

1 **BOARD BILL NO. 154 INTRODUCED BY ALDERWOMAN JENNIFER**  
2 **FLORIDA**

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4 An ordinance containing definitions; prohibiting the sale, delivery or distribution  
5 of ephedrine, pseudo ephedrine, their salts, their optical isomers or salts of their optical  
6 isomers; requiring the reporting of theft of ephedrine products; containing a penalty  
7 clause, severability clause, and emergency clause.

8 **WHEREAS**, the Board of Aldermen of the City of St. Louis recognizes that the  
9 production, sale and use of methamphetamine within the City of St. Louis is a serious  
10 danger to the health, safety and welfare of the citizens of the City of Louis; and

11 **WHEREAS**, the Board of Aldermen of the City of St. Louis recognize that the prime  
12 ingredient in the production of said illegal drug is ephedrine or pseudo ephedrine and that  
13 the ready availability of ephedrine and pseudo ephedrine is a significant drawback  
14 curbing of the production, sale and use of methamphetamine. Having weighed the  
15 inconveniences that may be engendered by control of said substances, the Board of  
16 Aldermen nonetheless have determined that it would be in the best interests of the health,  
17 safety and welfare of the citizens of the City of St. Louis to control the availability of  
18 ephedrine, pseudo ephedrine their salts, their optical isomers and the salts of their optical  
19 isomers.

20 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

21 **SECTION ONE. Definitions.** As used in this Section, the following words and/or  
22 phrases shall have the meanings as set forth herein:

23 1. Counter: Any obstructive, physical barrier that separates ephedrine  
24 products from access by a customer or the general public and which makes such products

1 available to a customer or the general public only through or by the act of an employee of  
2 the seller.

3           2.       Ephedrine: All forms of ephedrine, pseudoephedrine, ephedrine  
4 hydrochloride, pseudoephedrine hydrochloride, phenylpropanolamine and all  
5 combinations of these chemicals.

6           3.       Ephedrine Product: Any product that contains ephedrine, its salts, isomers  
7 or salts of isomers as its sole active ingredient or in combination with less than  
8 therapeutically significant quantities of other active ingredients.

9           4.       Package: Any number of pills, tablets, capsules, caplets or individual  
10 units of a substance held within a container intended for sale.

11          5.       Person: Any individual, corporation, partnership, trust, limited liability  
12 company, firm, association or other entity selling an ephedrine product to customers.

13          6.       Sell: To knowingly furnish, give away, exchange, transfer, deliver,  
14 surrender or supply whether for monetary gain or not.

15 **SECTION TWO. Restrictions On Public Access To Ephedrine Products.** It shall be  
16 unlawful for any person to sell any ephedrine product without a valid prescription written  
17 by a Missouri licensed physician and filled by a Missouri licensed pharmacist. The  
18 prohibition set forth herein shall not apply to the sale of animal feed containing  
19 ephedrine.

20 **SECTION THREE. Reporting Theft of Ephedrine Products.**

21          1.       Any person who sells ephedrine products and who discovers a theft,  
22 disappearance or other loss of ephedrine product shall report the theft, disappearance or

1 loss in writing to the St. Louis Metropolitan Police Department within three (3) calendar  
2 days of such a discovery.

3 2. Any person who sells ephedrine products shall report to the St. Louis  
4 Metropolitan Police Department any difference between the quantity of ephedrine  
5 products shipped and the quantity of ephedrine products received within three (3)  
6 calendar days of discovery.

7 **SECTION FOUR. Penalty for violation.**

8 Any person convicted of violation of this part shall be punished by a fine of not less than  
9 one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or by  
10 imprisonment for not more than ninety (90) days or by both such fine and imprisonment.

11 **SECTION FIVE. Severability.** If any provision, clause, sentence, paragraph or word  
12 of this ordinance or the application thereof to any person, entity or circumstances shall be  
13 held invalid, such invalidity shall not affect the other provisions of this ordinance which  
14 can be given effect without the invalid provisions or application, and to this end the  
15 provisions of this ordinance are declared severable.

16 **SECTION SIX. Emergency Clause.** This being an ordinance for the preservation of  
17 public peace, health and safety, it is hereby declared to be an emergency measure within  
18 the meanings of Sections 19 and 20 of article IV of the Charter of the City of St. Louis  
19 and therefore shall become effective immediately upon its passage and approval by the  
20 Mayor.