

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 160

Short Title: Limit Over-the-Counter Drug Purchases. (Public)

Sponsors: Senators Berger of Rockingham; Apodaca, Bingham, Brock, Brown, Cowell, East, Goodall, Hartsell, Horton, Hunt, Jacumin, Pittenger, Smith, Stevens, and Tillman.

Referred to: Judiciary I.

February 16, 2005

A BILL TO BE ENTITLED

AN ACT TO LIMIT OVER-THE-COUNTER PURCHASES OF PRODUCTS THAT CONTAIN PSEUDOEPHEDRINE.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-94.1. Sale of products that contain pseudoephedrine.

(a) A product whose sole active ingredient is pseudoephedrine in strength of 60 milligrams or more per tablet shall not be offered for retail sale loose in bottles but shall be sold only in blister packages. The product shall not be offered for retail sale by self-service; the product must be stored behind a counter or barrier so that it is not accessible by the public and is only accessible by a retail store employee.

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

(c) A violation of this section is a Class 2 misdemeanor for a first offense and a Class 1 misdemeanor for each subsequent offense."

SECTION 2. This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.