

Methamphetamine Remediation and Restitution Note

The following Note was prepared by the National Apartment Association and National Multi Housing Council.

In recent years, all types of real property owners have encountered a growing problem on their properties: illegal “clandestine laboratories” that produce methamphetamine. It is estimated that for each pound of meth manufactured, five to seven pounds of chemical waste is produced. Following the discovery of a meth lab, law enforcement officials will typically confiscate or dispose of all drug-manufacturing equipment and chemicals found at the site. This process is usually conducted by a hazardous waste contractor and is largely funded through government grant programs and other state resources. However, after this bulk removal of chemicals and hazardous waste is completed, residual contamination of the property, including sinks, drains, ventilation systems, carpets, furniture and window coverings remains to be dealt with. Although this contamination may be imperceptible to the naked eye, even trace amounts of meth-related chemicals can pose serious health risks. The property owner or manager is responsible for assessing the property and conducting any necessary secondary decontamination.

Moreover, most property owners would not be aware that an illegal meth lab had operated on their property absent law enforcement action. Clandestine meth labs are highly mobile, and manufacturers are learning to hide the telltale signs of meth production through various means, including the use of new and reportedly odorless recipes. Listed below are examples of recent legislation that addresses the unique concerns of the real estate industry in combating and recovering from illegal methamphetamine production.

Property Assessment and Remediation Timeframe

Most meth cleanup statutes do not impose time restrictions on a property owner’s ability to obtain a meth remediation contractor and complete any necessary property remediation. These statutes recognize that cleanup may be hampered and substantially delayed by circumstances out of the property owner’s control such as law enforcement activities on the property, the unavailability of a qualified remediation professional in the geographic area, and other site specific factors including the extent of the property decontamination required. Instead, these statutes place restrictions on the use and transfer of the property until it is properly remediated.

Idaho Code Sec. 6-2606 - [Upon notification pursuant to this act], the residential property owner shall meet the cleanup standards established by the department. The residential property shall remain vacant from the time the residential property owner is notified ... of the clandestine drug laboratory until such time as the residential property owner has received a certificate issued by the department evidencing that the cleanup standards have been met.

Hawaii Revised Statutes Sec. 322-2 - Whenever any such nuisance...is found on private property, the dept. of health shall cause notice to be given to the owner to remove and abate...within such reasonable time as the department may deem proper.”

Right of Appeal

A right of appeal provision is used to ensure that property owners have a legal recourse if a property has been wrongfully deemed contaminated by a public authority.

Alaska Stat. Sec. 46.03.550 (a) – “A property shall be determined to be fit for use if . . . a court has held that the determination that the property was an illegal drug manufacturing site was not made in compliance with [the law]. In the appeal, the burden of proving preponderance of the evidence...is on the primary law enforcement agency that conducted the investigation.”

Oregon Revised Statutes Sec. 453.876 - “The owner may appeal the determination [of fitness], to the agency that made the determination, within 30 working days after the determination, pursuant to rules of the agency, or to circuit court. The appeal to the agency is not a contested case...The question on appeal is limited to whether the site is an illegal drug manufacturing site.”

Tennessee Code Ann. 68-212-503(c) - A property owner may file a petition requesting that the court order the quarantine of property be lifted for one of the following reasons: a) that the property was wrongfully quarantined; or b) that the property has been properly cleaned, all hazardous materials removed and that it is now safe for human use but the law enforcement agency who imposed the quarantine refuses to lift it.

Washington Revised Code Sec. 64.44.030 - “The owner...may file an appeal on any order issued by the local health board or officer within 30 days from the date of service of the order with the appeals commission.”

Cleanup Alternatives

Numerous meth cleanup statutes identify alternatives to property cleanup, such as demolition and the sale or transfer of the property. These statutes recognize that under certain circumstances, remediation of a meth contaminated property may not be feasible due to heavy contamination or the high cleanup cost in relation to the property’s value.

Colorado Revised Statutes Sec. 25-18.5-103 - “Upon notification. . . of an illegal drug lab located on a property. . . the property owner. . .shall meet the cleanup standards established...except that a property owner may, at his or her option, elect instead to demolish the contaminated property.”

Alaska Stat. Sec. 46.03.510(b) - Property covered by [this act] may be transferred or sold if full written disclosure is made to the prospective transferee or purchaser that the property has been determined to be an illegal drug manufacturing site [and not] fit for use. The disclosure is not considered to be part of the transfer or sale document, however, and may not be recorded.

Notice and Disclosure to residents (current and future)/Registration of Property

Many meth cleanup statutes include notice and disclosure provisions, which serve to identify a meth contaminated property to current occupants or visitors, as well as future parties in interest. The following notice and disclosure requirements apply only while a property is in fact contaminated, and are limited to the actual dwelling or unit contaminated in the case of apartment or other multifamily buildings. An owner may sell or transfer the property so long as full disclosure is communicated. Further, if a property is remediated according to law, disclosure is no longer required and the property is removed from all government registries and databases.

Alaska Stat. Sec. 46.03.500(d) - For purposes of posting of the notice to the occupants and users of the property required by this subsection, the posting shall be made, for property that is (2)

other than a single family dwelling, at the door of the unit that is the site that constitutes the illegal drug manufacturing site.

Alaska Stat. Sec. 46.03.510(b) - Full, written disclosure must be provided to a potential buyer or renter as long as the property is considered unfit for use. The disclosure is not considered to be part of the transfer or sale document and may not be recorded.

Alaska Stat. Sec. 46.03.550(b) - “The department shall maintain a list of properties for which the department has received notice...When the department determines...that a property on the list is fit for use, the department shall remove the property from the list and notify the owner...that the property is fit for use.”

Arizona Revised Statutes Sec. 12-1000(D) - Once remediation is complete and the remediation firm has submitted the appropriate documentation, the property owner no longer is required to disclose and may transfer or sell the property.

Nevada Revised Statutes Sec. 40.770. 1- “[T]he fact that the property is or has been the site [involving the manufacturing of meth] is not material to a transaction [for sale or lease] if all materials and substances involving meth have been removed from or remediated on the property by a [certified entity] or the property has been deemed safe for habitation by a governmental entity.”

Oregon Revised Statutes Sec. 453.870(1) - If full written disclosure (as required by administrative agency) is given to buyer or renter, the property may be rented sold or transferred.

Oregon Revised Statutes Sec 453.885(3) - Upon receipt of certification that the property is fit and a request by the property owner to remove the property from the state registry of unfit properties, the administrative agency shall cause the property to be removed from the list.

Restrictions and Rights to Entry

These provisions establish when and under what authority state officials may enter the private property, and preserve a party in interests’ right to access a contaminated property.

Oregon Revised Statutes. Sec. 453.873 - State officials with appropriate credentials and warrant may enter and inspect, at reasonable times/on reasonable grounds/in a reasonable manner, a property known to have been used as an illegal drug manufacturing site.

Arizona Revised Statutes Sec. 12-1000(A)(4) - Any notice posted to identify a meth contaminated property shall state that it is unlawful for any person other than the owner, landlord or manager to enter the residually contaminated portion of the property.

Owner Immunity

Numerous statutes provide a future liability waiver for civil claims brought against a property owner arising after an effective cleanup.

Colorado Revised Statutes Sec. 25-18.5-103(2) - “Once a property owner has met the cleanup standards and documentation requirements or has demolished the property ... [the property owner shall be immune] from a suit for alleged health-based civil actions brought by any future owner, renter, [occupant] or neighbor.”

Idaho Code Sec. 6-2607 - Once a residential property meets the cleanup standards established [pursuant to this chapter], the residential property owner and any representative or agent of the residential property owner shall be immune from civil actions involving health claims brought by any future owner, renter or other person who occupies the residential property, and by any neighbor of such residential property.

Uniform Cleanup Procedures

A growing number of meth cleanup and remediation statutes establish uniform policies and procedures for meth lab assessment and remediation and prevent variation according to individual locality. These statutes establish standards to ensure the property is properly remediated and acceptable for habitation. Several states direct the relevant administrative agencies to develop uniform cleanup standards and methods.

<i>Alaska</i>	<i>Alaska Stat.</i>	<i>46.03.520 et al.</i>
<i>Arizona</i>	<i>Rev. Stat.</i>	<i>12-1000</i>
<i>Arkansas</i>	<i>Code Ann.</i>	<i>20-7-132</i>
<i>Colorado</i>	<i>CRS</i>	<i>25-18.5-102</i>
<i>Michigan</i>	<i>MCL</i>	<i>125.485a(4)</i>
<i>Minnesota</i>	<i>HB 1,</i>	<i>Chapter 136 (2005)</i>
<i>Missouri</i>	<i>R.S.Mo.</i>	<i>640.040</i>
<i>North Carolina</i>	<i>N.C. Gen. Stat.</i>	<i>130A-285</i>
<i>Utah</i>	<i>Utah Code Ann.</i>	<i>19-6-906.</i>

Certification

Many statutes require the use of state licensed or otherwise certified meth remediation professionals. These statutes often establish licensing or certification standards for meth remediation contractors. Such requirements are used to protect property owners from negligent or malicious treatment by inexperienced contractors who may recommend a variety of unproven, unnecessary or costly decontamination strategies.

Arizona Revised Statutes 12-1000(c) - “The owner of the real property shall remediate the residually contaminated portion of the real property by retaining a registered drug laboratory site remediation firm pursuant” to law. Title 32 Chapter 1 outlines the specifics for approved remediation firms.

Montana 2005 HB 60 Sec. (4) (Signed by Governor May 28, 2005) - The Dept. of Environmental Quality “is authorized to establish by rule minimum standards for the training and certification of contractors and their employees who are to perform the assessment or remediation of inhabitable property contaminated by meth residues.” The section outlines that the department may train, test or approve courses, establish rules for certification of contractors and reciprocity.

Oregon Revised Statutes Secs. 453.885 – 897 - For a property to be certified as fit for use it must be remediated by a state licensed contractor. The statute outlines that the administrative department establish testing, training and licensing.

Washington Revised Code Secs. 64.44.050 – 64.44.060 - Property owners must use authorized contractors (unless otherwise instructed by local health officers). The state will certify contractors and offers reciprocity to out-of-state contractors.

Remediation Standard

It is well recognized that difficulties and uncertainties exist relating to the testing for and evaluation of concentrations of meth-related chemicals and their health effects. Some state studies, as well as proposed federal research, are directed toward identifying health-based remediation standards. Until then, states must act to establish defined remediation and decontamination parameters, while remaining receptive to new research and technology.

Montana Ch. 461- Montana is the only state which codifies the decontamination standard for meth. This standard, 0.1 mg/100 cm², has been adopted by several states in the rulemaking process. Washington State was the first to select this standard, and admittedly, it is not a health-based standard for a “safe” level of decontamination. Rather, state officials have reported that the standard was chosen as a conservative and protective limit. That being said, all other state legislation directs administrative agencies to determine the standard. The industry would like to see state legislation that, while determining a standard, allows for future changes once a nationally-accepted standard is decided upon.

Alaska Stat. Sec. 46.03.530 - The Department of Public Safety annually submits a list of substances and the Department of Environmental Conservation sets the limits for risk of harm for each substance.

Arkansas Code Ann. Sec. 20-7-132(c) - The [dept of health] guidelines [for cleanup] shall be reviewed and updated annually.

Restitution

In many states the destruction from a meth lab is considered a nuisance and the owner is responsible for all cleanup costs. Restitution for cleanup and other costs should be shouldered by the perpetrator and be imposed in the course of related criminal proceedings, not during a separate civil action. Restitution and state or local cleanup monies should be available to private property owners.

Arizona Revised Statutes. Ann. Sec. 12-1000(I) - “A person who operates a clandestine drug laboratory and who is not the owner of the real property shall pay restitution to the owner of the real property for all costs that the owner incurred to remediate the property.”

North Dakota Century Code Sec. 12.1-32-08(1) - The court, when sentencing a person adjudged guilty of criminal activities that have resulted in pecuniary damages, ... shall order that the defendant make restitution ... Restitution must include payment to the owner of real property that is contaminated by the defendant in the manufacturing of methamphetamine for the cost of removing the contamination and returning the property to the property’s condition before

contamination and to any other person that has incurred costs in decontaminating the property.

Iowa Code Ann. Secs. 124C.1 to 124C.2 - The Commissioner of Public Safety will collect all costs incurred in cleanup of a clandestine lab site from the person having control over the site. "Person having control over a clandestine laboratory site," is defined such that a property owner unaware of the presence of a meth lab is not included. A perpetrator is liable to the state for all reasonable costs incurred to evacuate people from areas threatened by the lab site; and reasonable damages for the injury to, destruction of, or loss of natural resources resulting from the lab site, including the costs of assessing the injury, destruction, or loss.

Property Restrictions

This provision requires that the party responsible for contamination satisfy all lease and contract obligations to the owner.

Alaska Stat. Sec. 46.03.510 - The unfit determination does not void a lease or rental agreement between the property owner and the person who caused the property to be contaminated and determined unfit for use.

Oregon

According to Oregon legislative staff, Oregon passed two bills in its 2005 legislative session to address methamphetamines: HB 2485 (2005 Oregon Laws Chapter 706) and SB 907 (2005 Oregon Laws Chapter 708). HB 2485 addresses precursor substances on a variety of levels, including making pseudoephedrine a schedule III controlled substance.

Section 1 of HB 2485 clarifies that a meth lab site that has not been decontaminated and certified fit for use within 180 of its designation by the appropriate governmental agency is subject to nuisance and abatement actions under ORS 155.555. Prior law addressed places involving manufacture, deliver and possession of drugs as subject to the same sorts of actions, but it been applied inconsistently when it comes to abandoned and contaminated meth lab sites.

Section 6 of HB 2485 criminalizes possession or disposal of meth manufacturing waste, and Section 8 criminalizes distribution of precursors and other items with the intent to facilitate manufacture of meth.

Section 11 of HB 2485 amends ORS 475.973, which is our current 9 gram limit, deleting the 9g limit and replacing it with an order to the state Board of Pharmacy to classify pseudoephedrine and other precursors that are no longer widely available as schedule III controlled substances. Under the administrative rules of the Pharmacy Board, a schedule III drug requires a prescription which may be completed by phone and may be renewed automatically up to 5 times within 6 months. Because pseudoephedrine will no longer be available over the counter (i.e. w/o a prescription) there is no gram limit set because it would be unlawful to possess any amount of a prescription drug without a valid prescription under ORS 475.992.

Section 12 of HB 2485 requires the Board to implement the classification no later than July 1, 2006.

Section 13 states the law that is in effect as to pseudoephedrine until the Board's rule making it a schedule III drug becomes effective. Thus, until then the 9 g limit, which is deleted in section 11, still applies. This is to avoid an anomalous period between the passage of HB 2485

and the Pharmacy Board rules becoming effective where it would be legal to possess any amount of pseudoephedrine.

Section 13a creates a defense against possessing pseudoephedrine without a prescription (once the board's rules go into effect) if the drug was purchased lawfully (like in another state or within Oregon before the effective date of the rule change), if the person possesses less than 6 grams, and if the possession was indicative of medicinal use.

Compilation of State Efforts to Regulate Ephedrine/Pseudoephedrine

The following tables list state efforts to regulate ephedrine and pseudoephedrine. The CSG Committee on Suggested State Legislation thanks Stephanie Bishop, Research Associate, Virginia Division of Legislative Services, for compiling these tables.

	Schedule V	Pharmacist	Single transaction qty. limit	24-hour qty. limit	7-day qty. limit	30-day qty. limit	Packing	Display	Sign log	I.D.	Age	Records	Suspicious transactions reported	Reporting immunity	Training Immunity	Sales Immunity	Post state law	Child Endangerment	Cleanup Laws
Alabama			2 pkgs/9 grams of e/p			6g	x	x	x	x	18 or older	x	x						
Alaska																		x	x
Arizona			3 pkgs/9 grams of e/p, norpseudoephedrine, phenylpropanolamine									x	x					x	x
Arkansas	x	x	3 pkgs/ea. Pkg. no more than 3 g of e/p			5g e/9g p	x		x	x	18 or older	x	x					x	x
California			3 pkgs/9g of p															x	x
Colorado			3 pkgs of e/p, or phenylpropanolamine				x											x	x
Connecticut--none																			
Delaware		x				9g of e/p		x											
District of Columbia--none																			
Florida			3 pkgs/9g of e/p, or phenylpropanolamine					x										x	
Georgia			3 pkgs/9g of p				x	x		x		x			x			x	x
Hawaii			3 pkgs/9g of p					x				x	x						x
Idaho																			x
Illinois			2 pkgs./ea. Pkg. no more than 3 g of p					x										x	x
Indiana			3g of e/p		3g of e/p		x	x	x	x	18 or older	x	x					x	x
Iowa	x	x	2 pkgs of e/p	1 pkg of p		7.5g of p		x	x	x		x		x			x	x	x
Kansas	x	x			4 pkgs of e/p			x	x	x			x					x	x
Kentucky		x	3 pkgs of e/p			9 g of e/p		x	x	x	18 or older	x						x	x
Louisiana			3 pkgs/9g of e/p, or phenylpropanolamine			3 pkgs/9g of e/p		x	x	x		x							
Maine		x	3 pkgs of e/p/ea. Pkg no more than 3g of p				x	x		x		x	x	x					
Maryland--none																			
Massachusetts--none																			
Michigan			2 pkgs of e/p					x	x	x	18 or older	x					x	x	x
Minnesota	x	x	2 pkgs/6g of e/p/ea. Pkg no more than 3g of p				x	x	x		18 or older		x	x				x	x
Mississippi			2 pkgs/6g of e/p/ea. Pkg no more than 3g og p			9g of e/p	x	x		x		x			x				
Missouri	x	x	2 pkgs/6g of e/p or phenylpropanolamine			9g of e/p		x		x	18 or older	x			x			x	x
Montana		x				9g of e/p		x	x	x		x		x				x	x
Nebraska	x			1440 mg of p or			x	x	x	x	18 or older							x	
Nevada																		x	x
New Hampshire--none																			

	Schedule V	Pharmacist	Single transaction qty. limit	24-hour qty. limit	7-day qty. limit	30-day qty. limit	Packing	Display	Sign log	I.D.	Age	Records	Suspicious transactions reported	Reporting immunity	Training Immunity	Sales Immunity	Post state law	Child Endangerment	Cleanup Laws	
New Jersey--none																				
New Mexico--none																				
New York--none																				
North Carolina																		x	x	
North Dakota			2 pkgs of e/p/ea. Pkg. no more than 2 g of p				x	x	x	x	18 or older				x			x	x	
Ohio																		x	x	
Oklahoma	x	x				9g of p			x	x		x						x	x	
Oregon		x	3 pkgs/9g of e/p			9g of p		x		x		x	x					x	x	
Pennsylvania																				x
Rhode Island--none																				
South Carolina--none																				
South Dakota			2 pkgs of e/p					x								x	x	x		
Tennessee		x				3 pkgs/9g of e/p		x	x	x		x								x
Texas			2 pkgs/6g of e/p or norpseudoephedrine					x	x	x		x		x				x		
Utah										x		x						x	x	
Vermont																		x		
Virginia																		x	x	
Washington			2 pkgs/ea. Pkg no more than 3g of e/p	3 pkgs/ea.				x	x	x	18 or older	x	x				x	x	x	
West Virginia	x	x				3 pkgs/9g of e/p		x	x	x	18 or older	x						x		
Wisconsin	x	x				7.5g of p				x	18 or older	x								
Wyoming			2 pkgs of e/p/ea. Pkg. no more than 3g of p				x	x		x								x		

	Alabama	Arizona	Arkansas	California (Health & Safety Code)	Colorado	Delaware (Title 16)	Florida	Georgia	Hawaii	Idaho	Illinois	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Michigan	Minnesota
Schedule V			5-64-212										124.212	65-4113					152.02
Pharmacist			5-64-1103			4740								65-1643	2005 SB63 Section 218A		32 MRSA Section 13796		152.02
Single transaction	20-2-190	13-3404.01	5-64-1103	11100	18-18-412.8		893-1495	16-13-30.3	329		2005 P.A. 94-0556	35-48-4-14.7	126.23A		2005 SB63 Section 218A	40-962.1.2	32 MRSA Section 13796	333.17766f	152.02
24-hour													126.23A						
7-day												35-48-4-14.7		65-1643					
30-day	20-2-190		5-64-1103			4740							124.12 & 126.23A		2005 SB63 Section 218A	40-962.1.2			152.02
Packaging	20-2-190		5-64-1103		18-18-412.8			16-13-30.3			2005 P.A. 94-0556							32 MRSA Section 13796	152.02
Display	20-2-190	32-1971				4740	893-1495	16-13-30.3	329			35-48-4-14.7	126.23A	65-1643		40-962.1.2	32 MRSA Section 13796	333.17766e	152.02
Sign log	20-2-190		5-64-1103			4740						35-48-4-14.7	126.23A	65-1643	2005 SB63 Section 218A	40-962.1.2		333.17766f	152.02
I.D.	20-2-190		5-64-1103			4740						35-48-4-14.7	124-212 & 126.23A	65-1643	2005 SB63 Section 218A	40-962.1.2	32 MRSA Section 13795	333.17766e	152.02
Age	20-2-190		5-64-1103			4740						35-48-4-14.7			2005 SB63 Section 218A			333.17766f	152.02
Records	20-2-190	13-3404	5-64-1103						329-61 & 329-63			35-48-4-14.7	126.23A		2005 SB63 Section 218A	40-962.1.2	32 MRSA Section 13795	333.17766e	
Report Suspicious Transactions	20-2-190	13-3404	5-64-1006									35-48-4-14.7					32 MRSA Section 13795		152.02
Reporting Immunity											2005 P.A. 94-0556	10-11-8-7	126.23A				32 MRSA Section 13795		152.02
Training Immunity								16-13-30.3											
Sales Immunity																			
Post state law													126.23A					333.17766f	
Child endangerment		13-604.01	5-27-230	11379.6 & 11.379.7			893.13	16-5-73			2005 P.A. 94-0556	35-48-4-14.5	124.401D	21-3608A	2005 SB63 Section 218A			333.7401c	152.0275
Cleanup		12-1000	20-7-132 & 5-64-401	11647	25-18.5-102 & 18.5-103	25-			712-1240.6	6-2604 thru 6-2608	2005 P.A. 94-0556	35-48-4-17			218A.1438				152.137

	Mississippi	Missouri	Montana	Nebraska	North Carolina	North Dakota	Oklahoma	Oregon	Pennsylvania	South Dakota	Tennessee	Texas (Health & Safety Code)	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Schedule V		195.017					63 O.S. 2001 Section 2-212								60A-2-212	961.22	
Pharmacist		195.017	50-32-502				63 O.S. 2001 Section 2-212				39-17-431			69.43.110		961.23	
Single transaction	41-29-315				90-113.53	19-03.4-08				34-20D-1		486.014		69.43.110			35-7-1059
24-hour				28-456										69.43.110			
7-day																	
30-day	41-29-315	195.417	50-32-501		90-113.53		63 O.S. Section 2-212				39-17-431						961.23
Packaging		195.418		28-456	90-113.53	19-03.4-08											35-7-1059
Display	41-29-315	195.017	50-32-502	28-456	90-113.53	19-03.4-08				34-20D-3	39-17-431	486.013		2005 Ch. 388 HB2266 69.43	60A-10-5		35-7-1059
Sign log		195.017	50-32-502		90-113.53		63 O.S. Section 212	2			39-17-431	486.014		69.43.010	60A-10-5		
I.D.	41-29-315	195.017	50-32-502	28-456	90-113.53	19-03.4-08	63 O.S. Section 2-212				39-17-431	486.014		2005 Ch. 388 HB2266 69.43	60A-10-5	961.23	
Age		195.017		28-456	90-113.53	19-03.4-08						486.014		2005 Ch. 388 HB2266 69.43	60A-10-5	961.23	
Records	41-29-315	195.017	50-32-502		90-113.53	19-03.4-08					39-17-431	486.014		69.43.010	60A-10-4	961.235	
Report Suspicious Transactions																	
Reporting Immunity			2005 Ch. 572 SB287		90-113.57							468.004					
Training Immunity																	
Sales Immunity										34-20D-6							
Post state law					90-113.54					34-20D-5				69.43.160			
Child endangerment	41-29-313	568-045		28-457	15A-1340.16		21 O.S. Section 852.1	419B.502	780-113	26-8A-2	37-1-102	486.102	18.2-248.02	9A.42.100	60A-10-12		
Cleanup			2005 Ch. 461 HB60			12.1-32-08							18.2-248	69.50.440			6-4-405

ABBREVIATIONS:

e/p = ephedrine/pseudoephedrine **p** = pseudoephedrine

CATEGORY HEADINGS:

Schedule V--less potential for abuse than schedule IV, recognized medical uses, minor incidence of drug addiction, physical, or psychological withdrawal dependence. These are sometimes available without a medical prescription.

Pharmacist--must be sold by licensed pharmacist or technician or by cashier with approval from pharmacist

Single transaction qty. limit--only the amount listed may be sold during one single transaction

24-hour, 7- and 30-day qty. limits--only the amount listed may be sold in the allotted time frame

Packing--states have imposed certain packaging restrictions, most commonly that ephedrine and pseudoephedrine products must be sold in blister packs

Display--guidelines on the manner pseudoephedrine products must be displayed in stores, most commonly behind the counter, in locked display case, under camera surveillance, and/or certain distances from cashier line-of-sight

Sign log, I.D., Age--purchaser must sign a written or electronic log, present government-issued identification, and/or show proof of age

Records--sellers must keep records of pseudoephedrine sales

Suspicious transactions reported--sellers are required to report any sales that seem suspicious due to quantity sold, recurrence of buyer, etc.

Reporting immunity--any seller who in good faith reports a suspicious sale of a pseudoephedrine product receives immunity

Training immunity--any seller who has undergone training in the dangers of improper pseudoephedrine use will receive immunity from any damage that results in the sale

Sales immunity--any seller receives immunity from any damage that results in the sale

Post state law--retailers are required to post the appropriate statute(s) outlining their respective precursor law(s)

Child Endangerment--states have imposed certain penalties on offenders when a child/children is/are found in the vicinity of methamphetamine production or use, most commonly creating a felony charge, increased prison terms, and/or redefining child abuse or endangerment statutes

Cleanup Laws--states have statutes that aid in the cleanup of clandestine laboratory sites, such as restitution laws and/or funding for state agencies and/or task forces to aid in the cleanup