

HOUSE No. 1757

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act regulating certain over the counter substances..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 For the purposes of this statute, any drug, material, compound, mixture, preparation or
2 substance containing any quantity of dextromethorphan, shall be deemed a substance within the
3 meaning of this clause which may cause a potential for abuse leading to permanent brain
4 damage, coma and possibly death, Chapter 94 C section 3 of the General Laws are hereby
5 amended by inserting the following text:

6 (7) Any person who sells or offers to sell to a person under the age of eighteen years
7 any product containing dextromethorphan shall be liable to a penalty of \$250 for the first
8 violation, \$500 for the second violation and \$1,000 for the third and each subsequent violation
9 and may be subject to further actions pursuant to the provisions of this chapter. Any pharmacy
10 or retail provider which sells products containing dextromethorphan shall keep an inventory of
11 such products and may limit consumers to certain quantities.