

THE DRUGGIST AND HIS ASSOCIATIONS.*

A PLEA FOR THE MORE COMPLETE ORGANIZATION OF PHARMACY.

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Our occupation, sometimes known as the practice of pharmacy and sometimes as the drug business, owes these different designations to the fact that it is compounded of two distinct and sometimes opposing elements, each demanding a different kind of ability for its successful representation. It is at once both commercial and professional: the druggist is not only a merchant, but he is also something else than a merchant.

In some of its aspects pharmacy is as truly professional as the practice of law or medicine, while in others it is as truly mercantile as the grocery and hardware business, and these two partners have not always worked harmoniously together; one of them sometimes insisting upon going in one direction while the other has been stubbornly pulling in quite a contrary direction.

In consequence of this dual character, pharmacy has had to deal not only with problems common to trades and professions generally, but in addition has had to contend with some difficulties that are peculiarly and specifically its own.

The Scientific Method of Research.—In this wonder-working age we often see greater progress made in certain lines within a single year than was made in all the centuries past, and we have also seen many things accomplished that previously were thought impossible. This more rapid progress has not been because men have greater intellectual capacity or greater industry than formerly, but because they have changed their methods of research. Idle theorizing has been replaced by rigid analysis of the problems to be attacked, and the haphazard method of "trial and error" has been changed to systematic experimentation under carefully controlled conditions. The rule of thumb has been replaced by the scientific method and the modern research worker aims to proceed according to a systematic, carefully prepared program.

It will be only common prudence, therefore, for us, as far as we can, to divest ourselves of the prejudices of tradition and self-interest and examine pharmacy in accordance with the scientific method; to discover, if possible, how and where it fits into the scheme of civilization, and to what extent we can hope to direct its evolution, remembering always that the final result will be largely determined by the operation of social and economic forces which control the development of human institutions, regardless of the wishes of individuals or of society resolutions.

Pharmaceutical Associations as a Means of Coöperation.—One of the discoveries of the present age, or rather one of the things more distinctly recognized, is the superiority of voluntary coöperation over unrestricted competition as a means of social and professional progress, and for pharmacy voluntary coöperation means the willing and enthusiastic support of national, state and local associations.

In one of my earliest papers I characterized association membership as the pharmacist's business insurance, and argued that common business prudence demanded that he should contribute to the support of his professional associations as regularly and as universally as he contributes to the support of fire insurance

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companies by the payment of premiums. The years of observation since then have served only to intensify this early conviction. I believe thoroughly in the necessity of the separate organizations of pharmaceutical manufacturers, wholesalers, retailers and proprietary manufacturers, and in the equal necessity of their continuous and harmonious coöperation.

The growing craze for legislation to meet the ideas of doctrinaire reformers and the constant pyramiding of taxes required by ever-increasing public expenditure can be successfully combatted only by the concerted action of practically every individual connected with pharmacy and the drug trade.

Pharmacy is already abundantly supplied with associations in the form of skeleton organizations. We do not need more pharmacy organizations, but we do need a more complete organization of pharmacy; we need to create for the present associations such a body of membership, to give them such financial and moral support, and to develop such a common understanding and sense of common interest among their members as will make them really effective machines for the work they have to do.

The Place of the AMERICAN PHARMACEUTICAL ASSOCIATION.—Almost seventy-four years ago a group of New York and Philadelphia apothecaries, holding high ideals of duty to their profession and of their professional obligation to the public, met and organized the AMERICAN PHARMACEUTICAL ASSOCIATION, which during the nearly three-quarters of a century since then has been the chief exponent of professional and scientific pharmacy. When the Association was organized, specialization had not yet divided the drug trade into its present sharply defined branches, and consequently no effort was made to confine the membership to any particular line of pharmaceutical work. This generous expansiveness in membership still prevails. All persons of good repute and having legitimate connection with any branch of pharmacy—proprietors, clerks, wholesalers, manufacturers, professors in colleges of pharmacy, chemists, botanists, or food and drug officials—are all equally welcomed, and are afforded equal opportunity to present their contributions to the improvement of the branches of trade or science which they respectively represent.

The services of the A. PH. A. to professional and scientific pharmacy have been many and material.

When the fortunes of the United States Pharmacopœia had declined to such a low ebb that it was seriously proposed to abandon it to a private publisher, it was the A. PH. A. that came to its rescue, and it has been largely due to the influence of this society and to the unselfish contributions of its members that the U. S. P. has become the premier pharmacopœia of the world.

It created the "National Formulary" from a collection of local recipes, and it was through its efforts that the N. F. and U. S. P. have been accepted as the standards of the federal and state food and drug acts, and the trade saved the annoyance of separate drug standards in 49 different sovereignties, subject to alteration with every bureaucratic change of opinion.

One of the early undertakings assumed by the A. PH. A. was the creation of state pharmaceutical associations and securing the enactment of state laws requiring the examination and registration of persons desiring to enter the practice of pharmacy. The state associations were brought into existence by members of the

A. PH. A. in the several states, and a form of pharmacy law was draughted to be presented by them to their respective legislatures. Our state pharmaceutical associations are the result of this movement, and all our pharmacy laws are modifications, either of this early model law or of other models adopted by the A. PH. A. in later years.

The state associations were originally represented in the mother association by means of fraternal delegates to the annual convention, but now their representatives, together with representatives from the other national associations of the drug trade, constitute a *House of Delegates*, which elects the principal officers and functions as the legislative chamber of the Association. Thus it is the state associations that in the future will chiefly shape the policies and determine the destiny of the AMERICAN PHARMACEUTICAL ASSOCIATION.

At the last convention the House of Delegates elected as its chairman Mr. W. Bruce Philip, of California, who thus becomes a worthy successor to a long line of distinguished representatives of Pacific Coast Pharmacy who have ably served the A. PH. A. in important official capacities.

Because of its wide range of membership, selected from every division of pharmaceutical activity, and by virtue of the representation of the state and national pharmaceutical associations in its *House of Delegates* the A. PH. A. constitutes in fact a real and genuine FEDERATION OF AMERICAN PHARMACY.

The A. PH. A. represents specifically the drug end of the drug business. It stands for the professional learning and for the technical training and skill that justify the law in restricting the practice of pharmacy to a group of specially qualified persons. It represents what the diploma of the college of pharmacy and the certificate of the registered pharmacist stands for—the things that make the druggist more than a merchant. When these things cease to be the foundation of the drug business, the AMERICAN PHARMACEUTICAL ASSOCIATION will no longer be necessary.

The Place of the National Association of Retail Druggists.—With the growth of specialization in pharmacy and the sharper division of functions between manufacturers, wholesalers and retailers, the members of these groups have found it expedient to organize societies to more directly represent their special group interests, and it is altogether proper that this should have been done.

When under the stress of excessive competition trade abuses had accumulated to an almost unbearable degree, the National Association of Retail Druggists was created to represent specifically and emphatically the trade interests of the retail druggist. Its creation was in no sense a revolt against or a secession from the AMERICAN PHARMACEUTICAL ASSOCIATION, but was purposely intended to perform a kind of work that the A. PH. A. could not do effectively without departing from its traditional purpose to represent the professional and scientific interests of pharmacy.

The National Association of Retail Druggists emphatically endorses and supports all that the A. PH. A. stands for, but it addresses itself especially to functions that the A. PH. A., because of its plan of organization and the varied character of its membership, is not qualified to discharge.

To speak adequately of what this splendid organization of retailers has done for the retail drug business during its 26 years of existence would require more than all the time allotted to me on your program. It has given the retailer cause for

hope in situations where without its aid his case seemed nearly hopeless. It has defended him manfully, courageously and effectively in the courts of law, before legislative bodies and in the public prints. It has attained a standing and reputation such that political organizations which once regarded drug interests with silent contempt now come to its officers to inquire what amendments will be necessary to make their proposed legislation acceptable. I speak deliberately when I say that within the past ten years the National Association of Retail Druggists has been the main instrument in the defeat or correction of legislation proposed at Washington that, if it had reached enactment in its original form, would have made the retail drug business almost impossible.

As its general secretary it has one of the most capable men in American pharmacy, Mr. Samuel C. Henry, a man of sufficient independence of thought to stand by his convictions regardless of what forces may be against him, and possessed also of the diplomatic tact that enables him to combine with other forces when combination will best serve the interests of the retail druggist or of his association. Its executive committee and official list are composed of men nationally known, who give their time and energies voluntarily and without stint to the association and the cause it represents. It maintains at Washington an eminently competent and efficient legal representative and general counsel, always ready to serve the association and its members before the several departments of the federal government and in general legislative matters. It supplies its members with a live and up-to-date *Journal*, in which either the editorials or the Washington letters are worth more than the annual cost of membership.

The N. A. R. D. last year honored the drug trade of the Pacific Coast by electing one of its leading representatives, Mr. Frank R. Peterson, of Oregon, as its president. You will both honor and benefit yourselves by giving President Peterson and his association the fullest measure of support. If when the next convention is called to order at Memphis there is a single retail druggist on the Pacific Coast who has not sent in his application for membership in this magnificent organization he will be ignoring a plain duty to himself and to the vocation which yields him his livelihood.

The Place of the State Pharmaceutical Associations.—The state associations constitute an essential part of the plan for the more complete mobilization of pharmaceutical interests in the United States. They bear to the two great national associations the same relation that the individual states bear to the Federal Union. They are of fundamental importance to the protection of trade and professional interests within the states and to furnish the reserves from which the national organizations must draw their membership and their financial and moral support.

The state association is entitled to demand and should demand the support of every person eligible to membership. A mistake has been made in permitting it to be understood that membership in the state association is so purely a voluntary matter that any druggist may remain outside of the organization without discredit to himself, and as a consequence we have had the outline or framework of organization rather than really effective bodies capable of wielding the combined influence of the trade.

The druggist should consider the discharge of his obligations to his state association as important as the protection of his check at the bank. Not to be a supporter

of the organization which exists solely for the protection of his professional and business interests is not a proper exercise of personal liberty; it is the denial of a debt of honor which every man owes to his fellow craftsmen and to the occupation which gives him his livelihood. It is the voluntary acceptance of the rôle of business hobo—of one who is willing to live at the expense of his fellow craftsmen. If such a druggist cannot be persuaded by argument, if he is insensible to professional obligations, we should at least hold up the mirror and let him see himself as others see him.

Every state association should have at least one full-time organizer or traveling secretary, and in the larger and more populous states there should be several competent men constantly in the field to preach the gospel of organization, to recruit new members, to keep the old members up to the proper pitch of enthusiasm, and to compose local misunderstandings liable to jeopardize trade interests. These agents should not be merely good fellows willing to accept a job at the expense of the association, but men picked for their capacity, energy and enthusiasm, and they should be paid and supported accordingly.

When retail druggists have universally been educated to a proper sense of obligation to their state associations, when the membership of these has been recruited to practically the entire number of retail druggists, and when the state associations and their members stand solidly behind the national organizations then, and not till then will pharmacy begin to come into its own.

The Place of the Local Associations.—Lastly, but likewise of very great importance in the plan for the more complete assembly and unification of pharmaceutical interests, come the local associations in the cities and larger towns, in counties, and in larger geographical districts where conditions demand them; all of which local bodies should be constituent units of their respective state organizations.

Trade currents always flow more smoothly in districts where there are active local associations than in districts where there are none. No means have been discovered to prevent the occurrence of trade misunderstandings, but when they do occur, local associations are the best means yet devised for composing them. When disputants can be induced to come together for friendly conference there are few differences that cannot be amicably adjusted. Even weekly luncheons together of local druggists have a wonderful influence in producing and maintaining friendly relations. Men who frequently meet and break bread together are not likely to remain jealous business competitors.

Local associations certainly have a large and important part to play in the complete organization of pharmacy.

What the Complete Organization of Pharmacy Means.—The complete organization of pharmacy means the assembling into national, state and local associations of practically every member of every division of pharmaceutical interest.

It means that the membership of the state and local associations will include practically the entire body of retail druggists, and that through these the A. Ph. A. and N. A. R. D. will become the great National Congresses of Pharmacy, the one to conserve its professional and scientific features, the other to develop and defend its commercial and trade interests, without which the professional and scientific features cannot hope to survive.

It means that such associations as are now skeleton organizations in which a few unselfish men do the major portion of the work and bear the chief financial burdens will be replaced by thoroughgoing, business-like bodies active in the defense of professional and trade interests through 52 weeks of the year, instead of largely social organizations exhibiting signs of vitality only during the week of the annual convention.

It means that we are to stop playing at association work and take it up in a business-like, common-sense way, and that the personnel of pharmacy will be closely knit together by a strongly developed sense of common interest and of common professional obligation, with an importance and influence it has never before possessed. If this is a dream, it is one that has made substantial progress towards reality in the past ten years. Its complete realization is possible if pharmacists possess or can develop the same degree coöperative of intelligence that is exhibited by union labor.

With such a mobilization and unification of the forces of the drug trade, hitherto largely unused, there is nothing decent and reasonable in the way of constructive or corrective legislation that we cannot hope to secure, and nothing unfair or unreasonable that we cannot hope to defeat.

Such a plan of organization will cost money! But it will be worth all the cost, and the more it costs the more it will be worth. If the expense should reach \$100 a year for every individual member it would still be below the value of the possible benefit. In these days when legislative bodies are searching earth, air and seas for new sources of revenue with which to pay for socialistic experiments, even one unfair tax bill defeated may save more than the combined membership fees of all the associations.

Policies To Be Agreed Upon Respecting Legislation.—Our present task is not only to bring about this more complete assembly and mobilization of pharmaceutical forces, but also to accumulate a common stock of ideas and opinions respecting the problems to be attacked and the particular policies to be endorsed.

By virtue of necessity, the relation of the pharmacist to the law must be a matter of interest for many years, but we shall be better employed in seeking relief from existing restrictions or in defending ourselves against new ones, than in proposing legislation designed to give us some special trade advantage. The use of the law for business advancement is in violation of the fundamental principles of free government. More frequently than not, a law of this character produces results entirely different from those intended, and becomes a broken reed piercing the hand that leans upon it. We have no right, and I trust no desire to ask the government to provide us with a livelihood, but only for a free and fair opportunity to earn one for ourselves.

That there will be legislation we shall want to oppose, and plenty of it, we may feel assured. As we know to our sorrow, law-makers seem to have a special fondness for legislating upon subjects about which they know little or nothing, and of all the possible subjects of human knowledge there are probably few of which they possess so little real information as of the problems involved in the dispensing of drugs and medicines. It is because of this that the drug business, beyond any other calling, has been harassed by unnecessary and burdensome regulations and is pes-

tered with the necessity of defending itself against additional taxes and foolish requirements at every meeting of the legislature.

The first principle upon which we should be in thorough agreement is that we will neither endorse nor advocate any legislative measure or professional policy that will be inconsistent with general public interest, or unfair to those who are in legitimate competition with us.

We profess adherence to this principle not because of any excessive sense of altruism, but for the very substantial and common-sense reason that advantages gained at the expense of public interest or unfairly at the expense of those in competitive lines will in the end invariably react against those who are responsible for them; eventually there will be either hostile legislation or trade reprisals that will more than offset any temporary advantage gained through a narrowly selfish policy.

It will therefore be a policy of prudence to sometimes forego an apparent opportunity for immediate profit for the sake of benefits more remote. This is a choice not always easy for weak human nature to make, but it is one the wisdom of which is abundantly verified by experience.

Advocacy of the Sherman Act an Example of Short-Sighted Policy.—Of measures professedly in the public interest, but actually designed to advance some particular class interest American legislation affords numerous instances, one of the best advertised being the anti-monopoly legislation embraced in the Sherman Act, which is also a fine example of a measure advocated by retail merchants that has ultimately reacted to their great disadvantage.

Those whose recollections go back to the period when the great combinations known as "Trusts" began to be created will recall that the chief incentive to their formation was that by reducing the number of operating establishments and the number of employees, the overhead cost of production was so greatly decreased that the combinations could easily under-sell their smaller competitors, sometimes to the extent of putting them completely out of business. As a consequence the smaller manufacturers and tradesmen hurt by the new competition and the laboring men and salaried employees displaced united in a nearly unanimous demand for restrictive legislation.

Political economists and a few far-sighted statesmen urged that since trust combinations reduced the costs of production and distribution they were actually an economic discovery, analogous to the invention of labor-saving machinery, and that they should not be prohibited but regulated in such a manner as to secure a proper share of their savings to consumers and to prevent them from being used to crush their weaker competitors. The short-sighted policy prevailed, however, and in the Sherman Act, under the pretense of regulation, it was sought to restrain the creation of trust combinations, instead of trying to prevent them from being used oppressively.

Ostensibly the statute sought the public benefit, since it professed to foster open competition and to forbid monopolies in restraint of trade; but the real intent of its most ardent advocates was to stifle a variety of competition which they did not know how to meet.

We are now far enough advanced in experience to properly appraise the results—which have been practically what the economists predicted they would be. The

owners of large capital soon learned that it could be aggregated and used so as to obtain all the results of trust combinations without coming within the positive terms of the law. When it was attempted to apply its penalties to agricultural and labor combinations, these two powerful voting groups made such vigorous objections that Congress promptly relieved them from compliance with the Act. So complete was the relief afforded that representatives of labor and agriculture may, if they like, meet on the steps of the Capitol at Washington, and in language of their own choosing resolve to increase the prices of their services and products, and go unwhipped of the law.

When it was found necessary to rehabilitate the railroads from near bankruptcy due to foolish legislation, Congress again came to the rescue with measures which permit and in some cases command the very kind of combination which the Sherman Act originally prohibited. Merchants and manufacturers are permitted to indulge in ruinous price cutting to the point of mutual bankruptcy, but a railroad may not reduce a freight or passenger tariff without the approval of a federal bureau and proof that the reduction will not embarrass a competing line.

The law has been completely effective in one direction only. It has effectively prevented weak voting groups, such as retail merchants and professional men from taking concerted measures for their protection from their larger and richer competitors. When retail druggists undertook to protect themselves from trade piracy by means of the direct contract and serial numbering plan, they were promptly met by the Indianapolis decree which declared their combining for this purpose to be an unlawful combination in restraint of trade.

By a species of poetic justice, therefore, the groups now most severely restrained by our so-called anti-monopoly legislation are the very groups originally most insistent upon its enactment.

So-Called Price Protection Legislation.—It is from this disability imposed by anti-trust legislation that the drug trade has long been striving to deliver itself through the enactment of such measures as the Kelly, formerly the Stephens Bill, and the Merritt, Williams and Wyant Bills which are frequently lumped together under the title of "price protection" or "price maintenance" bills. These designations are unfortunate, since the object of the bills is not to enforce the sale of any particular article at a specified price, but to enable the manufacturer of a trade-marked product to control its distribution and the channels through which it is distributed until it reaches the hands of the ultimate consumer. This is a right which was freely exercised under the Common Law, and which is exercised by manufacturers in every country except the United States. Under our anti-trust laws, however, it has been decided that although a proprietor may choose the customer to whom he will sell his products, he loses the power to control their further distribution after he parts with title to them, and consequently that contracts designed to restrict their subsequent distribution to specified channels constitute unlawful combinations in restraint of trade. Since, under modern trade conditions, it is practically impossible for manufacturers of trade-marked goods to sell directly to consumers, these decisions are practically equivalent to saying that the manufacturer has the right to control the destination of his product, but that it is unlawful for him to take any practical steps to exercise that right.

We know, not as a theory but as a fact, that this interpretation of the statute

is used as a cover for deceptive and dishonest trade practices, and as a means of working off upon the public inferior non-advertised goods which pay the dealer a greater profit.

The restoration of the right of the manufacturer to control absolutely the channels through which and the conditions upon which his trade-marked goods are distributed, as proposed in these bills, is a right not only perfectly compatible with but actually favoring the public interest and they are, therefore, measures which we can in good conscience support. These bills are in fact repeal measures and in advocating them we are not seeking to impose additional restrictions upon trade, but on the contrary are seeking the removal of existing restrictions upon the right of contract.

We are not among those who believe that the Government should guarantee a profit to the farmer, the mechanic, the druggist or to any others, but we do firmly believe that every citizen should have the right to secure a fair profit for himself by means of open contract, a Common Law right which has been unjustly taken away from him.

Legislative Measures Should Be Thoroughly Debated before Enactment.—Another principle upon which we should be in agreement and upon the observance of which we should strongly insist is that every proposed legislative enactment affecting pharmacy shall be made the subject of prolonged and critical debate before it is permitted to become a law, and that the longer and more complicated the measure the greater shall be the time devoted to its consideration.

It is possible for almost any lawyer with a fair command of English to prepare a bill that is grammatically acceptable and that superficially at least seems to comply with constitutional requirements, but no single human intelligence is great enough to foresee more than a fraction of the reactions likely to occur when as a law it is practically applied to the regulation of human affairs.

In illustration of this point we have two prominent Federal statutes of the present century, one enacted only after lengthy and careful study, and which has been eminently successful, and another more hastily enacted, of which the same eminent success cannot be asserted.

The Federal Food and Drugs Act was the final result of a series of bills introduced at various sessions of Congress, each of which received prolonged and serious consideration. Hearings were held until every one who wished to present arguments in opposition to the proposed legislation had been heard. Changes were made as their necessity was pointed out until the final result was a comparatively brief and simple measure containing a few plain definitions and a few direct prohibitions which any citizen of average intelligence can easily understand. Although it intimately concerns the food, drink and medicine of every citizen, and affects the business of a larger number of manufacturers and dealers than any other measure enacted by Congress, it has been one of the most successful laws ever placed upon the Federal statute books. It has been efficiently enforced from the very beginning, and works so smoothly that the average citizen is scarcely aware of its existence. Though Great Britain adopted food and drug laws long before they were attempted in this country, a special committee of the British Parliament has commended our statute as the most efficient food and drug law ever enacted.

The second example is the Federal enactment prohibiting the manufacture and

sale of alcoholic liquors for beverage use, a very lengthy and highly complicated measure introduced and enacted within the period of a single session of Congress, and like all hastily enacted statutes affecting great interests, it abounds in definitions, parenthetical clauses, provisos, exceptions and prohibitions.

The workings of this law and the extent of its observance is a matter of common knowledge. A very considerable number of those who in all other respects would be deemed good citizens exhibit a strong resistance to the law, or to certain of its provisions, and yield obedience only so far as they are by actual force compelled to do so.

Beyond a reasonable doubt a liberal majority of the best citizens of the nation are in sympathy with the purpose to correct the evils resulting from the improper use of alcoholic beverages, but only a small fraction of such citizens have made a critical study of the provisions of the statute by which this purpose is sought to be accomplished.

The statute is one which it is especially difficult to discuss in a cool and unimpassioned manner. If one attempts to point out its good features, he is liable to be assailed as a fanatic by the radical wets; if he attempts to point out what he believes to be evident errors and blunders, he is cited by the radical dries as a particularly bad specimen of American citizen.

If the American people ever cool down to the point where they can discuss this law without throwing verbal brick-bats at one another, they will probably find themselves driven to the acceptance of one of three conclusions:

1. That the total prohibition of the beverage liquor traffic as attempted by the Volstead Act is radically wrong, and that the law should be repealed, or
2. That a large proportion of American citizens are inherently vicious and resistant to law and order beyond anything we had previously deemed possible; or finally,
3. That the law contains serious defects, either in form or in substance, that might have been discovered and corrected if previous to its enactment it had been subjected to the same prolonged and critical scrutiny that was bestowed upon the measures out of which was finally evolved the highly successful Federal Food and Drugs Act of June 30, 1906.

When it is remembered that more than 300 closely printed pages are required to explain the provisions of this law which every citizen is expected to understand and obey, and that the accuracy of many of the explanations is disputed by numerous able lawyers, it should not be difficult to decide as to which one of the three above suggested conclusions is most nearly correct.

The lesson for Pharmacy in the reactions of the public to these two statutes is that the best friend of proposed legislation is the one who points out the greatest number of possible faults and objections, regardless of whether he is trying to secure its defeat or to help in its enactment.

The Separation of Professional Pharmacy from Mercantile Features.—An old controversy which it is sometimes suggested should be settled by legislation is that between those who, on the one side, contend that pharmacy should be divorced from all of its so-called side-lines and made to confine itself exclusively to the dispensing of drugs and medicines, the compounding of physicians' prescriptions and other similar functions, and those who, on the other side, contend that such a limi-

tation of functions is visionary and impractical, and under existing conditions entirely impossible.

The traditional claims in behalf of the complete divorcement of professional pharmacy from its present mercantile affiliations are chiefly as follows:

1. That professional practice is, or should be governed solely by ethical considerations, and that mercantile pursuits, if not exactly unethical, are from their very nature at least non-ethical.
2. That such a separation will greatly advance the dignity and professional prestige and increase the financial rewards of the pharmacist.
3. That it will enable pharmacy to render wider and better service, and add to the safety and convenience of the public.

These, however, are not arguments, but a complex of assertions which must be resolved into simpler forms before we can, with our present knowledge and experience give them intelligent consideration. We must not let our wish for things as they might be blind us to the practical reality of things as they are.

Even if the practice of pharmacy should be entirely divorced from its sidelines, it would still be impossible to separate it completely from commercial considerations. The compounding of physicians' prescriptions and the testing and standardizing of medicinal preparations may be labors of professional character and require professional training for their execution, but the successful marketing of such products is as much a mercantile problem as the marketing of butter and cheese.

This question of the separation of pharmacy from its mercantile features is just now of especial interest for the reason that there is a growing movement entirely outside of the drug trade in favor of the same theory. Retail merchants' associations are declaring that while the druggist claims the right to handle anything not too large to pass the front entrance to his store he is at the same time desirous of limiting the privileges of other retail distributors. Bills are appearing in state legislatures proposing to make it unlawful to sell articles of food and drink in establishments where drugs and medicines are dispensed which, of course, would exclude the sale of confectionery, ice-cream and soda-water from drug stores. These measures are defended on the ground that when foods and drinks are sold in drug stores they are liable to be contaminated by the accidental introduction of poisonous drugs, and also that the sale of soft drinks affords opportunity for the surreptitious dispensing of alcoholic liquors and of habit-forming narcotic drugs.

To us such arguments seem too trivial for serious consideration, but they are well calculated to appeal to certain classes of fanatical reformers, and we should be careful, therefore, that no hasty expression or ill-considered action on our part shall give them any appearance of validity.

Sound Ethics Always the Basis of Sound Business Policy.—We have no quarrel with those who insist that professional pharmacy is an ethical pursuit and should be conducted in strict accordance with the code of professional ethics, but we have a serious difference with those who assert, or imply, that the purely mercantile features of pharmacy are not every whit as respectable and in the nature of things fully as ethical as its professional features. A successful business policy always has an ethical basis, even if its rules are not commonly set forth in a formal code of ethics.

The merchant who aims to extract the largest possible profit and to yield the least possible value in every transaction is not a business man, but a buccaneer in business; and the unfortunate who deals with him is not a customer but a victim. The true merchant regards a satisfied customer as his strongest asset, and aims to create a bond of common interest that will make him a permanent customer. His interest in his customer is not merely temporary; he wants him to be permanently prosperous in order that he may continue to share in that prosperity. He regards the immediate transaction as only one of what he hopes will be a long series of similar transactions each of which shall pay him a profit. Hence the first principle of business ethics is that every transaction must be mutually profitable to both buyer and seller: the buyer must feel that his purchase is worth the price paid for it; the seller that he has received a fair reward for the goods or service delivered.

Doubtless there are many who attempt to do business upon other than an ethical basis, but the foundation of a permanently successful business policy will always be found to embrace the qualities of strict integrity, fair dealing between man and man, the recognition of reciprocal obligations, due consideration for the rights of others and a spirit of mutual helpfulness—all ethical principles that long ago were summed up in the rule that is the foundation of all ethics: "Whatsoever ye would that men should do to you, do ye even so to them."

The ethical quality of the rules of business is not tainted by the fact that they are dictated by an enlightened sense of self-interest. Religion is admittedly ethical, and yet the whole scheme of religion, savage and civilized, is built upon a system of promised rewards for those who follow its precepts and of threatened punishments for those who reject them.

We, therefore, totally dissent from the view that sound business practice is any whit less ethical than sound professional practice, or that the so-called professional features of pharmacy are in any degree contaminated by association with the sale of soda-water, hair nets, fountain pens and alarm clocks.

Number of Purely Prescription Pharmacies Limited by Conditions.—The claim that the separation of pharmacy from its side-lines would give the public better drug service and yield the pharmacist better financial rewards is also of doubtful validity.

The public usually gets what it wants, and the best measure of what the public wants is what the public buys. If there were a striking demand for cigarless, ice-creamless and soda-fountainless drug stores they would soon appear in numbers. That the sale of non-medical merchandise by the druggist is regarded as a public convenience is abundantly evidenced by the enormous daily demand for such merchandise. People will not cease to buy and use the articles included in side-lines, even if druggists do cease to sell them; the only difference would be that the profits on such business would be diverted to other classes of dealers.

Moreover, with the reduction in volume of sales which would result from the elimination of side-lines the percentage of overhead expense would increase until, in the less populous communities, the drug store would pass completely out of existence, which could be of advantage to neither druggist nor the general public.

Regarding the side-lineless drug store, then, the reasonable conclusions would seem to be:

(1) That while it may be desirable to increase the number of purely prescription pharmacies where only drugs and medicines are dispensed, as rapidly as con-

ditions permit, there is a limit to the number of such establishments that can be profitably maintained; and if their present number should be very greatly exceeded all of them would become unprofitable.

(2) That in the less populous communities the total consumption of strictly medicinal articles is so small that a pharmacy without side-lines could not exist, and the enforcement of such a limitation would result in completely depriving such communities of necessary drug service.

(3) That in the nature of things the handling of non-medical merchandise is no less ethical than the compounding of physicians' prescriptions, and there is no reasonable ground, therefore, for considering the one as non-ethical and the other as ethical.

(4) That as every pharmacist is now free to reject side-lines and to conduct a purely prescription pharmacy if he so desires, so should the law leave him equally free to add side-lines to any extent that in his judgment existing conditions render necessary.

The Drugless Drug Store and the Sale of Drugs By Unqualified Vendors.—The proper relation of non-medical side-lines to pharmacy is, however, a minor question compared to the problem presented by the so-called "drugless drug store," a title assumed by certain establishments in which the expensive necessity of registered managers and assistants is evaded by confining the business to the sale of package drugs and medicines, and by refraining from the compounding of physicians' prescriptions.

By no method of interpretation can the title "drugless drug store" be given an honest meaning. If the establishment is truly drugless it cannot be a drug store; if it is truly a drug store it cannot be drugless. It is merely an impudent attempt to appropriate the credit which long years of faithful service have earned for the drug store without assuming the legal burdens and responsibilities imposed upon those who use the title honestly and consistently.

The business of the drugless drug store, or the selling of drugs and medicines without qualified supervision, is simply an old business under a new name, and has been with us as long as the pharmacy acts—it is only the offensive mendacity of the new title that has awakened fresh indignation over an old abuse.

The bare statement of the case shows its unfairness. The registered pharmacist employing registered help is burdened by a multitude of legal restrictions, tax impositions and fees, all for the privilege of dispensing drugs from bulk and of conducting a prescription department that in many cases does not pay the overhead expense which it involves, while his unregistered competitor is permitted to transact 80 to 90 per cent of the more profitable business without any of these burdens and impositions.

One remedy for this situation in which many place great confidence is that embraced in what is known as the "ownership law" which prohibits the use of such titles as "drug store," "pharmacy," etc., in connection with any establishment not actually owned by a registered pharmacist. It should be comparatively easy to secure legislation prohibiting these and similar titles when used deceptively, but will it be of any great utility to preserve our exclusive ownership of the several titles by which the practice of pharmacy is known, if the business itself can still be conducted under cover of some other name, or under no name in particular?

Let us be careful, therefore, that we do not fool ourselves with words, and, as we have sometimes done in the past, give up the substance of the thing desired for the sake of a name. Hitherto the most common method of dealing with such stores has been to urge the Board of Pharmacy to compel them to employ registered managers, with the result of converting them into permanent competitors having every legal claim to public patronage possessed by the registered pharmacist.

Ownership laws, to be effective, must protect the business of the pharmacist as well as his business designation, but upon what logical ground can we base a demand for such protection in view of the fact that pharmacy legislation can be justified only so far as it may be necessary to protect the public from the incompetent dispensing of drugs and poisons, regardless of any incidental effect it may have upon the pharmacist's business interests?

The considerations which restrain us from having confidence in the complete efficiency of an ownership law, *without other aids*, are, first, the ease with which the law might be evaded, and, second, the possibility that courts of last resort would be inclined to follow the doctrine laid down in previous decisions upon the same subject. These decisions are to the general effect that the proper measure of public safety had been provided when the drug, medicine or poison has been delivered to the purchaser in a package put up by a registered pharmacist, accurately labeled as to its contents and with proper directions for use, or with cautions against its misuse, and consequently that limitation of the ownership of the establishment in which final delivery of the finished package is made would tend to the creation of a monopoly, and therefore be contrary to general public policy.

Undoubtedly the general enactment of ownership laws—if their validity is sustained by the courts of last resort—will go far to correct a situation that is grossly unjust to those who comply with the requirements of the pharmacy acts, but let us not lose sight of the fact that a much more efficient remedy will be available if the common law right of manufacturers to control the channels of distribution of their trade-marked products can be restored to them. Since the sale of trade-marked merchandise constitutes the principal business of the unregistered druggist, a proper liberalizing of the Sherman Act, or the enactment of some such measure as the Kelly, or Williams Bills, will provide a far more effective means of correcting this abuse than a whole series of state ownership laws couched in varying terms and subject to varying interpretations.

TENTH EXPOSITION OF CHEMICAL INDUSTRIES.

The Tenth Exposition of Chemical Industries will be held at the Grand Central Palace, New York, during the week of September 28 to October 3. About twenty leading American colleges and universities have filed their applications for their students of chemistry and chemical engineering to take the one-week course of intensive training in practical technique of chemical engineering. More than

300 students are expected to enroll. A program of lectures for the course is being made up and will be announced later.

FIFTY-FIRST ANNUAL N. W. D. A. MEETING.

The fifty-first annual meeting of the National Wholesale Druggists' Association will be held in Detroit October 4-10. Transportation arrangements have been made, and the headquarters will be at the Book-Cadillac Hotel.