

## Highlights – South Carolina House Bill 3591

### Research is current as of September 13, 2006

#### 1) Who May Sell Pseudoephedrine Products

- Any retail distributor, including a pharmacy, where pseudoephedrine products are available for sale

#### 2) Restrictions on Sale/Distribution and/or Purchase/Acquisition of E/P Products (Quantity Restrictions)

- Single over the counter sales are limited to no more than three packages of any product containing single- or multi-active ephedrine or pseudoephedrine OR any number of packages containing a combined total of no more than nine grams of ephedrine or pseudoephedrine

#### 3) Restrictions on Sale/Distribution of E/P Products (Packaging and Display Restrictions)

- Sole-active ingredient ephedrine and pseudoephedrine products must be sold in blister packs
- Sole-active ingredient ephedrine and pseudoephedrine products may not be offered for retail sale by self-service and must be placed behind a counter or other barrier that makes the products inaccessible to the public

#### 4) Exemptions/Exceptions to Restrictions on Sale/Distribution and/or Possession/Acquisition

- Pediatric products labeled pursuant to federal regulations as primarily intended for administration to children under twelve years of age
- Products that the Board of Pharmacy determines are formulated in such a way so as to prevent conversion of active ingredients into methamphetamine
- Purchases of single sales packages containing no more than 60 milligrams

#### 5) Purchaser Requirements

- Purchasers must provide government-issued photo identification

#### 6) Logbook Requirements

- Purchasers must sign a written or electronic log
- The log must show the date/time of transaction, the purchaser's name and address, and the amount sold
- Retailers must determine that the name entered in the log corresponds to the name on the identification

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### 7) Training Requirements & Immunity Provisions

- Retailers must provide training on the requirements of this law to all agents and employees responsible for delivering regulated products
- Retailers must obtain signed written agreements from each employee and agent acknowledging agreement to comply with the requirements of this law
- Retailers (and employees/agents) are immune from civil liability for good faith releases of information contained in a log to law enforcement authorities
- It is an affirmative defense to violations of this act if a retailer provides training, maintains records and obtains employee agreement statements

### 8) Miscellaneous

- Effective date is November 4, 2006