

Enacted Legislation Highlights
2007 State Bills Related to Regulation of Sales of Ephedrine/Pseudoephedrine

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Arkansas S.B. 296

- Requires the Arkansas Crime Information Center (subject to available funding) to provide in-state pharmacies with access to real-time electronic logbooks for recording transactions involving the sales of ephedrine/pseudoephedrine products
- The logbook must be capable of calculating both state and federal purchase limits
- Logbook access must be provided to persons authorized to prescribe or dispense ephedrine/pseudoephedrine products, law enforcement officials, persons involved in product recalls and the State Board of Pharmacy

Illinois S.B. 1397

- Creates the Williamson County Pilot Program to:
 - track purchases of targeted methamphetamine precursors at multiple locations;
 - identify persons obtaining or distributing targeted methamphetamine precursors for the purpose of manufacturing methamphetamine;
 - starve methamphetamine manufacturers of the precursors they need; and
 - to reduce the harm methamphetamine and methamphetamine manufacturing inflicts on the environment, the citizens of Illinois, the economy, etc...

Indiana S.B. 520

- Authorizes an attempt to obtain federal funds to establish and operate a methamphetamine precursor data base pilot project
- Any established pilot project must connect persons 1) who sell drugs containing active ephedrine/pseudoephedrine and 2) who record drug sales information in an electronic log to an electronic monitoring system that is capable of transferring the purchase/sales information to a central data base

Kansas S.B. 302

- Establishes a controlled substances monitoring taskforce, responsible for developing a plan for the creation and implementation of 1) a prescription monitoring program and 2) an electronic purchase log, capable of checking, in real time, compliance with all state, federal and local laws concerning the sale of ephedrine/pseudoephedrine products

Kentucky S.B. 88

- Allows for a requirement that ephedrine/pseudoephedrine sales records be maintained electronically, provided that the costs of establishing and maintaining an electronic recordkeeping mechanism are borne by the Commonwealth of Kentucky

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Nebraska L.B. 218

- Increases the quantity of pseudoephedrine/phenylpropanolamine base that a consumer may purchase in any 24-hour period from 1.440 grams to 3.6 grams
- Increases the packaging restriction from 1.440 grams to 3.6 grams
- In conformity with federal law, this measure enacts a 30-day purchase limit of 9 grams of pseudoephedrine/phenylpropanolamine base per person

Nevada S.B. 112 & A.B. 148

- Restricts sales/transfers/acquisition of ephedrine/pseudoephedrine/phenylpropanolamine base to no more than 3.6 grams per person per day
- Restricts acquisition of ephedrine/pseudoephedrine/phenylpropanolamine base to 9 grams per person in a 30-day period
- Restricts retail sales of non-liquid forms of ephedrine/pseudoephedrine/phenylpropanolamine base to products packaged in blister packs, with each pack containing no more than 2 dosage units
- Quantity and packaging restrictions will not be applied to precursor products that cannot be used to manufacture methamphetamine
- Requires retail distributors to maintain a logbook to record sales of ephedrine/pseudoephedrine/phenylpropanolamine base products
- Requires ephedrine/pseudoephedrine/phenylpropanolamine base product purchasers to present a government-issued photo ID and sign the logbook

North Dakota S.B. 2319

- Reclassifies “methamphetamine precursor drugs” as “scheduled listed chemical products” and defines “scheduled listed chemical product” as a product that contains ephedrine, pseudoephedrine or phenylpropanolamine that may be marketed or distributed in the U.S.
- Restricts delivery of a scheduled listed chemical product to 3.6 grams (calculated in terms of ephedrine/pseudoephedrine/phenylpropanolamine base) in 24 hours, regardless of the number of transactions
- Restricts purchase of ephedrine/pseudoephedrine/phenylpropanolamine base to 9 grams per person in a 30-day period
- Requires sellers to maintain a written list of sales that identifies the product, names and address of purchasers, quantity sold, etc...
- Requires purchasers to sign the written list of sales

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Utah S.B. 112

- Reduces the amount of products containing ephedrine/pseudoephedrine/phenylpropanolamine that a person may possess at one time from 12 grams down to 9 grams
- Provides that mobile retail vendors may not distribute or sell products exceeding the threshold amount of 3.6 grams of ephedrine/pseudoephedrine/phenylpropanolamine to any person in a 24-hour period
- Provides that mobile retail vendors may not distribute or sell products exceeding the threshold amount of 7.5 grams of ephedrine/pseudoephedrine/phenylpropanolamine to any person in a 30-day period
- Provides that retailers may not sell/distribute products unless:
 - they are stored in an area not accessible to the customers;
 - all non-liquid products are packaged in blister packs with each pack containing no more than 2 dosage units;
 - purchasers are required to provide government-issued photo ID;
 - they maintain a written or electronic log; and
 - they provide notice concerning federal penalties
- The required log must contain:
 - the purchaser's name, address and date of birth;
 - the date and time of the transaction;
 - the purchaser's signature;
 - verification of the purchaser's identity;
 - verification of the date and time of the transaction; and
 - entry of the brand name and quantity of the product sold