

CHAPTER 330
POISONS, SALE OF

Section

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" **§330-1 Definition of poison.** The term "poison" as used in this chapter, includes any chemical or preparation that has properties that are commonly considered poisonous or is capable of affecting the human organism in such a way and to such an extent that its possession, sale, transfer, use, or storage is found by the department to require regulation for public health and safety. The term "poison" does not include any drug for which a prescription is required by state or federal law. [PC 1869, c 88, §2; RL 1925, §1005; am L 1931, c 224, pt of §1; RL 1935, §1431; RL 1945, §2951; am L 1945, c 139, §1(a); RL 1955, §53-1; am L Sp 1959 2d, c 1, §19; HRS §330-1; am L 1986, c 179, §5; am L 2001, c 2, §1]

" **§330-2 Rules concerning poisons.** The department of health may adopt rules concerning poisons and poison containers. [PC 1869, c 88, §1; am L 1872, c 16, §1; RL 1925, §1004; am L 1931, c 224, pt of §1; RL 1935, §1430; RL 1945, §2952; am L 1945, c 139, §1(b); RL 1955, §53-2; am L Sp 1959 2d, c 1, §19; HRS §330-2; am L 2001, c 2, §2]

Cross References

Rulemaking, see chapter 91.

" **§330-3 Penalty for violations.** Any person who violates any such rule or regulation of the department of health, shall be fined not less than \$50 nor more than \$500, or imprisoned not less than one month nor more than six months, or both. [L 1872, c 16, §2; RL 1925, §1006; am L 1931, c 224, pt of §1; RL 1935, §1432; RL 1945, §2953; RL 1955, §53-3; am L Sp 1959 2d, c 1, §19; HRS §330-3]

Cross References

Classification of offense and authorized punishment, see §§701-107, 706-640, 663.

" **§330-4 REPEALED.** L 1977, c 130, §1.

" **§§330-5 to 7 REPEALED.** L 1986, c 179, §§6 to 8.

" **§330-8 Use of certain chemical substances as inhalants unlawful.** It shall be unlawful for any person to use as an inhalant any substance, not a "food" as defined in section 328-1, which substance includes in its composition volatile organic solvents including amylacetate, trichloroethylene, and acetone or any other chemical substance, capable of producing upon

inhalation any degree of intoxication; provided that this section shall not apply to any person using as an inhalant any such chemical substance pursuant to the direction of a physician. [L 1963, c 115, pt of §2; Supp, §53-5.5; HRS §330-8; am L 1998, c 11, §18]

Cross References

Intoxicating compounds, see chapter 328E.

" **§330-9 Penalty.** Any person who violates section 330-8 shall, upon conviction, be punished by a fine not exceeding \$100 or by imprisonment not exceeding three months, or by both. [L 1963, c 115, pt of §2; Supp, §53-5.6; HRS §330-9]

Cross References

Classification of offense and authorized punishment, see §§701-107, 706-640, 663.

" **§330-10 Penalty.** Any person violating this chapter, except where punishment is otherwise specifically provided, shall be fined not more than \$1,000 for each offense. [PC 1869, c 88, §5; am L 1919, c 132, §1; RL 1925, §1010; RL 1935, §1435; RL 1945, §2956; RL 1955, §53-6; HRS §330-10]