

## THE PHARMACIST AND THE LAW.

### CONVENTION EXPENSES HELD DEDUCTIBLE FROM INCOME.

Expenses incurred in attending meetings of the American Chemical Society and other scientific gatherings are ordinary and necessary business expenses in the case of Alexander Silverman, professor of chemistry at the University of Pittsburgh, according to a ruling by the Board of Tax Appeals.

Prof. Silverman deducted \$558.75 from his gross income in 1921 as expenses in attending meetings of the American Chemical Society and the American Ceramic Society for the purpose, as he contended, of keeping thoroughly informed in his field of work and in touch with other scientists, and in order to advance the interests of the University.

The Board held that expenditures of this character and made under such circumstances are deductible as an ordinary and necessary business expense.

### FOOD, DRUG AND INSECTICIDE ADMINISTRATION.

The U. S. Department of Agriculture has issued a bulletin of information on the recently organized divisions. "W. G. Campbell, Director of Regulatory Work of the United States Department of Agriculture, will administer the work under the Food, Drug and Insecticide Administration, which takes form on July 1, 1927, according to an announcement by Secretary of Agriculture Jardine. Dr. P. B. Dunbar, now Assistant Chief of the Bureau of Chemistry, will be Assistant Chief of the new administrative unit. This unit, created by an act of Congress, is charged with the enforcement of the Federal Food and Drugs Act, the Tea Inspection Act, the Insecticide and Fungicide Act, the Naval Stores Act, the Import Milk Act and the Caustic Poison Act.

"Mr. Campbell has been connected with the work of enforcement of the Food and Drugs Act since it became effective twenty years ago. He was selected by Dr. H. W. Wiley as chief inspector and in that position directed all of the inspection work under the "pure food law" until 1914 when he was promoted to the position of chief of the Eastern District having charge of both inspection and analytical work in the entire Eastern section of the United States. He was promoted in 1917 to the position of Assistant Chief, Bureau of Chemistry, serving in that capacity until 1921

when he was appointed Acting Chief. He was promoted to the position of Director of Regulatory Work of the Department of Agriculture in 1923, having general supervision of all enforcement work of the entire department. Under his new assignment he will, in addition, have the immediate direction of the work involved in the acts assigned to the Food, Drug and Insecticide Administration.

"Mr. Campbell is a lawyer, having received the A.B. degree from the University of Kentucky in 1902 and the LL.B. degree from the University of Louisville in 1906. He opened a law office in Louisville immediately after completing the course in law and soon became interested in legal phases of food control work, being retained by the Kentucky Experiment Station to look after the enforcement of State food laws in Louisville and its vicinity. A year later he was appointed Chief Inspector in the enforcement of the Food and Drugs Act. Mr. Campbell developed the project system which has done much to increase the efficiency of food law enforcement. This system provides a plan of operation by means of which all the organization units located in different sections of the country work together toward a common end. In this way various forms of adulteration and misbranding are attacked in all sections of the country at once and checked or eliminated entirely with the least expenditure of time and funds. The form of organization and system developed for the enforcement of the Food and Drugs Act has been used as a model for the enforcement of other Federal statutes.

"Dr. P. B. Dunbar, who will be Assistant Chief of the unit, entered the service of the Bureau of Chemistry in 1907 after receiving a Ph.D. degree from the Johns Hopkins University. He has since been engaged on work, either laboratory or administrative, in connection with the enforcement of the Food and Drugs Act. Since 1925 he has served as Assistant Chief of the Bureau of Chemistry in immediate charge of regulatory work. He assisted Mr. Campbell in the development of the project system for enforcing the Food and Drugs Act.

"Dr. J. K. Kaywood, Chairman of the Insecticide and Fungicide Board, will have immediate charge of the work involved in the enforcement of the Insecticide Act, in the new administrative unit, the Board being abolished by order of the Secretary of Agriculture.

"The Food, Drug and Insecticide Administration was created by an Act of Congress, upon the recommendation of the Secretary of Agriculture, for the purpose of separating the work involving scientific research from the work of Law enforcement. In the opinion of the Secretary it is highly desirable that the research work and the regulatory work be handled by separate administrative units because the growing pressure under which it is necessary to work in handling law enforcement is such as to interfere seriously with the attention that can be given to research work. Law enforcement must be handled promptly as cases arise and when both this work and the scientific work are conducted by the same organization the natural tendency is to put aside research which is not of immediate urgent appeal but which is of far reaching importance considering the long time future of American agriculture.

"The proposed segregation of the regulatory work into a Food, Drug and Insecticide Administration involves no change in the policy or methods of enforcing the Food and Drugs Act and other acts involved. These laws in the opinion of the Secretary of Agriculture are now being enforced in an efficient manner and the industries coming within the jurisdiction of the laws are now adjusted to existing plans and policies. Any material changes in the procedure for the enforcement of these regulatory statutes in the opinion of the Secretary would be disturbing to the industries affected with no compensating increase in the effectiveness of the law enforcement work. The laboratories of the present Bureau of Chemistry that are engaged on food and drug control work under the new plan will operate under the Food, Drug and Insecticide Administration and present policies and methods of enforcement will be continued."

#### PENNSYLVANIA DRUG STORE OWNERSHIP LAW ATTACKED BY LOUIS K. LIGGETT COMPANY.

Charging that an act of the last Legislature is unconstitutional and if enforced would drive all chain drug stores in the State out of business, Owen J. Roberts, on behalf of the Louis K. Liggett Company, asked for an injunction to stop enforcement of the act in an equity suit filed in the United States District Court at Philadelphia, June 4th.

A temporary injunction has been asked for. An appeal will be made for the assembling of

a special court of three Judges, one a Circuit Judge and two District Judges, in order to permit an appeal directly to the United States Supreme Court.

#### THE PENNSYLVANIA OWNERSHIP LAW.

The Pennsylvania Drug Store Ownership Law is a *supplement* to H. R. No. 1370—to the act approved May 17, 1917, it reads:

That every pharmacy or drug store shall be owned only by a licensed pharmacist, and no corporation, association or co-partnership shall own a pharmacy or drug store unless all the partners or members thereof are licensed pharmacists, except that any corporation organized and existing under the laws of the Commonwealth or of any other State of the United States and authorized to do business in the Commonwealth and empowered by its charter to own and conduct pharmacies or drug stores and any associations or co-partnership which at the time of the passage of this act still owns and conducts a registered pharmacy or pharmacies or a drug store or drug stores in the Commonwealth may continue to own and conduct the same, but no other or additional pharmacies or drug stores shall be established, owned or conducted by such corporation, association or co-partnership, unless all the members or partners thereof are registered pharmacists, but any such corporation, association or co-partnership which shall not continue to own at least one of the pharmacies or drug stores theretofore owned by it or ceases to be actively engaged in the conduct of a pharmacy shall be permitted thereafter to own a pharmacy or a drug store unless all of its partners or members are registered pharmacists, and except that any person not a licensed pharmacist who at the time of the passage of this act owns a pharmacy or a drug store in the Commonwealth may continue to own and conduct the same but shall not establish or own any additional pharmacy or drug store or if he or she ceases to operate such pharmacy or drug store shall not thereafter own a pharmacy or drug store unless he or she be a registered pharmacist, and except that the administrator, executor or trustee of the estate of any deceased owner of a registered pharmacy or drug store may continue to own and conduct such pharmacy or drug store during the period necessary for the settlement of the estate. Provided, That nothing in this section shall be construed to prevent or affect the ownership by other than a registered pharmacist of a store or stores wherein the sale or

manufacture of drugs or medicines is limited to proprietary medicines and commonly used household drugs. Provided such commonly used household drugs are offered for sale or sold in packages which have been put up ready for sale to consumers by pharmacists, manufacturing pharmacists, wholesale grocers, or wholesale druggists.

Section 2. Any person, co-partnership or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars. Each day any such pharmacy is owned contrary to the provisions of this act shall be considered a separate offense.

#### PHARMACEUTICAL CONFERENCE PLEDGES FUND FOR DEFENSE.

Members of the New York Pharmaceutical Conference, Inc., to the number of 300, met May 2nd in Turn Verein Hall, New York City, and, after hearing several members speak on the charges of price fixing brought against the Conference by the Federal Trade Commission pledged a fund planned for defense of the charges.

Presentation of the case for the defense in the Commission's action against the Pharmaceutical Conference was begun before William Reeves, master, at the offices of the Commission in New York City, May 4th. Peter Diamond, *Chairman* of the Conference, who was the first witness, attributed to evasions of the prohibition law the plight of retail druggists from which the price-stabilizing plans of the organization had been designed to release them. He said that certain sellers of alcoholic liquors used the wholesale drug business as a cloak for their operations and sold drug-store goods

at prices which demoralized the business of the legitimate trade. Mr. Diamond pointed out that the Pharmaceutical Conference had worked with the Federal authorities to put an end to the activities of the latter class.

#### LABELING OF MEDICINAL PREPARATIONS.

*Bulletin* No. 134, of the N. W. D. A., contains report No. 3 of the Committee on Quality of Medicinal Products—Eli Lilly, *Chairman*. It details the requirements and is full of useful information.

An important quotation from an opinion of the U. S. Supreme Court on the Food and Drugs Act follows:

"The statute is plain and direct. Its comprehensive terms condemn every statement, design and device which may mislead or deceive. Deception may result from the use of statements not technically false or which may be literally true. The aim of the statute is to prevent that resulting from indirection and ambiguity as well as from statements which are false. It is not difficult to choose statements, designs and devices which will not deceive. Those which are ambiguous and liable to mislead should be read favorably to the accomplishment of the purpose of the act."

A directory of State Officers charged with the enforcement of Foods, Drugs, Dairy Products and Feeding Stuffs Laws has been compiled by W. S. Frisbie, Chemist in Charge, office of Coöperation, Bureau of Chemistry, U. S. Department of Agriculture. The directory contains the titles of the officers to whom letters of inquiry may be addressed regarding the subjects under their respective jurisdiction.

---

#### BOOK NOTICES AND REVIEWS.

*A Textbook of Pharmaceutical Chemistry.* By Arthur Owen Bentley, Ph.C. and John Edmund Driver, M.Sc. (Lond.). Demy 8 vo. Pages xiv + 456, with 6 figures in the text. Oxford University Press, American Branch, New York. Price \$6.00.

The authors have defined pharmaceutical chemistry as "that branch of applied chemistry which treats of the chemical substances used in medicine, their preparation, properties and identification, and the methods employed in determining their purity."

The definition has been religiously adhered to with respect to the compounds and preparations treated, but the number of compounds selected for treatment has been greatly restricted. For instance, no mention is made of such important compounds as the arsenobenzenes, the acriflavine dyes, the organomercury compounds, the silver-proteins, the digestive ferments, methylene blue, etc.

Another feature of the book which strikes one as being inadequate is the descriptions of methods of preparation. In most of the