

# Combat Methamphetamine Epidemic Act

What this Act means for your pharmacy practice

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**O**n March 9, 2006, President Bush signed the Patriot Act, which includes a portion known as the Combat Methamphetamine Epidemic Act of 2005.<sup>1</sup> In light of this law, the sale of pseudoephedrine-containing products across the nation is set up for big changes, and the responsibility of enforcing these changes has landed on the shoulders of licensed pharmacists in retail settings.

Pseudoephedrine is a decongestant found in multiple products used to treat symptoms associated with the common cold and seasonal allergies.<sup>2</sup> It is also the primary ingredient needed to manufacture methamphetamine, an illicit drug that has rapidly gained popularity in the United States over the past few years. The new regulations regarding the sale of pseudoephedrine are intended to curb the manufacturing of methamphetamine by making it more difficult to accumulate large amounts of pseudoephedrine and by keeping a record of all pseudoephedrine purchases.

The Combat Methamphetamine Epidemic Act categorizes pseudoephedrine as a controlled substance and regulates, among other factors, the amount of pseudoephedrine sold to individuals. Although some states, particularly in the Midwest, have been regulating the sale of pseudoephedrine for over a year now, the Combat Methamphetamine Epidemic Act makes the regulations federal law. Beginning September 30, 2006, patients everywhere in the nation will need to visit a pharmacy in order to purchase pseudoephedrine-containing products.

It is important to keep in mind that some of the specific regulations, such as who in the pharmacy is allowed to sell the products (i.e. pharmacists only, tech-

nicians, interns, etc.) and the number of boxes which can be sold in a single transaction, have been left up to the individual states. Pharmacists should check with their state Board of Pharmacy to ensure they are aware of state-specific regulations and train their pharmacy staff accordingly.

Some of the federal regulations regarding the sale of pseudoephedrine-containing products according to the Combat Methamphetamine Epidemic Act are summarized below:<sup>3</sup>

- All pseudoephedrine-containing products must be kept behind the counter.
- An individual may purchase no more than 3.6 grams of pseudoephedrine in one day.
- An individual may purchase no more than 7.5 grams of pseudoephedrine in any 30-day period.
- The purchaser must present a state or federal government issued photo identification card at the time of purchase.
- Either a written or electronic logbook of all pseudoephedrine transactions must be kept by the pharmacy for a period not less than two years from the date of purchase.
- For each sale, information including the name and address of the purchaser, the name of the product, the quantity purchased, and the date and time of the transaction must be collected and entered into the logbook. Many states will also require additional information be collected, such as the purchaser's birthday or a driver's license number.
- Products packaged for individual sale that contain less than 60 milligrams of pseudoephedrine are exempt from the logbook requirements but must also be kept behind the counter.
- The pharmacist must confirm the information provided by the purchaser

matches that provided on the identification card.

- The purchaser must provide a signature verifying the information provided is correct.

In response to the new regulations, and in an effort to further hinder methamphetamine production, many product manufacturers have voluntarily re-formulated their products to contain alternative decongestants such as phenylephrine.

These products, commonly identified by the letters PE (ex. Sudafed® PE), may offer alternatives to patients who need decongestant products on a daily basis. It is also important to recognize that the majority of the regulations established by the Combat Methamphetamine Epidemic Act do not apply to prescription products containing pseudoephedrine, but these products will be classified as controlled substances, and regulations set forth by the Controlled Substance Act 1970 are now applicable.

Complete information regarding the Combat Methamphetamine Epidemic Act and the regulations it sets forth are available on the Food and Drug Administration's website ([www.fda.gov](http://www.fda.gov)) and from each individual state's Board of Pharmacy. ●

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## REFERENCES

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