

# HOUSE BILL No. 4402

February 24, 2009, Introduced by Reps. Scripps, Rick Jones, Roberts, Warren, Smith, Ball, Meekhof, Valentine, Lipton, Haase, Mayes, Espinoza, Melton, Gonzales, Polidori, Terry Brown, Durhal, Womack, Bauer, Byrum, Barnett, Liss and Switalski and referred to the Committee on Great Lakes and Environment.

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 140 to article 12.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**ARTICLE 12. ENVIRONMENTAL HEALTH**

**PART 140. ADULTERATED CONSUMER PRODUCTS**

**SEC. 14001. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A PERSON SHALL NOT SELL, OFFER FOR SALE, POSSESS FOR SALE, GIVE AWAY, USE, OR PRESCRIBE ANY PRODUCT USED FOR THE TREATMENT OF LICE OR SCABIES IN HUMAN BEINGS THAT CONTAINS THE PESTICIDE CHEMICAL LINDANE.**

**(2) SUBSECTION (1) DOES NOT APPLY TO EITHER OF THE FOLLOWING:**

**(A) A SALE, OFFER FOR SALE, OR GIVE AWAY OF A PRODUCT DESCRIBED IN SUBSECTION (1) TO A PHYSICIAN.**

**(B) THE USE OF A PRODUCT DESCRIBED IN SUBSECTION (1) UNDER THE**

1 SUPERVISION OF A PHYSICIAN IN HIS OR HER OFFICE IF THE PHYSICIAN  
2 CONSIDERS THE USE OF THAT PRODUCT NECESSARY FOR THE TREATMENT OF A  
3 PATIENT'S LICE OR SCABIES.

4 SEC. 14005. (1) A PERSON WHO VIOLATES SECTION 14001 IS GUILTY  
5 OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$5,000.00.

6 (2) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING  
7 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF  
8 LAW THAT IS COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING SECTION  
9 14001.