

Public Health Law

The New York State Public Health Law regulates behavior considered to be harmful in many areas, such as communicable diseases, sexually transmitted diseases, smoking and drugs. Specifically, **Article 3300**, also known as the **New York State Controlled Substance Act**, prohibits the manufacture, sale, or possession of the same drugs as prohibited by the Penal Law. Additional prohibitions of the Public Health Law include:

Sec. 3304.2 prohibits possession of a New York State prescription except as lawfully written by a physician, etc.

Sec. 3345 prohibits the possession of a prescription drug outside the container in which it was originally dispensed.

Sec. 3380 prohibits the use, possession or sale of hazardous inhalants such as glue, cement, gasoline or nitrite compound for the purpose of causing intoxication, inebriation, excitement, etc.

Sec. 3381 prohibits the possession or sale of a hypodermic needle or syringe except pursuant to a lawful prescription.

Sec. 3382 prohibits the growing of a plant of the genus cannabis, or the failure to destroy such a growing plant on one's property.

Sec. 3383 prohibits the manufacture, sale or possession of any substance that appears, either by markings or packaging, to be a controlled substance that, in fact, is not a controlled substance.

Sec. 3397 prohibits persons from obtaining or attempting to obtain a controlled substance, a prescription for a controlled substance or an official prescription form by fraud, deceit, misrepresentation or subterfuge.