

58-37c-8 License -- Exceptions from licensure or regulation.

- (1) A person engaged in a regulated transaction under this chapter shall hold a controlled substance precursor license issued under Section 58-37c-7, unless excepted from licensure under this chapter.
- (2) The division shall:
 - (a) establish the form of application for a license, the requirements for licensure, and fees for initial licensure and renewal; and
 - (b) identify required information to be contained in the application as a condition of licensure.
- (3) A practitioner who holds a Utah Controlled Substance License and a Controlled Substance Registration issued by the Drug Enforcement Administration of the U.S. Government is excepted from licensure under this chapter.
- (4) The purchase, sale, transfer, furnishing, or receipt of a drug intended for lawful use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals, which contains ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine, if the drug is lawfully purchased, sold, transferred, or furnished as an over-the-counter medication without prescription pursuant to the federal Food, Drug and Cosmetic Act, 21 USC, Sec. 301 et seq., or regulations adopted under that act, are excepted from licensure, reporting, and recordkeeping under this chapter, except that products containing ephedrine, pseudoephedrine, or phenylpropanolamine are subject to Section 58-37c-20.5.
- (5) The purchase, sale, transfer, receipt, or manufacture of dietary supplements, vitamins, minerals, herbs, or other similar substances, including concentrates or extracts, which are not otherwise prohibited by law, and which may contain naturally occurring amounts of chemicals or substances listed in this chapter, or in rules adopted pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, are exempt from licensure under this chapter.
- (6) A purchaser of two ounces or less of crystal iodine in a single transaction is not required to be licensed as a regulated purchaser if the transaction complies with Section 58-37c-18.
- (7) The purchase, sale, transfer, receipt, or manufacture of a product that contains a precursor chemical listed in Subsection 58-37c-3(1)(ff) or (gg) and that is not intended for human consumption is exempt from licensure or regulation and is not subject to criminal penalties under this chapter.

Amended by Chapter 262, 2013 General Session

Amended by Chapter 413, 2013 General Session