the assistance of an employee.

...

## Kansas

Kansas Statutes Annotated

Chapter 21. Crimes and Punishments

Article 57. Crimes Involving Controlled Substances

**21-5709. Unlawful possession of certain drug precursors and drug paraphernalia**

...

(d) It shall be unlawful for any person to purchase, receive or otherwise acquire at retail any compound, mixture or preparation containing more than 3.6 grams of pseudoephedrine base or ephedrine base in any single transaction or any compound, mixture or preparation containing more than nine grams of pseudoephedrine base or ephedrine base within any 30-day period.

(e)

...

(5) violation of subsection (d) is a class A nonperson misdemeanor.

...

## Kentucky

Baldwin's Kentucky Revised Statutes Annotated

Title XVIII. Public Health

Chapter 218A. Controlled Substances

**218A.1446 Requirements for dispensing of certain nonprescription drugs; log or other electronic recordkeeping mechanism; exemption request; exceptions; preemption of local laws**

...

(5) No person shall purchase, receive, or otherwise acquire any product, mixture, or preparation or combinations of products, mixtures, or preparations containing more than seven and one-fifth (7.2) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers within any thirty (30) day period or twenty-four (24) grams within any one (1) year period, provided that either of these limits shall not apply to any quantity of product, mixture or preparation dispensed pursuant to a valid prescription. In addition to the thirty (30) day and the one (1) year restrictions, no person shall purchase, receive, or otherwise acquire more than three (3) packages of any product, mixture, or preparation containing ephedrine, pseudoephedrine, or phenylpropanolamine, their salts or optical isomers, or salts of optical isomers during each transaction.

...

(8) The provisions of this section shall not apply to a:

- (a) Licensed manufacturer manufacturing and lawfully distributing a product in the channels of commerce;
- (b) Wholesaler lawfully distributing a product in the channels of commerce;
- (c) Pharmacy with a valid permit from the Kentucky Board of Pharmacy;
- (d) Health care facility licensed pursuant to KRS Chapter 216B;
- (e) Licensed long-term care facility;
- (f) Government-operated health department;
- (g) Physician's office;
- (h) Publicly operated prison, jail, or juvenile correctional facility, or a private adult or juvenile correctional facility under contract with the Commonwealth;
- (i) Public or private educational institution maintaining a health care program; or
- (j) Government-operated or industrial medical facility serving its own employees.

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## Maine

Maine Revised Statutes Annotated  
 Title 32. Professions and Occupations  
 Chapter 117. Maine Pharmacy Act  
 Subchapter 1. Title and Definitions  
**§ 13702-A. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

...

**33. Targeted methamphetamine precursor.** "Targeted methamphetamine precursor" means any product containing any amount of **ephedrine, pseudoephedrine** or phenylpropanolamine or their salts, isomers or salts of isomers, either alone or in combination with other ingredients:

**A.** In dry or solid nonliquid form; or

**B.** In liquid, liquid-filled capsule or glycerin matrix form if designation as a targeted methamphetamine precursor has been completed by rule adopted pursuant to section 13795, subsection 5, paragraph A.

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Maine Revised Statutes Annotated  
 Title 32. Professions and Occupations  
 Chapter 117. Maine Pharmacy Act  
 Subchapter 9. Miscellaneous Provisions  
**§ 13796. Retail sale of targeted methamphetamine precursors**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A.** "Package" means an item packaged and marked for retail sale that is not designed to be broken down or subdivided for the purpose of retail sale.

**B.** "Retailer" or "retail store" means a person or business entity engaged in this State in the business of selling products to the general public on a retail basis, including pharmacies.

**C.** "Sale" or "sold" includes barter, exchange, transfer and gift.

**2. Restrictions on packaging.** The following restrictions apply to packaging targeted methamphetamine precursors.

**A.** A targeted methamphetamine precursor may not be sold in a package containing more than 3 grams.

**B.** A targeted methamphetamine precursor may not be sold unless in a blister package, each blister containing not more than 2 average adult doses, except in single-dose packages of not more than 60 milligrams.

**3. Restrictions on the sale of targeted methamphetamine precursors.** The following restrictions on location in the retail store, manner of sale and amount of sale apply to sales of targeted methamphetamine precursors.

**A.** A retailer may not sell more than 3 packages of a targeted methamphetamine precursor per transaction.

...

**4. Exceptions.** The provisions of this section do not apply to a targeted methamphetamine precursor that is obtained

by prescription or by sale or transfer in the regular course of lawful business to a veterinarian, physician, pharmacist, retail distributor, wholesaler, manufacturer, warehouse operator or common carrier or an agent of that person or entity.

## Michigan

Michigan Compiled Laws Annotated

Chapter 333. Health

Public Health Code

Article 15. Occupations

Part 177. Pharmacy Practice and Drug Control

**333.17766f. Retail sale of product containing ephedrine or pseudoephedrine; penalties; affirmative defense; rebuttal testimony; enactment of conflicting laws by cities, villages, counties, etc.**

Sec. 17766f. (1) A person who possesses products that contain any compound, mixture, or preparation containing any detectable quantity of ephedrine or pseudoephedrine, a salt or optical isomer of ephedrine or pseudoephedrine, or a salt of an optical isomer of ephedrine or pseudoephedrine for retail sale pursuant to a license issued under the general sales tax act, 1933 PA 167, MCL 205.51 to 205.78, shall not knowingly do any of the following:

...

(d) Sell in a single over-the-counter sale more than 2 personal convenience packages containing 2 tablets or capsules each of any product described under this subsection to any individual.

(2) This section does not apply to the following:

(a) A pediatric product primarily intended for administration to children under 12 years of age according to label instructions.

(b) A product containing pseudoephedrine that is in a liquid form if pseudoephedrine is not the only active ingredient.

(c) A product that the state board of pharmacy, upon application of a manufacturer or certification by the United States drug enforcement administration as inconvertible, exempts from this section because the product has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine.

(d) A product that is dispensed pursuant to a prescription.

(3) A person who violates this section is responsible for a state civil infraction as provided under chapter 88 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8801 to 600.8835, and may be ordered to pay a civil fine of not more than \$500.00 for each violation.



## Minnesota

Minnesota Statutes Annotated  
 Health (Ch. 144-159)  
 Chapter 152. Drugs; Controlled Substances  
 Definitions and Schedules of Controlled Substances

### 152.02. Schedules of controlled substances; administration of chapter

**Subd. 6. Schedule V; restrictions on methamphetamine precursor drugs.** (a) As used in this subdivision, the following terms have the meanings given:

(1) "methamphetamine precursor drug" means any compound, mixture, or preparation intended for human consumption containing **ephedrine** or **pseudoephedrine** as its sole active ingredient or as one of its active ingredients; and

(2) "over-the-counter sale" means a retail sale of a drug or product but does not include the sale of a drug or product pursuant to the terms of a valid prescription.

...

(c) No person may sell in a single over-the-counter sale more than two packages of a methamphetamine precursor drug or a combination of methamphetamine precursor drugs or any combination of packages exceeding a total weight of six grams, calculated as the base

(d) Over-the-counter sales of methamphetamine precursor drugs are limited to:

(1) packages containing not more than a total of three grams of one or more methamphetamine precursor drugs, calculated in terms of ephedrine base or pseudoephedrine base; or

(2) for nonliquid products, sales in blister packs, where each blister contains not more than two dosage units, or, if the use of blister packs is not technically feasible, sales in unit dose packets or pouches.

...

(h) A person who knowingly violates paragraph (c), (d), (e), (f), or (g) is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days, or to payment of a fine of not more than \$1,000, or both.

(i) An owner, operator, supervisor, or manager of a business establishment that offers for sale methamphetamine precursor drugs whose employee or agent is convicted of or charged with violating paragraph (c), (d), (e), (f), or (g) is not subject to the criminal penalties for violating any of those paragraphs if the person:

(1) did not have prior knowledge of, participate in, or direct the employee or agent to commit the violation; and

(2) documents that an employee training program was in place to provide the employee or agent with information on the state and federal laws and regulations regarding methamphetamine precursor drugs.

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## Montana

Montana Code Annotated

Title 50. Health and Safety

Chapter 32. Controlled Substances

Part 5. Regulation of Ephedrine and Pseudoephedrine

**50-32-501. Restricted possession, purchase, or other transfer of ephedrine or pseudoephedrine--  
exceptions--penalties**

(1) Except as provided in subsection (2), a person may not purchase, receive, or otherwise acquire more than 9 grams of any product, mixture, or preparation containing any detectable quantity of ephedrine or pseudoephedrine, any of their salts or optical isomers, or salts of optical isomers within any 30-day period.

(2) This section does not apply to any quantity of a product, mixture, or preparation dispensed pursuant to a valid prescription or as provided in 50-32-502.

(3) Possession of more than 9 grams of a drug product containing any detectable quantity of ephedrine, pseudoephedrine, their salts or optical isomers, or salts of optical isomers constitutes a rebuttable presumption of the intent to use the product as a precursor to methamphetamine or another controlled substance.

...

(5) A person who knowingly or negligently violates any provision of this section is guilty of a misdemeanor and shall be punished by a fine of not less than \$100 or more than \$500 and by imprisonment in the county jail for not more than 1 year.

Montana Code Annotated

Title 50. Health and Safety

Chapter 32. Controlled Substances

Part 5. Regulation of Ephedrine and Pseudoephedrine

**50-32-502. Restricted sale and access to ephedrine or pseudoephedrine products--exceptions--  
penalties**

...

(3) Except as provided in subsection (5), a licensed pharmacy or certified retail establishment provided for in subsection (1) that dispenses, sells, or distributes products containing ephedrine or pseudoephedrine shall:

...

(b) limit sales to packages containing no more than a total of 9 grams;

...

(d) take action as necessary to ensure that a person does not purchase or acquire more than 9 grams of ephedrine or pseudoephedrine from the licensed pharmacy or certified retail establishment provided for in subsection (1) in any 30-day period.

...

(5) This section does not apply to:

(a) any quantity of a product, mixture, or preparation dispensed pursuant to a valid prescription;

(b) products containing ephedrine or pseudoephedrine that are in liquid, liquid capsule, or gel capsule form if

ephedrine or pseudoephedrine is not the only active ingredient;

(c) a product that the board, upon application by a manufacturer, exempts from this section by rule because the product has been formulated in a manner as to effectively prevent the conversion of the active ingredient into methamphetamine or its salts or precursors.

...

Administrative Rules of Montana  
 Title 23. Department of Justice  
 Chapter 12. Law Enforcement Services Division  
 Sub-chapter 8. Regulation of Ephedrine or Pseudoephedrine  
**23.12.801. DEFINITIONS**

(1) “Licensed community pharmacy” means a pharmacy situated within ten miles of any place at which a licensed medical practitioner maintains an office for professional practice.

(2) “Retail establishment” means the registered owner of a business that sells products containing ephedrine or pseudoephedrine to the public.

Administrative Rules of Montana  
 Title 23. Department of Justice  
 Chapter 12. Law Enforcement Services Division  
 Sub-chapter 8. Regulation of Ephedrine or Pseudoephedrine  
**23.12.802. RETAIL ESTABLISHMENTS ELIGIBLE TO APPLY FOR CERTIFICATION**

(1) A retail establishment is eligible to apply for certification with the department if:

...

(d) it limits sales of products containing ephedrine or pseudoephedrine to packages containing no more than a total of nine grams; and

(e) it agrees to track customer sales and to prevent a customer from purchasing more than nine grams of products containing ephedrine or pseudoephedrine in any 30-day period.

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### New Jersey

New Jersey Statutes Annotated  
 Title 2C. The New Jersey Code of Criminal Justice  
 Subtitle 2. Definition of Specific Offenses  
 Part 5. Offenses Against Public Order, Health and Decency  
 Chapter 35. Controlled Dangerous Substances  
**2C:35-25. Restrictions on retail sales of ephedrine products; disorderly persons offense; exceptions**

a. Except as provided in subsection d. of this section, no person shall sell, offer for sale or purchase in any single retail transaction more than:

(1) three packages, or any number of packages that contain a total of nine grams, of any drug containing a sole active ingredient of ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers or salts of optical isomers, or

(2) three packages of any combination drug containing, as one of its active ingredients, ephedrine, pseudoephedrine,

phenylpropanolamine, or any of their salts, optical isomers or salts of optical isomers, or any number of packages of such combination drug that contain a total of nine grams of ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers or salts of optical isomers.

b. As used in this section, “drug” has the meaning as defined in R.S.24:1-1.

c. A violation of this section is a disorderly persons offense.

d. This act shall not apply to a drug lawfully prescribed or administered by a licensed physician, veterinarian or dentist.

### North Dakota

North Dakota Century Code Annotated

Title 19. Foods, Drugs, Oils, and Compounds

Chapter 19-03.4. Drug Paraphernalia

#### § 19-03.4-08. Retail or over-the-counter sale of scheduled listed chemical products--Penalty

1. The retail sale of scheduled listed chemical products is limited to:

a. Sales in packages containing not more than a total of two grams of one or more scheduled listed chemical products, calculated in terms of ephedrine base, pseudoephedrine base, and phenylpropanolamine base; and

b. Sales in blister packs, each blister containing not more than two dosage units, or when the use of blister packs is technically infeasible, sales in unit dose packets or pouches.

2. A person may not:

a. Deliver in a single over-the-counter sale more than two packages of a scheduled listed chemical product or a combination of scheduled listed chemical products; or

...

8. This section does not apply to a product that the state board of pharmacy, upon application of a manufacturer, exempts from this section because the product has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine, or its salts or precursors.

...

10. A person who willfully violates subsection 1 or 9 is guilty of a class A misdemeanor. A person who willfully violates subsection 2, 3, 4, or 5 is guilty of an infraction.

11. A person who is the owner, operator, or manager of the retail outlet or who is the supervisor of the employee or agent committing a violation of this section of the outlet where scheduled listed chemical products are available for sale is not subject to the penalties of this section if the person:

a. Did not have prior knowledge of, participate in, or direct the employee or agent to commit, the violation of this section; and

b. Certifies to the attorney general that the employee or agent, at the time of initial employment and each calendar year thereafter, participated in a training program approved by the attorney general providing the employee or agent with information regarding the state and federal regulations governing the sale, possession, and packaging of such products.

The approval of the training program by the attorney general is not subject to chapter 28-32.

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### South Dakota

South Dakota Codified Laws

Title 34. Public Health and Safety

Chapter 34-20D. Products Containing Pseudoephedrine or Ephedrine

**34-20D-1. Sale of packages containing pseudoephedrine or ephedrine--Number in single transaction limited--Exception--Misdemeanor**

No retailer may sell, in a single transaction, more than two packages containing pseudoephedrine or ephedrine as an active ingredient. For purposes of this chapter, the term, retailer, means any person who sells merchandise at retail and from whom original packages of nonprescription drugs are sold or taken to be sold at retail and who is licensed by the Board of Pharmacy to sell nonprescription drugs. This restriction does not apply to any sale made pursuant to a valid prescription drug order prescribed by a practitioner as defined in § 36-11-2 with appropriate authority. Any retailer or any employee of a retailer who sells packages containing pseudoephedrine or ephedrine in violation of this section is guilty of a Class 1 misdemeanor.

South Dakota Codified Laws

Title 34. Public Health and Safety

Chapter 34-20D. Products Containing Pseudoephedrine or Ephedrine

**34-20D-2. Purchase of packages containing pseudoephedrine or ephedrine--Number in single transaction limited--Exception--Misdemeanor**

No person may purchase, in a single transaction, more than two packages containing pseudoephedrine or ephedrine as an active ingredient. This restriction does not apply to purchases made with a valid prescription drug order prescribed by a practitioner as defined in § 36-11-2 with appropriate authority. Any person who purchases packages containing pseudoephedrine or ephedrine in violation of this section is guilty of a Class 1 misdemeanor.

### Texas

Texas Administrative Code

Title 25. Health Services

Part 1. Department of State Health Services

Chapter 230. Specific Additional Requirements for Drugs

Subchapter B. Limitations on Sales of Products Containing Ephedrine, Pseudoephedrine, and Norpseudoephedrine

**§ 230.15. Records**

(a) Before completing a sale of a regulated product, an employee with authority to access regulated products must:

...

(3) take reasonable measures to limit single sales transactions to:

(A) two packages of a regulated product; or

(B) no more than 6 grams of ephedrine, pseudoephedrine, or norpseudoephedrine base.

...

## Washington

Revised Code of Washington Annotated

Title 69. Food, Drugs, Cosmetics, and Poisons

Chapter 69.43. Precursor Drugs

**69.43.110. Ephedrine, pseudoephedrine, phenylpropanolamine--Sales restrictions--Electronic sales tracking system--Penalty**

(1) It is unlawful for a pharmacy licensed by, or shopkeeper or itinerant vendor registered with, the department of health under chapter 18.64 RCW, or an employee thereof, or a practitioner as defined in RCW 18.64.011, knowingly to sell, transfer, or to otherwise furnish, in a single transaction a total of more than 3.6 grams of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts, isomers, or salts of isomers, in any twenty-four hour period or more than a total of nine grams per purchaser in any thirty-day period.

...

(5) A violation of this section is a gross misdemeanor.

Revised Code of Washington Annotated

Title 69. Food, Drugs, Cosmetics, and Poisons

Chapter 69.43. Precursor Drugs

**69.43.130. Exemptions--Pediatric products--Products exempted by the state board of pharmacy**

RCW 69.43.110 and 69.43.120 do not apply to:

(1) Pediatric products primarily intended for administration to children under twelve years of age, according to label instructions, either: (a) In solid dosage form whose individual dosage units do not exceed fifteen milligrams of ephedrine, pseudoephedrine, or phenylpropanolamine; or (b) in liquid form whose recommended dosage, according to label instructions, does not exceed fifteen milligrams of ephedrine, pseudoephedrine, or phenylpropanolamine per five milliliters of liquid product;

(2) 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;

(3) Products that the state board of pharmacy, upon application of a manufacturer, exempts by rule from RCW 69.43.110 and 69.43.120 because the product has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine, or its salts or precursors; or

(4) Products, as packaged, that the board of pharmacy, upon application of a manufacturer, exempts from RCW \*69.43.110(1)(b) and 69.43.120 because:

(a) The product meets the federal definition of an ordinary over-the-counter pseudoephedrine product as defined in 21 U.S.C. 802;

(b) The product is a salt, isomer, or salts of isomers of pseudoephedrine and, as packaged, has a total weight of more than three grams but the net weight of the pseudoephedrine base is equal to or less than three grams; and

(c) The board of pharmacy determines that the value to the people of the state of having the product, as packaged, available for sale to consumers outweighs the danger, and the product, as packaged, has not been used in the illegal manufacture of methamphetamine.

Revised Code of Washington Annotated  
 Title 69. Food, Drugs, Cosmetics, and Poisons  
 Chapter 69.43. Precursor Drugs  
**69.43.140. Civil penalty--State board of pharmacy waiver**

(1) In addition to the other penalties provided for in this chapter or in chapter 18.64 RCW, the state board of pharmacy may impose a civil penalty, not to exceed ten thousand dollars for each violation, on any licensee or registrant who has failed to comply with this chapter or the rules adopted under this chapter. In the case of a continuing violation, every day the violation continues shall be considered a separate violation.

(2) The state board of pharmacy may waive the suspension or revocation of a license or registration issued under chapter 18.64 RCW, or waive any civil penalty under this chapter, if the licensee or registrant establishes that he or she acted in good faith to prevent violations of this chapter, and the violation occurred despite the licensee's or registrant's exercise of due diligence. In making such a determination, the state board of pharmacy may consider evidence that an employer trained employees on how to sell, transfer, or otherwise furnish substances specified in RCW 69.43.010(1) in accordance with applicable laws.

### Wyoming

Wyoming Statutes Annotated  
 Title 35. Public Health and Safety  
 Chapter 7. Food and Drugs  
 Article 10. Controlled Substances  
 Article IX

**§ 35-7-1059. Unlawful clandestine laboratory operations; methamphetamine precursors; presumptively illegal amount; methamphetamine precursor sales limitations; registration requirements; reports; penalties**

...

(h) No person shall sell in a single retail transaction more than two (2) packages of a product containing methamphetamine precursor drugs. ...

...

(k) A person who intentionally or knowingly violates subsection (g), (h) or (j) of this section is guilty of a misdemeanor punishable by a fine of one hundred dollars (\$100.00) for a first offense, five hundred dollars (\$500.00) for a second offense within two (2) years and one thousand dollars (\$1,000.00) and up to six (6) months imprisonment, or both, for a third offense within three (3) years.

...

(p) For purposes of this section, "methamphetamine precursor drug" means any product that contains ephedrine, pseudoephedrine or phenylpropanolamine or liquid products with ephedrine or pseudoephedrine as the sole active ingredient and may be marketed or distributed lawfully in the United States under the Federal Food, Drug and Cosmetic Act as a nonprescription drug.