

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2316

By: Miller (Ray)

AS INTRODUCED

An Act relating to the Uniform Controlled Dangerous Substances Act; prohibiting sale of pseudoephedrine in certain amounts; requiring pseudoephedrine to be labeled and packaged in specified ways for retail sale; stating punishment for violation; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-332 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. It shall be unlawful for a retailer to sell a product that contains more than a cumulative amount of six (6) grams (6,000 milligrams) of pseudoephedrine during a single retail transaction.

B. Over-the-counter preparations that contain any quantity of pseudoephedrine must be in combination with at least one other medicinally active ingredient.

C. Any product containing pseudoephedrine must be labeled and marketed in a manner consistent with the pertinent over-the-counter tentative final or final monograph issued by the United States Food and Drug Administration for pseudoephedrine.

D. Any product containing pseudoephedrine must be manufactured and distributed for legitimate medicinal use and in a manner that reduces or eliminates the likelihood of abuse.

E. If a substance containing pseudoephedrine is not a liquid, and if more than two dosage units are packaged in one package,

pseudoephedrine tablets and capsules must be packaged in blister packs.

F. Each blister may contain no more than two dosage units. If the use of blister packs is technically unfeasible, the tablets or capsules shall be packaged in unit dose packets or pouches.

G. Any person or business who violates this section shall, upon conviction, be guilty of a misdemeanor punishable by up to one (1) year in the county jail or a fine of up to One Thousand Dollars (\$1,000.00), or both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 2002.

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