

## THE PHARMACIST AND THE LAW.

### GOVERNMENT NARCOTIC MONOPOLY BILL PROPOSED.

A government narcotic monopoly is proposed in a bill introduced by Representative Kindred of New York.

The Kindred bill would create the Federal Narcotic Bureau, a corporation, to which would be granted power and authority to make all imports of narcotic materials and preparations, manufacture narcotics, distribute and sell the same. The bureau, with a board of five directors appointed by the President, at \$12,000 a year each, would be authorized to condemn and take over the plants and equipment, etc., of narcotic drug manufacturers in the United States, paying for the same with the proceeds of a government bond issue, bearing 5½ per cent interest.

The possibility of passing such a measure may well be questioned; it does not seem practical nor advisable for the Government to engage in such an undertaking, and there is a growing feeling that the business men of the country are contributing to the salaries of a very large force of employees now, and reluctant to have the number greatly increased, unless a necessity exists. In this day of more or less laxity in law enforcement, it certainly is to the credit of the drug trade that the narcotic laws are well observed. With comparatively few exceptions, violations are outside of the drug trade.

### HARRISON NARCOTIC ACT AND PRESCRIPTIONS.

(*United States v. Bush (U. S.), 6 Fed. R. (2d) 303.* Reported in the *Journal A. M. A.*)

The United States District Court, Western District of Louisiana, Shreveport Division, in overruling a demurrer to an indictment which charged that the defendant physician did unlawfully sell, etc., 12 grains of morphine sulphate, by issuing a prescription, says, in an opinion written by District Judge Dawkins, that, as he construes the decisions of the Supreme Court of the United States, the effect is substantially this: That while the statute, as a tax measure, is constitutional, nevertheless it must be construed by the courts in such a way as to effectuate collection of the tax, and cannot be used purely as a police measure, either as to physicians or as to others. The holding in substance is that the regulations requiring the registration and the issuance

of prescribed forms for the sale, distribution, etc., of the drug, are reasonable provisions calculated to insure the collection of the tax and that none of the drugs shall be distributed without its payment, and that in any case wherein the result of the course pursued by a physician or others may reasonably have the effect of defeating the collection of that tax, such acts may be penalized by the statute, and those guilty of such offenses may be charged within the language of the law and punished accordingly.

In other words, under *Linder v. United States*, 45 Sup. Ct. 446, it would be lawful for a practicing physician, in treating a bona fide patient who had applied to him for that purpose, to prescribe what, in his professional opinion, in good faith was necessary for the alleviation of the pain and suffering incident to addiction, and, unless there appeared some lack of good faith or ulterior purpose calculated to defeat the collection of the tax, the courts would not be justified in condemning and regulating that discretion. On the other hand, it is entirely possible for a physician to violate the statute by prescribing indiscriminately to all persons large doses of the drug, though the same quantity to a known addict who was a bona fide patient might be perfectly legitimate.

The charge in this case was made in the language of the statute, and declared that, while the drug was distributed on a prescription, the same was done, not within the course of professional practice or to a bona fide patient. These were allegations of fact, which, if sustained, would be sufficient to justify a conviction by a jury. However, if on the trial it was shown, in contradiction of the charge itself, that the party to whom the drug was administered was a bona fide patient or person addicted to the habit, and for whom it was necessary to prescribe in order to alleviate pain suffering, then a case would be presented in which the court would be compelled, in the light of the *Linder* case, to charge the jury to return a verdict of not guilty.

None of the decisions have indicated what would or would not be an unreasonable amount to be prescribed by a physician. The reason for this is, as indicated above, that each case must stand on its own facts, and that, while in one case a physician might be guilty of violating the law for prescribing a small quantity, in another he would not be guilty

in distributing a larger amount, dependent on the circumstances of each particular case.

#### PROHIBITION REFORM BILL.

The Treasury Department bill for prohibition and customs bureaus was reported favorably by Representative Green's subcommittee March 26 to the full committee on ways and means, by which it was approved. It was reintroduced in amended form and is being reported formally from committee to the House of Representatives. The principal amendments relate to narcotic law enforcement, the taking of appeals from prohibition rulings, and application of the civil service to prohibition force employees.

The narcotic amendment provides, that narcotic administration shall be vested in the Secretary of the Treasury instead of the Commissioner of Internal Revenue as under existing law, but authorizes the secretary to assign the duties of administration to subordinates.

#### GINGER TINCTURE BAN PUT OFF TILL JUNE 1.

Treasury Department officials have extended to June 1 the time limit within which double strength tincture of Jamaica ginger, manufactured prior to January 1, 1926, and in the hands of manufacturers, jobbers, or retailers, may be sold. An extension of time was allowed last year for this purpose, from January 1 to April 1, but it is understood that dealers, particularly on the Pacific Coast, find themselves unable to dispose of stocks during that time. Ginger tinctures were outlawed as an intoxicant by edict of the department issued early in the winter.

#### U. S. CHAMBER OF COMMERCE ON RESALE PROFIT PROTECTION LEGISLATION.

Following are the four propositions which were favored by the majority who voted in this referendum of the Chamber of Commerce of the United States; they, however, did not receive the required two-thirds vote of the members:

1. There should be federal legislation, permitting the seller of identified merchandise sold under competitive conditions under a distinguishing name, trade mark or brand, to control the resale price thereof.

2. Such legislation should take the form of permitting contracts for the maintenance of resale prices on identified merchandise sold under competitive conditions under a distinguishing name, trade mark or brand.

3. The restrictions, proposed by the special committee of the Chamber of Commerce of the United States, and included in the referendum pamphlet, would be proper restrictions.

4. In addition to such legislation, Congress should enact legislation bringing under the law of unfair competition the cutting of the seller's declared price which results in misappropriating or injuring good will attaching to articles identified as to origin.

#### ANOTHER METHOD OF OBTAINING GOODS UNDER FALSE PRETENSES.

Secretary W. Bruce Philip, in the "Weekly Information Letter," issues a warning based on the experience of a San Joaquin Valley druggist—reported as follows:

"A very fine gentleman representing himself to be from Coty called on us about 5 one afternoon, told us all about their new policy, new window trims, new packages, no more bulk goods, etc. He asked about leaky packages, explaining a new stopper that would prevent this in future. Incidentally, he picked out the damaged packages, made a note of them and instructed us to send them in for replacement. After putting these packages aside to be sent by parcel post, the writer happened to think of several leaky packages at one of our branch stores. As there was no delivery boy to send for the packages, the gentleman kindly suggested that he would go down himself and look these packages over and pick out whatever should be returned with our package. The branch store was notified that Coty's man would pick up whatever damaged stock there was on hand—and he did! The writer had no suspicion of him as he made no attempt to take any merchandise out of the first store. At the branch store he told them that there were a number of old-style packages on hand and he would be glad to have them replaced and the manager fell for it to the tune of about \$40.00."

The "Gentleman" was not a representative of Coty and has not returned to the stores mentioned.

## BOOK NOTICES AND REVIEWS.

*Memoranda of Toxicology.* By Max Trumper, B.S., A.M., formerly Lecturer on Toxicology, Jefferson Medical College, Philadelphia, with Introduction and Addenda by Henry Leffmann, A.M., M.D., Emeritus Pathologic Chemist, Jefferson Hospital, Philadelphia. Pocket size, Flexible Binding, Round Corners, XII + 230 pages, \$1.50. Publishers, P. Blakiston's Son & Co., Philadelphia, December 1925.

Here, at last, we have a small book, but quite up to date, at a reasonable price, that is ideal for the pharmacist and the pharmacy student. Partly based upon Dr. Tanner's "Memoranda of Poisons," it follows that author's scheme of classification of poisons. The book is, therefore, divided into four parts. In Part I, the author devotes ten chapters to "General Toxicology" and the "Corrosives;" in Part II, four chapters are devoted to "Simple Irritants;" in Part III, ten chapters to "Specific Irritant Poisons;" and in Part IV, ten chapters to "Neurotic Poisons."

Toxicology, in its broadest sense, includes also treatment of poisoning. The value of the book would be materially increased if a statement regarding the treatment were given in connection with each poison as it is taken up, even the statement that the treatment is the same as given for some preceding poison would be of much value. For the following poisons, either no treatment is given or, if given, is difficult to find—Hydrofluoric Acid, page 41; Tartaric Acid, page 46; Bromine, page 87; Barium, page 130; Morphine, page 144; Formaldehyde, page 159; *Cocculus Indicus*, page 160; Darnel Seeds, page 160; *Datura*, page 165; Nightshade, page 167; *Curare*, page 174; Calabar Bean, page 175; *Conium*, page 175; Tobacco, page 186; *Lobelia*, page 187; *Colchicum*, page 187; or for any of the Abortives, page 198.

The author has had some difficulty with his botanical names; some specific names which should be written with capitals are written with small letters and some that should be written with small letters are written with capitals—it should be *Lolium temulentum*, not "L. Temulentum;" *Atropa Belladonna*, not "A. belladonna;" *Datura Stramonium*, not "D. stramonium;" *Solanum Dulcamara*, not "S. dulcamara;" *Erythroxylon Coca*, not "E. coca;" *Strychnos Nux-vomica*, not "S. nux-vomica," and *S. Ignatii*, not "S. ignatii;" *Physostigma venenosum*, not "P. Venenosum;"

*Conium maculatum* not "C. Maculatum;" *Aconitum Napellus*, not "A. napellus;" *Digitalis purpurea*, not "D. Purpurea;" *Nicotiana Tabacum* not "N. Tabacum;" *Lobelia inflata*, not "Lobelia Inflata;" *Colchicum autumnale* not "C. Autumnale;" *Asagraea officinalis*, not "Asagraea officinalis."

Alkaloids should end in *ine*, not in *in*; *eserin* should be *eserine*; *colchicin* should be *colchicine*, and *veratrin* should be *veratrine*.

The author on page 178 speaks of *Aconite* as an indigenous plant; *Aconitum Napellus* is not indigenous to our country.

Other mistakes noticed in spelling are *antipyrin*, for *antipyrine*; *acetanilide* for *acetanilid*, and *phenacetine* for *phenacetin*. On page 160, "*Cocculus Inducis*," should be *Cocculus Indicus*; "*Pharmacopea*" and "*Pharmacopeia*" should be *Pharmacopœia*; and *tetraethyl* lead should be "tetraethyl or tetrethyl" wherever the word is used and not once "tetraethyl" and again "tetrethyl." Other mistakes have crept in but are much less important.

In spite of the above criticisms, the book is a step in the right direction, the production of a book describing the effects of the more important poisons and their treatment, and published at a price within the reach of the average student.—CHARLES C. PLIRT.

*Practical Pharmacognosy.* By T. E. Wallis, B.Sc. (Lond.), F. I. C., Ph.C., Lecturer in Botany to the Pharmaceutical Society of Great Britain; with 81 illustrations, 115 pages. London. J. & A. Churchill, 1925.

This combined manual and text is designed for 18 laboratory exercises in Part I and contains a Key for the recognition of medicinal plants in Part II. In each exercise is presented the schedule of instructions, followed by notes on the exercise. The exercises do not follow any of the usual schemes found in "pharmacognosies" but present microscopical studies of typical starches, hairs and fibers, spores and pollen, plant hairs, structure of leaves, flowers, fruits and seeds, barks, rhizomes and roots.

It is especially worthy of note that microchemical tests are frequently employed in these exercises as well as a number of tests that are not observed with the microscope. This feature of pharmacognosy is of increasing interest and is constantly receiving more attention from teachers of pharmacognosy.

This book by Prof. Wallis has been splen-