
A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 329-64, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The requirements imposed by sections 329-62, [~~329-~~
4 ~~637~~] 329-63(a), and 329-67 of this part shall not apply to any
5 of the following:

6 (1) Any pharmacist or other authorized person who sells or
7 furnishes a substance upon the prescription of a
8 physician, dentist, podiatrist, or veterinarian;

9 (2) Any physician, dentist, podiatrist, or veterinarian
10 who administers or furnishes a substance to patients;

11 (3) Any manufacturer or wholesaler licensed by the State
12 who sells, transfers, or otherwise furnishes a
13 substance to a licensed pharmacy, physician, dentist,
14 podiatrist, or veterinarian; [~~and~~]

15 (4) Any sale, transfer, furnishing, or receipt of any drug
16 [~~which~~] that contains [~~ephedrine,~~] pseudoephedrine[~~7~~]
17 or norpseudoephedrine[~~7~~ ~~or~~ ~~phenylpropanolamine~~ ~~and~~
18 ~~which~~] that is lawfully sold, transferred, or



1 furnished over the counter without a prescription
2 pursuant to the federal Food, Drug, and Cosmetic Act
3 (21 United States Code Sec. 301 et seq.) or
4 regulations adopted thereunder[+] as long as it
5 complies with the requirements of sections 329-73,
6 329-74, and 329-75; and

7 (5) Any "dietary supplement" as defined by the federal
8 Food, Drug, and Cosmetic Act (21 United States Code
9 Sec. 301) containing ephedrine alkaloids extracted
10 from any species of Ephedra that meets all of the
11 following criteria:

12 (A) It contains, per dosage unit or serving, not more
13 than twenty-five milligrams of ephedrine
14 alkaloids and its labeling does not suggest or
15 recommend a total daily intake of more than one
16 hundred milligrams of ephedrine alkaloids;

17 (B) It contains no hydrochloride or sulfate salts of
18 ephedrine alkaloids; and

19 (C) It is packaged with a prominent label securely
20 affixed to each package that states all of the
21 following:



- 1 (i) The amount in milligrams of ephedrine
- 2 alkaloids in a dosage unit or serving;
- 3 (ii) The amount of the dietary supplement that
- 4 constitutes a dosage unit or serving; and
- 5 (iii) The maximum recommended dosage of ephedrine
- 6 alkaloids for a healthy adult human is not
- 7 more than one hundred milligrams in a
- 8 twenty-four hour period."

9 SECTION 2. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

HB 2410

HD1

Report Title:

Drugs; pseudoephedrine

Description:

Amends statutory provisions to conform with changes to the Uniform Controlled Substances Act enacted in 2005. (HB2410 HD1)

HB2410 HD1 HMS 2006-2210

