

THE PHARMACIST AND THE LAW.

EXEMPTIONS UNDER THE HARRISON LAW OF MEDICINAL PREPARATIONS CONTAINING NARCOTICS.

Publicity has been given by the Department of Narcotic Law Status of Medicines:

1. "The exemption applies only to ready-made preparations and remedies compounded in accordance with the United States Pharmacopœia, National Formulary, or other recognized or established formulas usually carried in stock by a dealer and sold without a prescription."

Concerning the preparations compounded in accordance with the United States Pharmacopœia and the National Formulary there can be no question.

"Other recognized or established formulas" which are "usually carried in stock by a dealer" is less definite. Clearly the Act requires that a preparation containing opium or its derivatives within the quantities stated must be a medicine. It must have a recognized value for medicinal purposes. But in order to be a medicine or in order to have a recognized value for medicinal purposes it would not necessarily follow that the preparation would have to be compounded in accordance with the United States Pharmacopœia or National Formulary. The regulation must, however, establish adequate confines for the formula and it is therefore required that such a formula be recognized or established. Preparations already in general use whose value for a stated medicinal purpose has been recognized and established or whose formulæ have been recognized by competent authorities as being of positive medicinal value are entitled to the exemption. Preparations of this kind which have not been in use and which have not been recognized by competent authorities should be submitted to such authorities for consideration before attempting claim to the exemption.

2. "Competent authorities" may properly be construed to mean public health officials or bureaus that are widely known and recognized to be capable of determining questions pertaining to the medicinal value of proposed medicines. Among these authorities could properly be included the Surgeon General, United States Public Health Service, State Boards of Medical Examiners and other boards or medical organizations well known because of their competency in handling matters pertaining to medicines. Consultation with such officials is

recommended in order that there may be no questions as to the value of a new preparation.

A preparation of this kind is subject to tax unless manufactured, sold, etc., as a medicine, and responsibility for its manufacture, sale, distribution, dispensing, or possessing for that purpose is solely upon the manufacturer, compounder or dispenser thereof. Preparations compounded pursuant to private and special formulæ of physicians and druggists, etc., are entitled to the exemption provided there can be no doubt as to their alleged medicinal values. The physician, druggist, or other persons causing their compounding and distribution would necessarily be held responsible for their effectiveness for the remedial purpose alleged and for their incapability of use for purposes condemned by the provisions of the Act.

This provision of the regulation seeks to limit the distribution of preparations of this character to those which are of known medicinal value.

3. "The preparation must contain active medicinal drugs other than narcotics in sufficient proportion to confer upon the preparation valuable medicinal qualities other than those possessed by the narcotic drugs alone." This provision is a furtherance of the first provision and recognizes the inclusion in the law of the word "remedies."

A preparation to be a remedy must contain active medicinal drugs other than narcotics, as stated.

4. "Simple dilutions of a narcotic drug made by admixture with inert or nearly inert substances, as, for instance, sugar of milk, or simple solutions of narcotic drugs in water, sirup, dilute alcohol, flavoring matter, etc., are not within the exemption."

This provision also seeks to confine preparations to formulæ which include drugs other than narcotics which have medicinal value and exclude simple mixtures which could be readily reduced or which could be readily used for producing the effect desired by narcotic drug addicts.

5. "A preparation, to be exempt, must not contain more than one of the several narcotic alkaloids, salts, or derivatives of opium."

This limitation may be read in conjunction with the next:

6. "A preparation which contains the permitted maximum quantity of any one of the various alkaloids, salts or derivatives, if fortified by the addition of any of the other alka-

loids or salts or derivatives, is not within the exemption."

An exempt preparation containing the maximum quantity of opium or any of its derivatives loses its exemption if there is added thereto another alkaloid or derivative even though in exempt quantity.

It is not the purpose of this regulation to restrict the present use of preparations of this kind to those now being manufactured and sold or to discourage the manufacturer or compounding of new medicines of this character. It is merely necessary that the regulation apply the proviso of Section 6 ("That such remedies and preparations are manufactured, sold, distributed, given away, dispensed or possessed as medicines and not for the purpose of evading the intentions and provisions of this act") in such manner as to guarantee only the sale, etc., without tax of those preparations which are of positive known value as medicines, and are remedies for stated ailments.

As provided in Article 143, there is no limitation upon the percentage of narcotic drugs preparations intended for external use may contain. Such preparations must, however, contain ingredients rendering them positively unfit for internal administration. If compliance is made with that requirement the use of the preparation for the alleged medicinal purpose will be guaranteed; there is no necessity for following recognized or established formulas for preparations designed only for external use.

7. "No preparation intended for either internal or external use is exempt if it contains cocaine in any quantity."

GEORGIA INDUSTRIAL ALCOHOL BILL SEEMS TO MEET APPROVAL OF THE INDUSTRIES.

The Pickren and Mann bills in Georgia Legislature are the same; one was presented in Senate, the other in House. They are purely business measures; both the senator and representative are prohibitionists.

The bills provide that ethyl alcohol may be made in Georgia from sawdust, chips, slabs and other waste products capable of producing the alcohol, that the alcohol shall be made under strict state and federal supervision, that it shall be denatured so as to render it poisonous as a beverage, but fit for commercial, industrial and scientific purposes, and that it shall be properly stored and sold.

Progress is being made.

ALCOHOL POLICE FEE PROPOSAL IS MEETING OPPOSITION.

An effort was made to establish provisions whereby a police fee was to be demanded by railroads on carloads of alcohol. The contemplated charge is denounced as rank discrimination; the charge would be passed on and the carriers would profit nearly to the extent of the fee.

TWO COURT DECISIONS.

The Criminal Court of Appeals, of Oklahoma, denied an appeal for reversal by a physician convicted of dispensing morphine. Addition of individual to whom the narcotic was sold was admitted. Three one-quarter grain tablets of morphine were sold for \$3.00, not administered. The punishment was fixed at \$500 and one year of confinement in the penitentiary.

The Court of Appeals of Alabama reversed a judgment that involved the sale of a patent medicine, which in lower court was declared a violation of the medical practice act; the seller was alleged to be a prescriber without license. There was a dissenting opinion to the effect that if recommending and offering for treatment a remedy did not constitute prescribing then a remedy for every ailment might be prepared and recommended.

DRUG EVIL IS GRADUALLY GROWING LESS.

Dr. O. A. H. de la Gardie, chief of the narcotic department in Philadelphia, said recently that the narcotic evil is being wiped out.

There will probably always be some addicts and constant vigilance is important and essential. Drug addiction is a serious menace and requires law enforcement by imprisonment of the transgressors. Habitual use of narcotics does only harm, except in the case of unfortunates who should constantly be kept under observation, as well as those who for some unworthy purpose misrepresent conditions.

INDIAN MEDICAL EXHIBIT.

A reprint has been made from the proceedings of the U. S. National Museum of "The Indian Medical Exhibit" of the Division of Medicine in the U. S. National Museum, prepared by Charles Whitebread, Assistant Curator. There are 22 interesting illustrations—the first one is the exhibit in the East Gallery, and most of the others relate to the exhibits showing drugs, utensils and methods of treatment.