

HAWAII**PRODUCTS:**

- Products containing pseudoephedrine (PSE). (HRS § 329-75)

PRODUCT EXEMPTIONS:

- Any products exempted by the Department of Public Safety (DPS) via rule, where DPS has found that the products are not used in the illegal manufacture of methamphetamine. Manufacturers may apply for such an exemption if the DPS finds that their product has been formulated in such a way as to prevent the conversion of the active ingredient into methamphetamine. (HRS § 329-75)

SALES LIMITS:

- Products containing no more than 3.6 grams per day and 9 grams per 30 days, though both the daily and monthly limits may be exceeded upon prescription. (HRS § 329-75)

PRODUCT PLACEMENT:

- Nonexempt PSE products may only be stored in an area not accessible by customers or the general public, such as behind the counter or in a locked display case and where the seller delivers the product directly into the custody of the purchaser. (HRS § 329-75)

ID REQUIREMENTS:

- Any person purchasing nonexempt PSE products must produce valid government-issued identification containing their photograph, date of birth, printed name, and signature, and address. (HRS § 329-75)

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RECORDKEEPING REQUIREMENTS/ELECTRONIC LOG:

- Pharmacy or retailer shall maintain a record of required information in an electronic log: the date and time of transaction, name, address and date of birth of purchaser; type of identification provided by the individual and identification number; and the agency issuing the identification; name and quantity of the product. (HRS § 329-75)
- Every purchaser must sign a written or electronic log. (HRS § 329-75)
- Information must be maintained for a period of two years. (HRS § 329-75)
- Before completing a sale a pharmacy or retailer shall electronically submit the required information to the National Precursor Log Exchange administered by the National Association of Drug Diversion Investigators. (HRS § 329-75)
- The seller shall not complete the sale if the system generates a stop sale alert. (HRS § 329-75)
- If a pharmacy or retailer experiences mechanical or electronic failure of the electronic sales tracking system and is unable to comply with the electronic sales

tracking requirement under this section, the pharmacy or retail establishment shall maintain a written log or an alternative electronic recordkeeping mechanism. (HRS § 329-75)

- The National Association of Drug Diversion Investigators shall forward Hawaii transaction records in National Precursor Log Exchange to the narcotics enforcement division of the department of public safety weekly and provide real-time access to National Precursor Log Exchange. (HRS § 329-75)

PENALTIES:

- Anyone who knowingly purchases or possesses more than 9 grams of any PSE product within a 30 day period is guilty of a Class C felony. (HRS § 329-75)
- Intentional or knowing failure of a retailer or pharmacy to transmit any information required for the electronic log will be guilty of a misdemeanor and will result in the immediate suspension of that retailer's ability to sell any product containing PSE until authorized by the administrator. (HRS § 329-75)

WHOLESALE DISTRIBUTION REQUIREMENTS:

- Every wholesaler must report to DPS all sales of single entity and combination PSE products made to any retailer, including the following minimum information: generic or other name of product sold; quantity sold; date sold; name and address of wholesaler; and name and address of retailer. (HRS § 329-75)

OTHER:

- A pharmacy or retailer may seek an exemption from submitting transactions to the electronic sales tracking system, in writing to the board of pharmacy stating the reasons therefore. The board of pharmacy may grant an exemption for good cause shown, but in no event shall the exemption exceed 180 days. (HRS § 329-75)