



# THE **INFORMANT**

## Restricting the Sale of Pseudoephedrine and Ephedrine

### A Discussion of State Legislation and Administrative Regulations

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*Author's Note: This article is based on non-comprehensive research of state statutory and regulatory authority conducted June to November 2004 in addition to research done through April 22, 2005 on legislation introduced during the 2005 legislative session. The reader should consult individual state statutes, administrative regulations and pending legislation to ensure complete accuracy. Many of the state legislation and administrative rules discussed in this article incorporate additional chemical substances such as phenylpropanolamine. However, because the focus of the article is only on ephedrine and pseudoephedrine, references to the additional substances have been omitted. Readers should consult individual state statutes and administrative regulations for a complete listing of the substances covered.*

➤ The use of pseudoephedrine and ephedrine in the illegal manufacture of methamphetamine is wreaking havoc at an alarming rate across our country.

One need only pick up a newspaper on any given day to read an article about a child suffering irreparable physical or developmental damage due to exposure to toxic chemicals used in the manufacture of methamphetamine; about child neglect and abuse at the hands of meth-addicted parents; about law enforcement officers forced into retirement because of damaged lungs resulting from toxic gas exposure during raids of clandestine labs; about the deaths of police officers at the hands

of methamphetamine induced criminals; or about the contamination of our environment from the chemicals used to manufacture this insidious drug.

Restrictions on the retail sale of pseudoephedrine and ephedrine have been implemented in a number of states with the hope that reduced accessibility to these substances will in turn lead to a reduction in the illegal manufacture of methamphetamine. While legislation or administrative regulations that



restrict sales of these substances exist in approximately one third of the states, the legislation/regulations have not been uniform among the states. This inconsistency appears to have led to mixed results in the reduction of the seizure of methamphetamine laboratories. For example, while the Oklahoma Bureau of Narcotics has indicated success with reports that the number of methamphetamine labs has dropped since the legislation restricting retail sales of pseudoephedrine was enacted in April of 2004,<sup>2</sup> states such as Iowa continue to report an increase in the seizure of methamphetamine labs,<sup>3</sup> despite restrictions on the number of packages that may be sold in a single retail transaction and the display location of the product.

A review of a number of the states with legislation or regulations restricting the sale of pseudoephedrine and/or ephedrine reveals that four types of sub-restrictions are generally incorporated into the legislation or administrative regulation:

- Restrictions on the amount of the product purchased
- Restrictions on the display location of the product in the store
- Restrictions on the type of packaging in which the product is sold
- Restrictions on the percentage of sales involving pseudoephedrine/ephedrine products

## Quantity Restrictions

Restrictions existing on the amount of the product purchased typically fall within one of two categories: (1) restrictions on the number of packages or the number of grams that can be sold during one retail transaction or (2) restrictions on the number of grams or dosage units that may be sold within a specified period of time. For example:

In **Alabama**, the sale of more than three packages or any number of packages containing greater than nine grams of any product containing pseudoephedrine, solely or in combination with other ingredients in one over-the-counter sale is prohibited.<sup>4</sup>

In **Arizona**, it is unlawful for a retailer to sell more than a total of 24 grams of ephedrine or pseudoephedrine in a single transaction.<sup>5</sup> Arizona also prohibits the sale of greater than 100 dosage units of any single active ingredient ephedrine preparation to any one person in a 30-day period.<sup>6</sup>

**Arkansas** makes it unlawful for a licensed pharmacist or registered pharmacy technician to sell more than three packages of one or more products that contain ephedrine or pseudoephedrine or to sell a single package of any product that contains ephedrine or pseudoephedrine or a combination of these substances, which contains more than 96 dosage units or more than three grams of the substances, or a combination of the sub-



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stances, whichever is smaller in a single transaction. The sale of these products must occur in a licensed pharmacy. Similarly, purchasers of such preparations may not acquire more than three packages of one or more products known to contain ephedrine or pseudoephedrine or a single package of any product that is known to contain ephedrine or pseudoephedrine or a combination of these substances, which contains more than 96 dosage units or more than three grams of the substances, or a combination of the substances, whichever is smaller, in a single transaction.

In addition, it is unlawful for a person to acquire/purchase more than five grams of

ephedrine or nine grams of pseudoephedrine within a 30-day period. With certain limitations liquid, liquid gel capsules, and liquid capsules may still be sold in retail stores for personal use.<sup>7</sup>

In **California**, it is unlawful for retailers to sell in a single transaction more than three packages of a product known to contain ephedrine or pseudoephedrine or to sell more than nine grams of either substance.<sup>8</sup>

In **Georgia**, over-the-counter sales of products containing pseudoephedrine as the sole active ingredient or in combination with other active ingredients are restricted to three packages of the product in a single transaction. In addition, the sales of any number of packages that contain a combined total of more than nine grams of pseudoephedrine are prohibited.<sup>9</sup>

In **Illinois**, the retail sale of product packages containing not more than three grams of either ephedrine or pseudoephedrine is limited to two packages in a single transaction.<sup>10</sup>

In **Iowa**, the restrictions imposed vary depending upon whether the purchase occurs in a pharmacy or in a retail store. Consumers are prohibited from purchasing more than 7500 milligrams of pseudoephedrine from a pharmacy within a 30-day period and are prohibited from purchasing from a retailer more than one package of a product containing pseudoephedrine within a 24-hour period or more than 7500 milligrams within a 30-day period. It is unlawful for retailers to sell products containing more than 360 milligrams of pseudoephedrine; more than one package of a pseudoephedrine product within a 24-hour period; and pseudoephedrine products that can be subdivided into two or more separate packages.<sup>11</sup>

**Kansas** legislation has made it unlawful for pharmacies to sell or distribute four or more packages or containers of preparations containing any detectable quantity of ephedrine or pseudoephedrine within a seven-day period to the same customer.<sup>12</sup>

In **Kentucky**, the purchase of products containing either ephedrine or pseudoephedrine is restricted to no more than nine grams within 30 days and no more than three packages of the product in a single transaction.<sup>13</sup>



**Mississippi** prohibits retail establishments from selling and consumers from purchasing more than two packages of any compound containing ephedrine or pseudoephedrine or more than six grams of pseudoephedrine or ephedrine in a single sales transaction. In addition, it is unlawful for any person to purchase more than nine grams of any compound containing ephedrine or pseudoephedrine within a 30-day period.<sup>14</sup>

In **Missouri**, the retail sale of over-the-counter products containing ephedrine or pseudoephedrine is limited to two packages or any number of packages with a total gram weight of no more than six grams of ephedrine or pseudoephedrine where the ephedrine or pseudoephedrine is the sole active ingredient in the product. Missouri law also makes it unlawful to sell at retail more than three over-the-counter packages where ephedrine or pseudoephedrine is combined with other ingredients or any number of combination drug products where the products contain more than nine grams of ephedrine or pseudoephedrine.<sup>15</sup>

In **Nevada**, restrictions placed on the distribution of Schedule III controlled substances, which include ephedrine and pseudoephedrine, limit the sale of ephedrine and pseudoephedrine to not more than two ounces of the substances to the same purchaser within a 48-hour period.<sup>16</sup>

**North Dakota** law restricts retail sales to two packages of a methamphetamine precursor drug or combination of such in a single over-the-counter transaction. Ephedrine HCL and pseudoephedrine HCL are considered to be methamphetamine precursor drugs.<sup>17</sup> North Dakota law also designates methamphetamine precursor drugs as drug paraphernalia.<sup>18</sup>

In **Oklahoma**, the purchase of more than nine grams of any pseudoephedrine product within a 30-day period is unlawful.<sup>19</sup>

**South Dakota** prohibits retailers from selling and consumers from purchasing in one retail transaction more than two packages containing pseudoephedrine or ephedrine as an active ingredient.<sup>20</sup>

In **Tennessee**, it is unlawful for a pharmacist to sell more than three packages of a product containing ephedrine or pseudoephedrine during a single transaction or more than nine grams of ephedrine or pseudoephedrine during a 30-day period to the same customer.<sup>21</sup>

In **Washington**, it is unlawful for a shopkeeper to sell more than three packages of one or more products known to contain ephedrine or pseudoephedrine or to sell a single package of any product known to contain more than three grams of ephedrine, pseudoephedrine or phenylpropanolamine or a combination of these chemicals.<sup>22</sup>

While a number of states have attempted to balance the dangers of the illegal manufacture of methamphetamine against the legitimate interests of retail commerce in implementing sales restrictions on the sale of ephedrine and pseudoephedrine, the above examples illustrate that uniformity is clearly lacking among the states regarding the quantity restric-

tions. While a person interested in illegally manufacturing methamphetamine in Oklahoma would be required to wait 30 days in order to purchase an additional nine grams of pseudoephedrine, a similarly situated person in California could make multiple nine gram purchases of pseudoephedrine at various pharmacies in a one-day period as long as the amount purchased did not exceed the nine-gram limit imposed on the sales transaction. As a result, the risk exists that abusers of methamphetamine will simply migrate to those states with less restrictive purchasing regulations.

Equally important, while some states apply the restrictions to preparations containing ephedrine or pseudoephedrine, other states simply make the restrictions applicable to only one of the substances and not both. It would appear that a more comprehensive method of restricting the diversion of legitimate products would incorporate restrictions on both substances that are used in the manufacture of methamphetamine.

In addition, the state sales restrictions are often further diluted/weakened by exemptions for pediatric formulas, liquid preparations, over-the-counter preparations that do not contain greater than three grams of ephedrine or pseudoephedrine, and multiple ingredient preparations.

## Location Restrictions

Restrictions on the display location of products containing ephedrine and pseudoephedrine typically involve requirements that the retrieval of the product from a display case require the assistance of either a pharmacist or a retail employee. Existing restrictions are also generally more restrictive in cases in which the sole active ingredient is ephedrine or pseudoephedrine.

In **Alabama**, products containing pseudoephedrine as the sole active ingredient in strengths of 60 milligrams or greater per tablet must be stored behind a retail counter which is accessible by a retail employee only. Self-service by a customer is not permissible.<sup>23</sup>

**Georgia** mandates that products containing the sole active ingredient pseudoephedrine be sold from behind a counter or barrier so that the assistance of an employee is required. Self-service purchases of such products are prohibited.<sup>24</sup>

**Illinois** law requires that single active ingredient targeted packages (over-the-counter preparations containing greater than 15 milligrams of ephedrine or pseudoephedrine) be displayed behind a store counter, in an area inaccessible by customers, or in a locked case. Similar restrictions exist for the display of multiple ingredient targeted packages; however, the law does provide alternatives to the requirement that the products be located in areas which would require the assistance of an employee in order to obtain the product. For example, if the purchaser produces identification and signs a log book for the purchase or if two of the following restrictions are implemented:

- the packages are placed within 30 feet of the cash register within direct line of sight of the register and the register is staffed by an employee;
- anti-theft devices are placed on the packages;
- restricted access shelving<sup>25</sup> is implemented; or
- constant video surveillance is employed.<sup>26</sup>

**Iowa** law requires that pseudoephedrine-containing products must be displayed in a locked case or behind a counter where the public is not permitted.<sup>27</sup>

**Mississippi** location restrictions are applicable to both ephedrine and pseudoephedrine products and mandate that the products be stored behind counters inaccessible to the public or stored in locked display cases.<sup>28</sup>

In **Missouri**, over-the-counter packages containing ephedrine or pseudoephedrine as the sole active ingredient must remain behind the counter or within 10 feet of a sales counter with an unobstructed view. However, this restriction is not mandated if a retailer attaches anti-theft devices to the products.<sup>29</sup>

In **Oklahoma**, products containing pseudoephedrine, if displayed outside of the pharmacy area, either must be displayed in a locked cabinet or in an area that is inaccessible by the public. In addition, Oklahoma mandates that the sale be conducted by either a licensed pharmacist or a licensed pharmacy technician.<sup>30</sup>

In **Oregon**, a Board of Pharmacy rule requires that products containing solely pseudoephedrine be sold from the prescription area of a licensed pharmacy and products containing a combination of pseudoephedrine and other substances must be sold in pharmacies and non-prescription drug outlets in areas that are inaccessible by customers and require assistance from an employee.<sup>31</sup>

For purposes of product location, recently enacted **South Dakota** law distinguishes between those products which contain pseudoephedrine as the sole active ingredient and those combination products that contain ephedrine or pseudoephedrine as active ingredients along with those products which are liquid preparations, liquid gel capsules, liquid capsules or pediatric formulas containing pseudoephedrine as the only active ingredient. Location restrictions are more stringent in the case of products containing pseudoephedrine as the sole active ingredient and require that such products be displayed behind a counter inaccessible to the public, in a locked display case, or displayed using an

anti-theft device system. For the remaining products the retailer must display the products within 20 feet of a counter with an unobstructed view of the case or the retailer must display the product using an anti-theft device system.<sup>32</sup>

In **Tennessee**, products containing immediate methamphetamine precursors, which include ephedrine and pseudoephedrine, must be kept behind the counter of a pharmacy or stored in a locked case within view and within 25 feet of a pharmacy counter.<sup>33</sup>

## Packaging Restrictions

Restrictions on the packaging of ephedrine and pseudoephedrine typically focus on reducing the amount of the dosage in the package and mandating the use of blister packs.

**Alabama** law prohibits products containing pseudoephedrine as the sole active ingredient and in 60 milligram strengths or greater per tablet from being sold loose in bottles. Such products must be sold in blister packages.<sup>34</sup>

In **Arkansas**, it is unlawful to sell ephedrine or pseudoephedrine products in package sizes greater than three grams of ephedrine or pseudoephedrine. Packages are also required to be blister packs containing no more than two dosage units.<sup>35</sup>

**Georgia** requires that products containing the sole active ingredient pseudoephedrine which are offered for sale at retail be packaged in blister packaging.<sup>36</sup>

In **Illinois** targeted methamphetamine manufacturing chemicals (includes over-the-counter preparations containing greater than 15 milligrams of ephedrine or pseudoephedrine) must be packaged in blister packs with each blister containing

not more than two dosage units.<sup>37</sup>

Recently enacted **Mississippi** law now requires that products containing ephedrine or pseudoephedrine sold at retail must not contain more than 3 grams of pseudoephedrine or ephedrine per package.<sup>38</sup>

**Missouri** makes it unlawful to sell methamphetamine precursor drugs in packages containing greater than three grams of ephedrine or pseudoephedrine. For non-liquid preparations containing methamphetamine precursor drugs, retail sales are restricted to those preparations packaged in blister packs containing no more than two dosage units of the preparation per blister.<sup>39</sup>

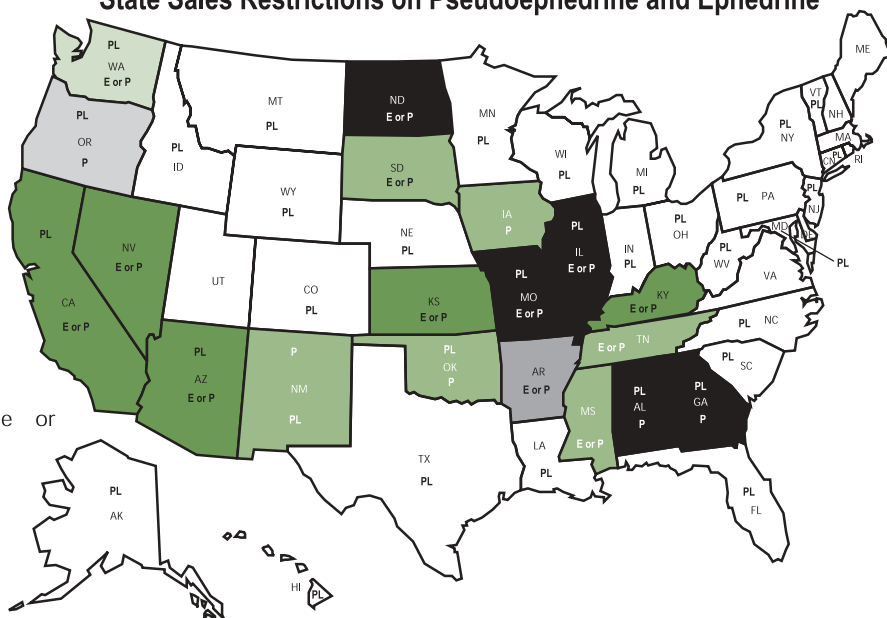
**North Dakota** requires that over-the-counter non-liquid methamphetamine precursor drugs (includes ephedrine and

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## State Sales Restrictions on Pseudoephedrine and Ephedrine

- Product location, packaging & quantity restrictions
  - Product location & quantity restrictions
  - Product packaging & quantity restrictions
  - Product quantity & percentage of sales restrictions
  - Product quantity restrictions only
  - Product location restrictions only
- P = restriction applicable to pseudoephedrine only  
 E or P = restriction applicable to pseudoephedrine or ephedrine  
 PL = pending legislation on issue of sales restrictions  
 (pending legislation information current as of 4/22/05)



pseudoephedrine) be packaged in amounts of not greater than two grams in blister packs containing not more than two dosage units.<sup>40</sup>

## Percentage of Sales Restrictions

In *Washington*, it is unlawful for shopkeepers to sell ephedrine or pseudoephedrine products purchased in a suspicious transaction, “if the total monthly sales of these products exceed ten percent of the shopkeeper’s total prior monthly sales of nonprescription drugs in March through October.” November through February shopkeepers are prohibited from selling such products if the total monthly sales exceeded 20 percent of the sales in the previous month. From March through October wholesalers are prohibited from selling any quantity of products containing ephedrine or pseudoephedrine “if the total monthly sales of these products to persons within the state of Washington exceed five percent of the wholesaler’s total prior monthly sales of nonprescription drugs.” Such sales may not exceed 10 percent during the months November through February. Lastly, itinerant vendors may not sell any quantity of ephedrine or pseudoephedrine purchased in a suspicious transaction “if the total monthly sales of these products exceed ten percent of the vendor’s total prior monthly sales of non-prescription drugs in March through October.” Similarly, the sales may not exceed 20 percent during the months of November through February.<sup>41</sup>

## Conclusion

It is crucial that all state legislatures enact uniform restrictions on the retail sale of methamphetamine precursor chemicals such as ephedrine and pseudoephedrine. Failure of states to enact some type of restriction encourages those that illegally manufacture methamphetamine to travel to those states without restrictions. To enact non-uniform restrictions on the sale and purchase of

these precursor chemicals simply causes clandestine lab operators to travel to those states with fewer restrictions on the sales.<sup>42</sup> While the interest of the legitimate purchaser must certainly be considered, the following concepts should be considered in the drafting of state legislation:

- Restrictions on the quantity, packaging, and display location of over-the-counter preparations containing ephedrine and pseudoephedrine should be uniform among the states;
- Restrictions on over-the-counter preparations should apply equally to products containing either ephedrine or pseudoephedrine;
- Exemptions from the restrictions, such as gel capsules, liquid preparation, and pediatric products should be eliminated to reduce the dilution of the restrictions;
- Penalties for the violation of sale and purchase restrictions should be uniform among the states. Subsequent offenses should result in enhanced penalties; and
- Classification of ephedrine and pseudoephedrine as scheduled controlled substances typically provides increased restrictions on the sale and purchase of products containing these chemicals. ■

## Endnotes

- <sup>1</sup> Policy Attorney, National District Attorneys Association, Alexandria, Virginia
- <sup>2</sup> “Mark Woodward, Spokesman for the Oklahoma Bureau of Narcotics, says since the first of the year [2004], meth production has been slashed by 124 labs compared to the same time period in 2003.” Press Release, Oklahoma Bureau of Narcotics and Dangerous Drugs Control, Oklahoma’s Pseudoephedrine Law Cutting Meth Labs, Saving Money, July 13, 2004 available at [www.obn.state.ok.us/PressReleases/getpressrelease.aspx?prid=71](http://www.obn.state.ok.us/PressReleases/getpressrelease.aspx?prid=71) (accessed January 4, 2005).
- <sup>3</sup> The total number of clandestine methamphetamine labs seized in 2004 was 1,369, up 174 labs from the 1,195 seized in 2003. Division of Narcotics Enforcement, Iowa Department of Public Safety, Clandestine Laboratory Seizures by the Department of Safety available at [www.state.ia.us/government/dps/dne/CLANLAB.HTM](http://www.state.ia.us/government/dps/dne/CLANLAB.HTM) (accessed January 4, 2005). Please note that this information is prior to the new Iowa law (Senate File 169) which was signed by the governor on March 22, 2005.
- <sup>4</sup> ALA. CODE §20-2-190 (2004).
- <sup>5</sup> ARIZ. REV. STAT. § 13-3404.01 (2004).
- <sup>6</sup> ARIZ. REV. STAT. § 36-2525 (2004).

- <sup>7</sup> ARK.CODE ANN. § 5-64-1103, as amended by S.B. 109, Section 6, 85<sup>th</sup> General Assembly, Regular Session (Arkansas 2005), Act 256. Signed by the governor on February 22, 2005. ARK.CODE ANN. § 5-64-1101, as amended by S.B. 109, Section 5, 85<sup>th</sup> General Assembly, Regular Session (Arkansas 2005), Act 256.
- <sup>8</sup> CAL HEALTH AND SAFETY CODE § 11100 (2004).
- <sup>9</sup> GA. CODE ANN. § 16-13-30.3 (b)(1), as created by H.B. 216, Section 1, Georgia General Assembly, 2005-2006 Session (signed by governor April 5, 2005).
- <sup>10</sup> Public Act 093-1008 (Section 15) "Methamphetamine Manufacturing Chemical Retail Sale Control Act" signed into law on August 24, 2004.
- <sup>11</sup> IOWA CODE § 126.23A (2005), as amended by Iowa Senate File 169, Section 3, 81<sup>st</sup> General Assembly, 1<sup>st</sup> Session (2005). Signed by the governor on March 22, 2005.
- <sup>12</sup> KAN. STAT. ANN. § 65-1643, as amended by S.B. 27, Section 1, Kansas General Assembly, 2005 Session. Signed by the governor on April 15, 2005.
- <sup>13</sup> Senate Bill 63, Section 6, Kentucky General Assembly, Regular Session, 2005. Signed by the governor on March 18, 2005.
- <sup>14</sup> House Bill 607, Section 1, Mississippi Legislature, Regular Session, 2005. Signed by the governor on March 3, 2005.
- <sup>15</sup> MO. REV. STAT. § 195.417.1 (1) and (2) (2004)
- <sup>16</sup> NEV. ADMIN. CODE ch. 453 § 490 (2004). This restriction is applicable to over-the-counter preparations containing greater than three grams of ephedrine or pseudoephedrine.
- <sup>17</sup> N.D. CENT. CODE § 19-03.4-08 (2003).
- <sup>18</sup> N.D. CENT. CODE § 19-03.4-01 (2003).
- <sup>19</sup> OKL. STAT. tit. 63 § 2-212 (2004).
- <sup>20</sup> Senate Bill 221, Sections 1 and 2, South Dakota legislature, Regular Session, 2005. Signed by the governor on February 28, 2005.
- <sup>21</sup> TENN. CODE ANN. § 39-17-431, as amended by Senate Bill 2318, Section 2, Tennessee General Assembly, Regular Session, 2005, (Chapter No. 18, Public Acts 2005). Signed by the governor on March 30, 2005.
- <sup>22</sup> WASH. REV. CODE § 69.43.110 (2004). This restriction is not applicable to over-the-counter preparations if the product as packaged contains pseudoephedrine and has a total weight of more than three grams but the net weight of the pseudoephedrine base is three grams or less.
- <sup>23</sup> ALA. CODE § 20-2-190 (2004).
- <sup>24</sup> GA. CODE ANN. § 16-13-30.3 (b)(1), as created by H.B. 216, Section 1, Georgia General Assembly, 2005-2006 Session. Signed by the governor on April 5, 2005.
- <sup>25</sup> Restricted access shelving is defined as "(i) only one multiple active ingredient targeted package can be removed from the shelf at a time and there is a delay of 15 seconds or more between the time one such package is removed and the time the next such package can be removed from the shelf." Public Act 093-1008 (Section 25) "Methamphetamine Manufacturing Chemical Retail Sale Control Act," signed into law on August 24, 2004.
- <sup>26</sup> Public Act 093-1008 (Section 15) "Methamphetamine Manufacturing Chemical Retail Sale Control Act" signed into law on August 24, 2004.
- <sup>27</sup> IOWA CODE § 126.23A (2005), as amended by Iowa Senate File 169, Section 3, 81<sup>st</sup> General Assembly, 1<sup>st</sup> Session (2005). Signed by the governor on March 22, 2005.
- <sup>28</sup> House Bill 607, Section 1, Mississippi Legislature, Regular Session, 2005. Signed by the governor on March 3, 2005.
- <sup>29</sup> MO. REV. STAT. § 195.417.2 (2004).
- <sup>30</sup> Oklahoma State Board of Pharmacy, "Review of New Law," Pseudoephedrine (PSE) Law, April 20, 2004, available at www.pharmacy.state.ok.us.
- <sup>31</sup> Oregon Administrative Rule 855-050-0035, effective 11/15/04 through 5/13/05.
- <sup>32</sup> Senate Bill 221, Sections 3 & 4, South Dakota legislature, Regular Session, 2005. Signed by the governor on February 28, 2005.
- <sup>33</sup> TENN. CODE ANN. § 39-17-431, as amended by Senate Bill 2318, Section 2, Tennessee General Assembly, Regular Session, 2005, (Chapter No. 18, Public Acts 2005). Signed by the governor on March 30, 2005.
- <sup>34</sup> ALA. CODE § 20-2-190 (c) (1) (2004).
- <sup>35</sup> A.C.A. § 5-64-1103 (3) (A).
- <sup>36</sup> GA. CODE ANN. § 16-13-30.3 (b)(1), as created by H.B. 216, Section 1, Georgia General Assembly, 2005-2006 Session. Signed by the governor on April 5, 2005.
- <sup>37</sup> Public Act 093-1008 (Section 15) "Methamphetamine Manufacturing Chemical Retail Sale Control Act" signed into law on August 24, 2004.
- <sup>38</sup> House Bill 607, Section 1, Mississippi Legislature, Regular Session, 2005. Signed by the governor on March 3, 2005.
- <sup>39</sup> MO. REV. STAT. § 195.418.1 (1) & (2).
- <sup>40</sup> 16 N.D. CENT. CODE § 19-03.4-08 (2003), as amended by House Bill 1346, Section 1, 59<sup>th</sup> Legislative Assembly, Regular Session (North Dakota 2005). Signed by the governor on April 22, 2005.
- <sup>41</sup> 21 WASH. REV. CODE § 18.64.044, § 18.64.046, § 18.64.047 (2004).
- <sup>42</sup> In March 2004, the National District Attorneys Association Board of Directors adopted the following three policy statements to govern their position on the regulation of precursor chemicals:
- The National District Attorneys Association believes that regulations governing the production, wholesale and retail sale, and importation and exportation of precursor chemicals are vital to stemming the increasing manufacture of illegal drugs.
  - The National District Attorneys Association encourages state legislatures to enact chemical laws, which regulate the sale and purchase of precursor chemicals and which mandate the reporting of such sales and purchases to law enforcement.
  - The National District Attorneys Association encourages prosecutors to educate, where possible, retailers and pharmaceutical companies about suspicious sales and purchases of precursor chemicals and to encourage them to voluntarily control and report such activity.

## American Prosecutors Research Institute

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