

VERMONT**PRODUCTS:**

- Any product containing ephedrine (EPH) base, pseudoephedrine (PSE) base or phenylpropanolamine (PPA) base

PRODUCT EXEMPTIONS:

- EPH, PSE and PPA products dispensed upon prescription are exempt from the daily sales limit. (18 V.S.A. § 4234b)

SALES LIMITS:

- Retailers may not knowingly sell more than 3.6 grams of EPH, PSE, PPA base, or their isomers to an individual within a 24-hour period or nine grams within a 30-day period. (18 V.S.A. § 4234b)

PRODUCT PLACEMENT:

- EPH, PSE and PPA products must be maintained in a locked display case or behind the counter out of the public's reach. (18 V.S.A. § 4234b)

PENALTIES:

- First time violations of daily sales limits or product placement restrictions will be assessed a penalty of up to \$100. Second and subsequent violations will be assessed a penalty of up to \$500. (18 V.S.A. § 4234b)
- Possession of less than 9 grams of EPH, PSE and PPA base products with intent to use as a precursor to manufacture methamphetamine or another controlled substance are a violation subject to imprisonment of up to one year, a fine of up to \$2000, or both. (18 V.S.A. § 4234b)
- Possession of 9 grams or more of EPH, PSE and PPA base products with intent to use as a precursor to manufacture methamphetamine or another controlled substance are a violation subject to imprisonment of up to five years, a fine of up to \$100,000, or both. (18 V.S.A. § 4234b)

PUBLICITY AND EDUCATION PROGRAM:

- The judicial bureau has jurisdiction over sales violations. (4 V.S.A. § 1102)
- The Department of Health (DOH) will develop a publicity and education program to explain the need for change in public access to methamphetamine precursors. (18 V.S.A. § 4234b)
- The program will, at a minimum, include publication of brochures and posters explaining the dangers of methamphetamine, the requirements of the relevant laws, and the need for placing restrictions on public access to methamphetamine precursors and for requiring that a log be signed the precursors are purchased (note that there is not state log requirement; however, the federal Combat Methamphetamine Act of 2005 does specify log requirements). DOH must make

the brochures available to the public and the posters available to all retail establishments that sell EPH, PSE and PPA. (18 V.S.A. § 4234b)

- DOH must put together a coalition to educate the public and disseminate information about methamphetamine and its precursors, to evaluate current treatment options for methamphetamine abusers, and to recommend legislative changes to combat the dangers posed by methamphetamine abuse and productions. The coalition must file a report with the legislature by January 15, 2007. (18 V.S.A. § 4234b)

ELECTRONIC RECORDKEEPING

- Retail establishments shall use an electronic registry system to record the sale of products. The electronic registry system shall have the capacity to block a sale of nonprescription drug products containing ephedrine base, pseudoephedrine base, or phenylpropanolamine base that would result in a purchaser exceeding the lawful daily or monthly amount. The electronic registry system shall operate in real time to enable communication among in-state users and users of similar systems in neighboring states. The State shall use the National Precursor Log Exchange (NPLEx) online portal or its equivalent to host Vermont's electronic registry system.
- Prior to completing a sale, a retail establishment shall require the person purchasing the drug product to present a current, valid government-issued identification document. The retail establishment shall record in the electronic registry system:
 - the name and address of the purchaser;
 - the name of the drug product and quantity of ephedrine, pseudoephedrine, and phenylpropanolamine base sold in grams;
 - the date and time of purchase;
 - the form of identification presented, the issuing government entity, and the corresponding identification number; and
 - the name of the person selling or furnishing the drug product.
- If the retail establishment experiences an electronic or mechanical failure of the electronic registry system and is unable to comply with the electronic recording requirement, the retail establishment shall maintain a written log or an alternative electronic record-keeping mechanism until the retail establishment is able to comply fully with.
- A retail establishment shall maintain all records of drug product purchases made for a minimum of two years. (18 V.S.A. § 4234b)

OTHER:

- The judicial bureau has jurisdiction over sales violations. (4 V.S.A. § 1102)