

5017-S

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senators Franklin, Winsley and Regala)

Brief Description: Restricting the sale of ephedrine, pseudoephedrine, or phenylpropanolamine.

SB 5017-S.E - DIGEST

(DIGEST AS ENACTED)

Finds that the drugs ephedrine, pseudoephedrine, and phenylpropanolamine, which are used in the illegal manufacture of methamphetamine, have been identified as factors in the increase in the number of illegal methamphetamine labs.

Declares an intent to place restrictions on the sale and possession of those three drugs in order to reduce the proliferation of illegal methamphetamine laboratories and the associated threats to public health and safety.

Provides that any manufacturer or wholesaler who sells, transfers, or otherwise furnishes any substance specified in RCW 69.43.010(1) to any person in a suspicious transaction shall report the transaction in writing to the state board of pharmacy.

Provides that any person specified in this act who does not submit a report as required is guilty of a gross misdemeanor.

Declares that 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, knowingly to sell, transfer, or to otherwise furnish, in a single transaction: (1) More than three packages of one or more products that he or she knows to contain ephedrine, pseudoephedrine, or phenylpropanolamine, their salts, isomers, or salts of isomers; or

(2) A single package of any product that he or she knows to contain more than three grams of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts, isomers, or salts of isomers, or a combination of any of these substances.

Declares that it is unlawful for a person who is not a manufacturer, wholesaler, pharmacy, practitioner, shopkeeper, or itinerant vendor licensed by or registered with the department of health under chapter 18.64 RCW to purchase or acquire, in any twenty-four hour period, more than the quantities of the substances specified in this act.

Declares that a violation of these provisions is a gross misdemeanor.

Declares that any person who possesses more than fifteen grams of ephedrine, pseudoephedrine, or phenylpropanolamine, their salts, isomers, or salts of isomers, or a combination of any of those substances, is guilty of a gross misdemeanor.

Provides that, to prevent violations of section 9 of this act, every licensee and registrant under chapter 18.64 RCW, who sells at retail any products containing ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, shall do either or may do both of the following: (1) Program scanners, cash registers, or other electronic devices use to record

sales in a manner that will alert persons handling transactions to potential violations of this act and/or prevent such violations; or

(2) Place one or more signs on the premises to notify customers of the prohibitions of this act. Any such sign may, but is not required to, conform to the language and format prepared by the department of health under this act.

Requires the department of health to prepare language and format for a sign summarizing the prohibitions in this act and make the language and format available to licensees and registrants under chapter 18.64 RCW, for voluntary use in their places of business to inform customers and employees of the prohibitions.