

1 H.738

2 Introduced by Representative McFaun of Barre Town

3 Referred to Committee on

4 Date:

5 Subject: Health; prescription drugs; ephedrine; pseudoephedrine;
6 phenylpropanolamine

7 Statement of purpose: This bill proposes to require a prescription for the
8 purchase of products containing ephedrine, pseudoephedrine, or
9 phenylpropanolamine base.

10 An act relating to prescribing ephedrine, pseudoephedrine, or
11 phenylpropanolamine products

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 18 V.S.A. § 4234b(b) is amended to read:

14 (b) Sale.

15 (1) A drug product containing ephedrine base, pseudoephedrine base, or
16 phenylpropanolamine base shall not be distributed at retail to the general
17 public ~~unless it is maintained in a locked display case or behind the counter out~~
18 ~~of the public's reach~~ without a valid prescription from a practitioner as defined
19 in subdivision 4201(26) of this title.

1 ~~(2)(A) A retail establishment shall not knowingly sell to a person within~~
2 ~~a calendar day any drug product or combination of drug products containing a~~
3 ~~total of more than 3.6 grams of ephedrine base, pseudoephedrine base, or~~
4 ~~phenylpropanolamine base.~~

5 ~~(B) This subdivision shall not apply to drug products dispensed~~
6 ~~pursuant to a valid prescription.~~

7 ~~(3) A person or business which violates this subdivision shall:~~

8 ~~(A) for a first violation be assessed a civil penalty of not more than~~
9 ~~\$100.00.~~

10 ~~(B) for a second and subsequent violation be assessed a civil penalty~~
11 ~~of not more than \$500.00.~~

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, 2012.