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P.L. 2007, CHAPTER 152, *approved August 21, 2007*  
Assembly, No. 2693

1 AN ACT concerning the industrial use of certain chemicals and  
2 supplementing chapter 35 of Title 2C of the New Jersey Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. a. For the purposes of this section:

8 “Finished product” means a product: (1) that does not contain an  
9 industrial use chemical or from which an industrial chemical cannot  
10 be readily extracted or readily synthesized and (2) which is not sold  
11 for human consumption.

12 “Industrial distribution” means any process or operation  
13 necessary for distributing an industrial product, including, but not  
14 limited to, wholesaling, delivery or transport, and storage.

15 “Industrial product” means a non-drug, non-controlled finished  
16 product that is not for human consumption.

17 “Industrial use chemical” means gamma butyrolactone or 1,4-  
18 butanedioil.

19 “Industrial use chemical manufacturer” means a person who: (1)  
20 is involved in the manufacture of an industrial chemical for use in  
21 the manufacture of an industrial product; (2) provides that industrial  
22 use chemical to an industrial use chemical distributor or a  
23 manufacturer of an industrial product and (3) is in compliance with  
24 any requirements to register with the United States Drug  
25 Enforcement Administration as a List I Chemical registrant.

26 “Industrial use chemical distributor” means a person who: (1) is  
27 involved in the industrial distribution of an industrial use chemical  
28 and (2) is in compliance with any requirements to register with the  
29 United States Drug Enforcement Administration as a List I  
30 Chemical registrant.

31 “Manufacturer of an industrial product” means a person who is  
32 involved in any process or operation necessary for manufacturing  
33 an industrial product in which that person acquires an industrial use  
34 chemical from an industrial use chemical manufacturer or an  
35 industrial use chemical distributor and who possesses that substance  
36 solely for use in the manufacture of an industrial product.

37 b. An industrial use chemical shall not be deemed a controlled  
38 dangerous substance within the meaning of N.J.S.2C:35-2 when that  
39 substance is in the possession of:

- 40 (1) An industrial use chemical manufacturer;  
41 (2) An industrial use chemical distributor;  
42 (3) A manufacturer of an industrial product; or  
43 (4) A person possessing a finished product.

44 c. This section shall not apply to:

1 (1) An industrial use chemical manufacturer who sells, delivers  
2 or otherwise distributes an industrial use chemical to a person who  
3 is not an industrial use chemical distributor or a manufacturer of an  
4 industrial product;

5 (2) An industrial use chemical distributor who sells, delivers or  
6 otherwise distributes an industrial use chemical to a person who is  
7 not an industrial use chemical distributor or a manufacturer of an  
8 industrial product;

9 (3) A person who extracts or synthesizes an industrial use  
10 chemical from a finished product or a person who extracts or  
11 synthesizes an industrial use chemical from any product or material,  
12 unless that extraction or synthesis is authorized by law; or

13 (4) A person whose possession of an industrial use chemical is  
14 not in compliance with the provisions of subsection b. of this  
15 section or whose possession of that substance is not specifically  
16 authorized by law.

17 d. (1) There shall be a permissive inference that a person to  
18 whom an industrial use chemical is sold, delivered or otherwise  
19 distributed in a quantity of 10 gallons or less is not an industrial use  
20 chemical distributor or a manufacturer of an industrial product.

21 (2) There shall be a permissive inference that a person who  
22 possesses an industrial use chemical in a quantity of one gallon or  
23 less is not an industrial use chemical manufacturer, an industrial use  
24 chemical distributor, a manufacturer of an industrial product or a  
25 person possessing a finished product, and is a person whose  
26 possession of the industrial use chemical is not specifically  
27 authorized by law.

28 (3) The inferences established in paragraphs (1) and (2) of this  
29 subsection shall not apply to the distribution or possession of  
30 sample quantities for the purpose of conducting chemical research,  
31 chemical quality assurance testing or industrial product or  
32 applications development.

33

34 2. This act shall take effect on the first day of the fourth month  
35 following enactment.

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#### STATEMENT

39

40 This bill provides that an industrial use chemical, which is  
41 defined as gamma butyrolactone (GBL) and 1,4-butanediol (BDO),  
42 shall not be deemed a controlled dangerous substance (CDS) within  
43 the meaning of the "Comprehensive Drug Reform Act of 1987,"  
44 P.L.1987, c.106 (C.2C:35-1 et seq.) when it is the possession of an  
45 industrial use chemical manufacturer, an industrial use chemical  
46 distributor, a manufacturer of an industrial product or a person  
47 possessing a finished product.

1 The bill specifically identifies the types of chemical and  
2 industrial products afforded an exemption and prescribes the  
3 qualifying criteria for the manufacturers and distributors who may  
4 lawfully possess GBL and BDO for industrial uses.

5 The bill provides that the CDS exemption is not applicable to an  
6 industrial use chemical manufacturer or distributor who sells,  
7 delivers or otherwise distributes an industrial use chemical to a  
8 person who is not an industrial use chemical distributor or a  
9 manufacturer of an industrial product or to a person who extracts or  
10 synthesizes an industrial use chemical from a finished product or  
11 from any product or material unless authorized by law, or to a  
12 person whose possession of an industrial use chemical does not  
13 comply with the act or is not specifically authorized by law.

14 Finally, the bill establishes permissive inferences related to the  
15 manufacture, distribution, dispensing or possession of small  
16 quantities of industrial use chemicals which are inconsistent with  
17 the legitimate industrial use of such chemicals, specifically 10  
18 gallons or less in the case of manufacturing, distribution or  
19 dispensing; and one gallon or less in the case of possession. This  
20 provision provides a permissive inference that a person who is sold,  
21 takes delivery or otherwise receives an industrial use chemical in a  
22 quantity of 10 gallons or less is not an industrial use chemical  
23 distributor or the manufacturer of an industrial product. Similarly,  
24 the bill provides a permissive inference that a person who possesses  
25 one gallon or less of an industrial use chemical is not in compliance  
26 with the provisions of the law authorizing possession by an  
27 industrial use chemical manufacturer, industrial use chemical  
28 distributor, manufacturer of an industrial product or a person  
29 possessing a finished product and, therefore, that the person's  
30 possession of industrial use chemicals is not specifically authorized  
31 by law.

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36 Provides that certain industrial use chemicals are not controlled  
37 dangerous substances.

# ASSEMBLY, No. 2693

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 27, 2006

**Sponsored by:**

**Assemblyman JOHN S. WISNIEWSKI**

**District 19 (Middlesex)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman ALFRED E. STEELE**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senator Doria**

**SYNOPSIS**

Provides that certain industrial use chemicals are not controlled dangerous substances.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/19/2007)**

1 AN ACT concerning the industrial use of certain chemicals and  
2 supplementing chapter 35 of Title 2C of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. For the purposes of this section:

8 “Finished product” means a product: (1) that does not contain an  
9 industrial use chemical or from which an industrial chemical cannot  
10 be readily extracted or readily synthesized and (2) which is not sold  
11 for human consumption.

12 “Industrial distribution” means any process or operation  
13 necessary for distributing an industrial product, including, but not  
14 limited to, wholesaling, delivery or transport, and storage.

15 “Industrial product” means a non-drug, non-controlled finished  
16 product that is not for human consumption.

17 “Industrial use chemical” means gamma butyrolactone or 1,4-  
18 butanedioil.

19 “Industrial use chemical manufacturer” means a person who: (1)  
20 is involved in the manufacture of an industrial chemical for use in  
21 the manufacture of an industrial product; (2) provides that industrial  
22 use chemical to an industrial use chemical distributor or a  
23 manufacturer of an industrial product and (3) is in compliance with  
24 any requirements to register with the United States Drug  
25 Enforcement Administration as a List I Chemical registrant.

26 “Industrial use chemical distributor” means a person who: (1) is  
27 involved in the industrial distribution of an industrial use chemical  
28 and (2) is in compliance with any requirements to register with the  
29 United States Drug Enforcement Administration as a List I  
30 Chemical registrant.

31 “Manufacturer of an industrial product” means a person who is  
32 involved in any process or operation necessary for manufacturing  
33 an industrial product in which that person acquires an industrial use  
34 chemical from an industrial use chemical manufacturer or an  
35 industrial use chemical distributor and who possesses that substance  
36 solely for use in the manufacture of an industrial product.

37 b. An industrial use chemical shall not be deemed a controlled  
38 dangerous substance within the meaning of N.J.S.2C:35-2 when that  
39 substance is in the possession of:

- 40 (1) An industrial use chemical manufacturer;  
41 (2) An industrial use chemical distributor;  
42 (3) A manufacturer of an industrial product; or  
43 (4) A person possessing a finished product.

44 c. This section shall not apply to:

45 (1) An industrial use chemical manufacturer who sells, delivers  
46 or otherwise distributes an industrial use chemical to a person who  
47 is not an industrial use chemical distributor or a manufacturer of an  
48 industrial product;

1 (2) An industrial use chemical distributor who sells, delivers or  
2 otherwise distributes an industrial use chemical to a person who is  
3 not an industrial use chemical distributor or a manufacturer of an  
4 industrial product;

5 (3) A person who extracts or synthesizes an industrial use  
6 chemical from a finished product or a person who extracts or  
7 synthesizes an industrial use chemical from any product or material,  
8 unless that extraction or synthesis is authorized by law; or

9 (4) A person whose possession of an industrial use chemical is  
10 not in compliance with the provisions of subsection b. of this  
11 section or whose possession of that substance is not specifically  
12 authorized by law.

13 d. (1) There shall be a permissive inference that a person to  
14 whom an industrial use chemical is sold, delivered or otherwise  
15 distributed in a quantity of 10 gallons or less is not an industrial use  
16 chemical distributor or a manufacturer of an industrial product.

17 (2) There shall be a permissive inference that a person who  
18 possesses an industrial use chemical in a quantity of one gallon or  
19 less is not an industrial use chemical manufacturer, an industrial use  
20 chemical distributor, a manufacturer of an industrial product or a  
21 person possessing a finished product, and is a person whose  
22 possession of the industrial use chemical is not specifically  
23 authorized by law.

24 (3) The inferences established in paragraphs (1) and (2) of this  
25 subsection shall not apply to the distribution or possession of  
26 sample quantities for the purpose of conducting chemical research,  
27 chemical quality assurance testing or industrial product or  
28 applications development.

29  
30 2. This act shall take effect on the first day of the fourth month  
31 following enactment.

32

33

34

STATEMENT

35

36 This bill provides that an industrial use chemical, which is  
37 defined as gamma butyrolactone (GBL) and 1,4-butanediol (BDO),  
38 shall not be deemed a controlled dangerous substance (CDS) within  
39 the meaning of the "Comprehensive Drug Reform Act of 1987,"  
40 P.L.1987, c.106 (C.2C:35-1 et seq.) when it is the possession of an  
41 industrial use chemical manufacturer, an industrial use chemical  
42 distributor, a manufacturer of an industrial product or a person  
43 possessing a finished product.

44 The bill specifically identifies the types of chemical and  
45 industrial products afforded an exemption and prescribes the  
46 qualifying criteria for the manufacturers and distributors who may  
47 lawfully possess GBL and BDO for industrial uses.



1       The bill provides that the CDS exemption is not applicable to an  
2 industrial use chemical manufacturer or distributor who sells,  
3 delivers or otherwise distributes an industrial use chemical to a  
4 person who is not an industrial use chemical distributor or a  
5 manufacturer of an industrial product or to a person who extracts or  
6 synthesizes an industrial use chemical from a finished product or  
7 from any product or material unless authorized by law, or to a  
8 person whose possession of an industrial use chemical does not  
9 comply with the act or is not specifically authorized by law.

10       Finally, the bill establishes permissive inferences related to the  
11 manufacture, distribution, dispensing or possession of small  
12 quantities of industrial use chemicals which are inconsistent with  
13 the legitimate industrial use of such chemicals, specifically 10  
14 gallons or less in the case of manufacturing, distribution or  
15 dispensing; and one gallon or less in the case of possession. This  
16 provision provides a permissive inference that a person who is sold,  
17 takes delivery or otherwise receives an industrial use chemical in a  
18 quantity of 10 gallons or less is not an industrial use chemical  
19 distributor or the manufacturer of an industrial product. Similarly,  
20 the bill provides a permissive inference that a person who possesses  
21 one gallon or less of an industrial use chemical is not in compliance  
22 with the provisions of the law authorizing possession by an  
23 industrial use chemical manufacturer, industrial use chemical  
24 distributor, manufacturer of an industrial product or a person  
25 possessing a finished product and, therefore, that the person's  
26 possession of industrial use chemicals is not specifically authorized  
27 by law.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 2693

# STATE OF NEW JERSEY

DATED: JUNE 19, 2006

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2693.

Assembly Bill No. 2693 provides that an industrial use chemical, which is defined as gamma butyrolactone (GBL) and 1,4-butanediol (BDO), shall not be deemed a controlled dangerous substance (CDS) within the meaning of the "Comprehensive Drug Reform Act of 1987," P.L.1987, c.106 (C.2C:35-1 et seq.) when it is the possession of an industrial use chemical manufacturer, an industrial use chemical distributor, a manufacturer of an industrial product or a person possessing a finished product.

The bill specifically identifies the types of chemical and industrial products afforded an exemption and prescribes the qualifying criteria for the manufacturers and distributors who may lawfully possess GBL and BDO for industrial uses.

The bill provides that the CDS exemption is not applicable to an industrial use chemical manufacturer or distributor who sells, delivers or otherwise distributes an industrial use chemical to a person who is not an industrial use chemical distributor or a manufacturer of an industrial product or to a person who extracts or synthesizes an industrial use chemical from a finished product or from any product or material unless authorized by law, or to a person whose possession of an industrial use chemical does not comply with the act or is not specifically authorized by law.

Finally, the bill establishes permissive inferences related to the manufacture, distribution, dispensing or possession of small quantities of industrial use chemicals which are inconsistent with the legitimate industrial use of such chemicals, specifically 10 gallons or less in the case of manufacturing, distribution or dispensing; and one gallon or less in the case of possession. This provision provides a permissive inference that a person who is sold, takes delivery or otherwise receives an industrial use chemical in a quantity of 10 gallons or less is not an industrial use chemical distributor or the manufacturer of an industrial product. Similarly, the bill provides a permissive inference that a person who possesses one gallon or less of an industrial use chemical is not in compliance with the provisions of the law authorizing possession by an industrial use chemical manufacturer, industrial use chemical distributor, manufacturer of an industrial

product or a person possessing a finished product and, therefore, that the person's possession of industrial use chemicals is not specifically authorized by law.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 2693**

**STATE OF NEW JERSEY**

DATED: MARCH 15, 2007

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Assembly Bill No. 2693.

Assembly Bill No. 2693 provides that an industrial use chemical, which is defined as gamma butyrolactone (GBL) and 1,4-butanediol (BDO), shall not be deemed a controlled dangerous substance (CDS) within the meaning of the "Comprehensive Drug Reform Act of 1987," P.L.1987, c.106 (C.2C:35-1 et seq.) when it is the possession of an industrial use chemical manufacturer, an industrial use chemical distributor, a manufacturer of an industrial product or a person possessing a finished product.

The bill specifically identifies the types of chemical and industrial products afforded an exemption and prescribes the qualifying criteria for the manufacturers and distributors who may lawfully possess GBL and BDO for industrial uses.

The bill provides that the CDS exemption is not applicable to an industrial use chemical manufacturer or distributor who sells, delivers or otherwise distributes an industrial use chemical to a person who is not an industrial use chemical distributor or a manufacturer of an industrial product or to a person who extracts or synthesizes an industrial use chemical from a finished product or from any product or material unless authorized by law, or to a person whose possession of an industrial use chemical does not comply with the act or is not specifically authorized by law.

Finally, the bill establishes permissive inferences related to the manufacture, distribution, dispensing or possession of small quantities of industrial use chemicals which are inconsistent with the legitimate industrial use of such chemicals, specifically 10 gallons or less in the case of manufacturing, distribution or dispensing; and one gallon or less in the case of possession. This provision provides a permissive inference that a person who is sold, takes delivery or otherwise receives an industrial use chemical in a quantity of 10 gallons or less is not an industrial use chemical distributor or the manufacturer of an industrial product. Similarly, the bill provides a permissive inference that a person who possesses one gallon or less of an industrial use chemical is not in compliance with the provisions of the law

authorizing possession by an industrial use chemical manufacturer, industrial use chemical distributor, manufacturer of an industrial product or a person possessing a finished product and, therefore, that the person's possession of industrial use chemicals is not specifically authorized by law.

As reported by the committee, this bill is identical to Senate Bill No. 2254, also reported by the committee on this same date.

# SENATE, No. 2254

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED OCTOBER 16, 2006

**Sponsored by:**  
**Senator JOSEPH V. DORIA, JR.**  
**District 31 (Hudson)**

### **SYNOPSIS**

Provides that certain industrial use chemicals are not controlled dangerous substances.

### **CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the industrial use of certain chemicals and  
2 supplementing chapter 35 of Title 2C of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. For the purposes of this section:

8 “Finished product” means a product: (1) that does not contain an  
9 industrial use chemical or from which an industrial chemical cannot  
10 be readily extracted or readily synthesized and (2) which is not sold  
11 for human consumption.

12 “Industrial distribution” means any process or operation  
13 necessary for distributing an industrial product, including, but not  
14 limited to, wholesaling, delivery or transport, and storage.

15 “Industrial product” means a non-drug, non-controlled finished  
16 product that is not for human consumption.

17 “Industrial use chemical” means gamma butyrolactone or 1,4-  
18 butanedioil.

19 “Industrial use chemical manufacturer” means a person who: (1)  
20 is involved in the manufacture of an industrial chemical for use in  
21 the manufacture of an industrial product; (2) provides that industrial  
22 use chemical to an industrial use chemical distributor or a  
23 manufacturer of an industrial product and (3) is in compliance with  
24 any requirements to register with the United States Drug  
25 Enforcement Administration as a List I Chemical registrant.

26 “Industrial use chemical distributor” means a person who: (1) is  
27 involved in the industrial distribution of an industrial use chemical  
28 and (2) is in compliance with any requirements to register with the  
29 United States Drug Enforcement Administration as a List I  
30 Chemical registrant.

31 “Manufacturer of an industrial product” means a person who is  
32 involved in any process or operation necessary for manufacturing  
33 an industrial product in which that person acquires an industrial use  
34 chemical from an industrial use chemical manufacturer or an  
35 industrial use chemical distributor and who possesses that substance  
36 solely for use in the manufacture of an industrial product.

37 b. An industrial use chemical shall not be deemed a controlled  
38 dangerous substance within the meaning of N.J.S.2C:35-2 when that  
39 substance is in the possession of:

- 40 (1) An industrial use chemical manufacturer;  
41 (2) An industrial use chemical distributor;  
42 (3) A manufacturer of an industrial product; or  
43 (4) A person possessing a finished product.

44 c. This section shall not apply to:

45 (1) An industrial use chemical manufacturer who sells, delivers  
46 or otherwise distributes an industrial use chemical to a person who  
47 is not an industrial use chemical distributor or a manufacturer of an  
48 industrial product;

1 (2) An industrial use chemical distributor who sells, delivers or  
2 otherwise distributes an industrial use chemical to a person who is  
3 not an industrial use chemical distributor or a manufacturer of an  
4 industrial product;

5 (3) A person who extracts or synthesizes an industrial use  
6 chemical from a finished product or a person who extracts or  
7 synthesizes an industrial use chemical from any product or material,  
8 unless that extraction or synthesis is authorized by law; or

9 (4) A person whose possession of an industrial use chemical is  
10 not in compliance with the provisions of subsection b. of this  
11 section or whose possession of that substance is not specifically  
12 authorized by law.

13 d. (1) There shall be a permissive inference that a person to  
14 whom an industrial use chemical is sold, delivered or otherwise  
15 distributed in a quantity of 10 gallons or less is not an industrial use  
16 chemical distributor or a manufacturer of an industrial product.

17 (2) There shall be a permissive inference that a person who  
18 possesses an industrial use chemical in a quantity of one gallon or  
19 less is not an industrial use chemical manufacturer, an industrial use  
20 chemical distributor, a manufacturer of an industrial product or a  
21 person possessing a finished product, and is a person whose  
22 possession of the industrial use chemical is not specifically  
23 authorized by law.

24 (3) The inferences established in paragraphs (1) and (2) of this  
25 subsection shall not apply to the distribution or possession of  
26 sample quantities for the purpose of conducting chemical research,  
27 chemical quality assurance testing or industrial product or  
28 applications development.

29  
30 2. This act shall take effect on the first day of the fourth month  
31 following enactment.

32

33

34

STATEMENT

35

36 This bill provides that an industrial use chemical, which is  
37 defined as gamma butyrolactone (GBL) and 1,4-butanediol (BDO),  
38 shall not be deemed a controlled dangerous substance (CDS) within  
39 the meaning of the "Comprehensive Drug Reform Act of 1987,"  
40 P.L.1987, c.106 (C.2C:35-1 et seq.) when it is the possession of an  
41 industrial use chemical manufacturer, an industrial use chemical  
42 distributor, a manufacturer of an industrial product or a person  
43 possessing a finished product.

44 The bill specifically identifies the types of chemical and  
45 industrial products afforded an exemption and prescribes the  
46 qualifying criteria for the manufacturers and distributors who may  
47 lawfully possess GBL and BDO for industrial uses.



**S2254 DORIA**

1       The bill provides that the CDS exemption is not applicable to an  
2 industrial use chemical manufacturer or distributor who sells,  
3 delivers or otherwise distributes an industrial use chemical to a  
4 person who is not an industrial use chemical distributor or a  
5 manufacturer of an industrial product or to a person who extracts or  
6 synthesizes an industrial use chemical from a finished product or  
7 from any product or material unless authorized by law, or to a  
8 person whose possession of an industrial use chemical does not  
9 comply with the act or is not specifically authorized by law.

10       Finally, the bill establishes permissive inferences related to the  
11 manufacture, distribution, dispensing or possession of small  
12 quantities of industrial use chemicals which are inconsistent with  
13 the legitimate industrial use of such chemicals, specifically 10  
14 gallons or less in the case of manufacturing, distribution or  
15 dispensing; and one gallon or less in the case of possession. This  
16 provision provides a permissive inference that a person who is sold,  
17 takes delivery or otherwise receives an industrial use chemical in a  
18 quantity of 10 gallons or less is not an industrial use chemical  
19 distributor or the manufacturer of an industrial product. Similarly,  
20 the bill provides a permissive inference that a person who possesses  
21 one gallon or less of an industrial use chemical is not in compliance  
22 with the provisions of the law authorizing possession by an  
23 industrial use chemical manufacturer, industrial use chemical  
24 distributor, manufacturer of an industrial product or a person  
25 possessing a finished product and, therefore, that the person's  
26 possession of industrial use chemicals is not specifically authorized  
27 by law.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO

**SENATE, No. 2254**

**STATE OF NEW JERSEY**

DATED: MARCH 15, 2007

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Senate Bill No. 2254.

This bill provides that an industrial use chemical, which is defined as gamma butyrolactone (GBL) and 1,4-butanediol (BDO), shall not be deemed a controlled dangerous substance (CDS) within the meaning of the "Comprehensive Drug Reform Act of 1987," P.L.1987, c.106 (C.2C:35-1 et seq.) when it is the possession of an industrial use chemical manufacturer, an industrial use chemical distributor, a manufacturer of an industrial product or a person possessing a finished product.

The bill specifically identifies the types of chemical and industrial products afforded an exemption and prescribes the qualifying criteria for the manufacturers and distributors who may lawfully possess GBL and BDO for industrial uses.

The bill provides that the CDS exemption is not applicable to an industrial use chemical manufacturer or distributor who sells, delivers or otherwise distributes an industrial use chemical to a person who is not an industrial use chemical distributor or a manufacturer of an industrial product or to a person who extracts or synthesizes an industrial use chemical from a finished product or from any product or material unless authorized by law, or to a person whose possession of an industrial use chemical does not comply with the act or is not specifically authorized by law.

Finally, the bill establishes permissive inferences related to the manufacture, distribution, dispensing or possession of small quantities of industrial use chemicals which are inconsistent with the legitimate industrial use of such chemicals, specifically 10 gallons or less in the case of manufacturing, distribution or dispensing; and one gallon or less in the case of possession. This provision provides a permissive inference that a person who is sold, takes delivery or otherwise receives an industrial use chemical in a quantity of 10 gallons or less is not an industrial use chemical distributor or the manufacturer of an industrial product. Similarly, the bill provides a permissive inference that a person who possesses one gallon or less of an industrial use chemical is not in compliance with the provisions of the law

authorizing possession by an industrial use chemical manufacturer, industrial use chemical distributor, manufacturer of an industrial product or a person possessing a finished product and, therefore, that the person's possession of industrial use chemicals is not specifically authorized by law.

As reported by the committee, this bill is identical to Assembly Bill No. 2693, also reported by the committee on this same date.