

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.7340a.amended THIS AMENDED SECTION IS EFFECTIVE JANUARY 1, 2015 *****

333.7340a.amended Submission of information to NPLeX.

Sec. 7340a. (1) Before completing a sale under section 17766f, a retailer shall electronically submit the required information to the national precursor log exchange (NPLeX) administered by the national association of drug diversion investigators (NADDI). A retailer shall not be required to pay a fee for using the NPLeX system.

(2) If a retailer selling a nonprescription product containing ephedrine or pseudoephedrine experiences mechanical or electronic failure of the electronic sales tracking system and is unable to comply with the electronic sales tracking requirement, the retailer shall maintain a written log or an alternative electronic record-keeping mechanism until such time as the retailer is able to comply with the electronic sales tracking requirement.

(3) NADDI shall provide real-time access to NPLeX information through the NPLeX online portal to law enforcement in this state as authorized by state and federal law.

(4) The system described in subsection (1) shall be capable of generating a stop sale alert notifying the retailer that the person is prohibited from purchasing a nonprescription product containing ephedrine or pseudoephedrine due to a conviction reported under the methamphetamine abuse reporting act or that completing the sale will result in the seller's or purchaser's violating the quantity limits set forth in section 17766f. Except as otherwise provided by law, the seller shall not complete the sale if the system generates a stop sale alert. The system shall contain an override function that may be used by a dispenser of ephedrine or pseudoephedrine who has a reasonable fear of imminent bodily harm if the dispenser does not complete a sale. Each instance in which the override function is utilized shall be logged by the system.

(5) A person's failure to comply with the record-keeping or sales verification requirements of this section does not create a civil cause of action for damages to any other person arising out of that failure absent a direct and proximate cause, and the person is immune from civil liability for any damages arising out of that failure.

(6) A person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$500.00.

History: Add. 2011, Act 84, Imd. Eff. July 15, 2011;—Am. 2014, Act 275, Eff. Jan. 1, 2015.

Popular name: Act 368