§ 490.70 Limitations.

1. The provisions of sections 490.37, 490.40, 490.45, 490.47, 490.50, and 490.55 of this article shall not apply where the defendant possessed or used:

(a) any household product generally available for sale to consumers in this state in the quantity and concentration available for such sale;

(b) a self-defense spray device in accordance with the provisions of paragraph fourteen of subdivision a of section 265.20 of this chapter;

(c) a chemical weapon solely for a purpose not prohibited under this chapter, as long as the type and quantity is consistent with such a purpose; or

(d) a biological agent, toxin, or delivery system solely for prophylactic, protective, bona fide research, or other peaceful purposes.

2. For the purposes of this section, the phrase "purposes not prohibited by this chapter" means the following:

(a) any peaceful purpose related to an industrial, agricultural, research, medical, or pharmaceutical activity or other peaceful activity;

(b) any purpose directly related to protection against toxic chemicals and to protection against chemical weapons;

(c) any military purpose of the United States that is not connected with the use of a chemical weapon or that is not dependent on the use of the toxic or poisonous properties of the chemical weapon to cause death or other harm; and

(d) any law enforcement purpose, including any domestic riot control purpose and including imposition of capital punishment.