



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 98
[2017 Assembly Bill 306]

**Tracking the Sale of
Pseudoephedrine Products**

2017 Wisconsin Act 98 modifies procedures that must be followed by purchasers and sellers of pseudoephedrine products. State law requires a purchaser of a pseudoephedrine product to present his or her correct name and address, along with a photo identification. The seller must record the name and address of the purchaser and the name and quantity of the product sold. The purchaser must sign the record of the transaction. Additionally, under prior law, the seller, or if the product is being sold by a person who is not a registered pharmacist, the pharmacist supervising the seller, must sign the record of the transaction.

The Act specifies that records of pseudoephedrine sales must be kept in electronic format. In addition to the information that is currently gathered, a seller must also record the purchaser's date of birth, the quantity in grams of pseudoephedrine contained in the product, the date and time of the purchase, and the type and number of the identification used by the purchaser.

The Act eliminates the prior requirement that the seller or a pharmacist supervising the seller must sign the record of the transaction. Instead, the Act provides that the record must include the name of the seller, or if the product is sold by a person who is not a registered pharmacist, the name of the pharmacist supervising the seller. The Act retains the requirement that the purchaser must sign the record of the transaction.

The Act also requires that certain information regarding a pseudoephedrine sale, including the identity of the purchaser, must be electronically submitted to the National Precursor Log Exchange (NPLEX) system prior to completing the transaction. If the information is not submitted to the NPLEX system, or if the NPLEX system notifies the seller that the sale would cause the purchaser to violate certain limits on pseudoephedrine purchases, the completion of the sale is generally prohibited under the Act. In certain cases, a seller may be allowed to complete sales that would otherwise be prohibited, as specified in the Act.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

Finally, the Act authorizes the Department of Justice and law enforcement officers in the state to have real-time access to pseudoephedrine sales records. The Act prohibits law enforcement officers from disclosing the records to other persons except in connection with a criminal investigation or prosecution.

Effective date: June 1, 2018

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January 4, 2018

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