

ALASKA**PRODUCTS:**

- Ephedrine (EPH), Pseudoephedrine (PSE), Phenylpropanolamine (PPA)

PRODUCT EXEMPTIONS:

- Products dispensed pursuant to prescription are not subject to purchase and possession limits. (AS 11.71.020; AS 11.71.210)
- Law incorporates federal products exemptions by reference to the federal Combat Meth Act. (AS 17.30.090(a))

SALES LIMITS:

- Law incorporates federal sales limits by reference to the federal Combat Meth Act. (AS 17.30.090(a))

PURCHASE / POSSESSION LIMITS:

- No person may purchase or possess more than 6 g of PSE, EPH or PPA per 30 days unless dispensed pursuant to a prescription, or unless the product was purchased or kept in the ordinary course of a legitimate business as a retailer, wholesaler, wholesale drug distributor licensed by the pharmacy board, a manufacturer, a board of pharmacy licensed pharmacist or appropriately licensed health care professional. (Note – this seems to be inconsistent with federal sales and possession limits.) (AS 11.71.020; AS 11.71.210)
- Persons who, in the ordinary course of a legitimate business or nonprofit organization (or as an employee thereof) may purchase and possess more than 6 but less than 24 g, if the location of nature of the business / activity or the age of participants makes it impractical for the participants in the activity to obtain medical products. (AS 11.71.020; AS 11.71.210)
- No person under 16 years old may purchase PSE, EPH or PPA products. (AS 17.30.090)

SALES RESTRICTIONS:

- Sales to persons under 16 years old are prohibited. A seller, retailer, or vendor may not sell to a person under 16 years of age and a person under 16 years may not purchase PSE, EPH or PPA products. (AS 17.30.090(b))
- Law incorporates federal sales restrictions. A seller, retailer, or vendor may not sell for personal use and a person may not purchase for personal use EPH base, PSE base, or PPA base unless the sale or purchase complies with the federal Combat Meth Act (HR 3199, P.L. 109-177) with regard to amounts, identification required, storage, access and availability, and logbooks. (AS 17.30.090(a))

RECORDKEEPING REQUIREMENTS:

- A seller, retailer, or vendor shall maintain the logbook for the period required under the federal Combat Meth Act Law and shall allow law enforcement officers access to the log book. (AS 17.30.090(a))
- The authority of a seller, retailer, or vendor is not limited in reporting suspicious purchases to a law enforcement agency or officer. A seller, retailer, or vendor is not liable in a civil action for release of information collected under the law to a law enforcement agency. (AS 17.030.090(c))

PRODUCT PLACEMENT:

- Law incorporates federal placement requirements by reference. (AS 17.30.090)

TRAINING

- Each seller, retailer, or vendor shall provide training to the seller's, retailer's, or vendor's employees and agents on the requirements of the law. The Department of Public Safety shall provide assistance and information to sellers, retailers, and vendors to the requirements. (AS 17.30.090(a))

CRIMES AND PENALTIES:

- Violations of sales limits and restrictions, recordkeeping and product placement requirements must pay the state a civil penalty of up to \$10,000 per violation. (AS 17.30.090)
- Persons who purchase or receive more than 6 grams of EPH, PSE, PPA commit a Class C felony and the purchase or receipt of is prima facie evidence of intent to use the products to manufacture, aid or abet the manufacturing by another person, or to deliver to another person who intends to manufacture methamphetamine and are guilty of a crime except for possession by prescription or in ordinary course of a legitimate business or its employee as a retailer, wholesaler, Board of Pharmacy licensed wholesale drug distributor, manufacturer licensed by the Board of Pharmacy, licensed pharmacist by the Board, health care professional licensed by the state, or less than 24 grams kept in a locked storage of a legitimate business or nonprofit organization operating a camp, lodge, school, treatment center where the location or nature of the activity makes it impractical to obtain medicinal products. (AS 11.71.020; AS 11.71.210)
- Persons who deliver an immediate precursor of methamphetamine to another person with reckless disregard that the precursor will be used to manufacturer methamphetamine commit crime of misconduct in the second degree. (AS 11.71.020(a))

RETAILER LIABILITY EXEMPTION:

- Retailers are not liable in a civil action for reporting to law enforcement suspicious purchases. (AS 17.30.090(c))

- Retailers are not guilty of violating sales limits and restrictions, recordkeeping and product placement requirements limits if they prove by preponderance of evidence the retailer exercised a degree of care reasonable to ensure compliance with federal and state laws, have determined that employees were notified of the federal and state restrictions and secured their written acknowledgment or another appropriate determination. (AS 17.30.090(d))