

the measure provides for licensing the dealers; this is a very necessary feature. It not only provides revenue to defray inspection costs and other expenses incurred but also furnishes a record of where drugs are sold. It is necessary that it be known where drugs are retailed so collections of them for testing in compliance with drug standards can be made from all places by the regulatory department or food and drug commissioner. As a third point to consider, the dealers who secure licenses can sell only original packages. If dispensing were permitted it would merely be a step to compounding and we would, in effect, be licensing pharmacists. It would be an unsafe practice wherein the last safeguard to the public would be removed. I may say that the only opposition to the original package provision was voiced by representatives of seed houses, elevators and dealers in agricultural insecticides who desired to sell in bulk. Lastly, the Board of Pharmacy has authority to designate what drugs and medicines shall be sold under the license and to revoke licenses for violation. It must be admitted this is experimental, but every other means of designating has proven futile.

It is almost an impossibility to place a definite list in the statute itself and have it acted favorably upon without additions or deletions which are objectionable. If this occurs the only relief is further legislation. The list itself may displease many who could influence legislators against the entire measure. Any such designation as "simple household remedies" or "emergency drugs" is not specific enough. The term "simple household drugs" was found in our old law and no one knew what these were. Under advice of the Attorney General we designated what we thought constituted such a class which would force anyone disagreeing with us to take the matter to court for settlement, but as time for another legislature approached the attempt to amend our exemptions was made. When the term "emergency medicines" was proposed to designate the additional exemptions the provision authorizing the Board to designate these was the only solution. And since the list may be changed by the Board it would seem to be a flexible measure, one in which changes can be made without going to another legislature. I believe it is necessary to have such changes, as may be necessary, made without continually legislating. Any board of pharmacy that functions properly should be competent to designate such emergency drugs as may be deemed necessary and in the public interest, if they are fit to determine who are competent to practice pharmacy. This statement may subject me to ridicule since I have placed before you the determination made by our Board on this question. It is to be regretted that the survey undertaken by Secretary Ford last spring was not completed and available for our use as a guide, but wherever we sought information for this purpose, none was available and we were compelled to solve our own problem as then and of course we can make corrections as necessary. For this reason I will appreciate any comments, criticism or discussion and the attitude of this group on this question.

(Additional copies of our measure and the regulations covering it may be had by anyone desiring them.)—P. H. Costello, Cooperstown, N. D.

In the absence of Mr. Fischelis, his paper on "A Survey of State Pharmacy Laws with Reference to the Sale of Drugs and Medicines by General Merchants," was presented by Chairman Swain and he read a letter from the author of the paper. At the request of Chairman Swain, the paper was read by Mr. Oslin and it was discussed by Messrs. Walton, Hayman and Swain.

A SURVEY OF STATE PHARMACY LAWS WITH REFERENCE TO THE SALE OF DRUGS AND MEDICINES BY GENERAL MERCHANTS.

BY ROBERT P. FISCHELIS.*

Regulation of the sale of drugs and medicines by persons who are not registered pharmacists or working under the immediate supervision of registered pharmacists constitutes one of the most perplexing problems confronting Pharmaceutical Law Enforcement Officials. The perplexity of the situation can be traced to a number of causes. Among these are faulty definitions or total absence of definitions for the loose terms used in many pharmacy laws; lack of uniformity in the provisions regulating the sale of drugs and medicines in the laws of various states, especially neighboring states; variations in the construction placed on such terms as household remedies, domestic remedies, grocers' drugs, commonly used drugs, etc., by the courts. The courts are in the same position as the Enforcement Officers, for they are endeavoring to in-

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terpret the intent of the respective legislatures. However, they have the advantage of being considered impartial, whereas the Pharmaceutical Law Enforcement Officer is usually considered biased in his point of view because of his suspected sympathy for the pharmacist, and his suspected antagonism toward general merchants who sell drugs of any kind. If the courts have been impartial in their decisions, then the Enforcement Officers have also been fair, for the general trend of court decisions has been toward safeguarding the public health by restricting sales of drugs and medicines to pharmacists, wherever the language of the law has permitted such an interpretation.

It is not hard for anyone familiar with what goes on in our state legislative halls to see clearly what has happened in every case where pharmacy laws show loopholes which make enforcement difficult, and require courts to render opinions that are not in the interest of the protection of the public, as regards safeguarding the sale of drugs and medicines. The loopholes occur as the result of compromises made in the heat of legislative battles brought on by high pressure exerted upon the lawmakers from both sides of the fence. The patent medicine interests, with their camp followers, consisting largely of flavoring extract manufacturers who handle so-called "household remedies" as a side line, and the talented legal and technical hirelings of both, pull the legislator one way toward the side of no restrictions whatever. The pharmacists, generally disinclined to stoop to unethical procedures and depending largely on volunteer aid, try to pull the legislator toward some safe and sane regulation. The legislator may be entirely honest and willing to do the right thing, but in most instances, he asks himself, "What is truth?", and being unable or unwilling to take the time to study the situation from the standpoint of the public welfare in the midst of the mass of what is to him more important legislation, suggests a compromise, and then the skilful jugglers of words get in their work. They frequently succeed in making high-sounding provisions of the law innocuous, or cripple phrases in such a manner that a court battle is sure to follow. Thus the controversy proceeds from the legislative halls to the court room, and as a result we have a variety of court decisions and a problem which continues to remain unsolved.

It has appeared to the author of this paper that the first step toward improving the situation would be to gather in one place the legal requirements now in effect in the forty-eight states and the District of Columbia with reference to the sale of drugs and medicines by general merchants. If it were found that any single state has a provision in its laws on this subject that is ideal, we could all strive to secure similar legislation. If no state has an ideal provision on the subject, we could, perhaps, select the best provisions of a number of laws, and compile a model which we would all endeavor to imitate. At any rate, a compilation of information showing the present status of the matter will be helpful to the student of the subject, and will, perhaps, prove a revelation to those serene individuals among us who blame the encroachment of general merchants into the domain of pharmacy, on faulty law enforcement.

We have compiled the following:

1. A brief statement of the provisions of the respective state pharmacy laws regarding sales of drugs and medicines by others than registered pharmacists and assistant pharmacists.
2. A condensed table summarizing the provisions of state pharmacy laws referring to sales of drugs and medicines by general merchants.
3. A complete list of drugs, medicines and poisons, exclusive of patent and proprietary products, mentioned in the various state pharmacy laws as salable by general merchants, without reference to any restrictions such as permits required or not required.
4. A complete list of the drugs, medicines and poisons, exclusive of patent and proprietary products, mentioned in the various state pharmacy laws as salable by general merchants without permits, if sold in original, unbroken packages or compounded by a licensed pharmacist, or both.
5. A complete list of the drugs, medicines and poisons, exclusive of patent and proprietary products, mentioned in the various state pharmacy laws as salable by general merchants with permits, if sold in original, unbroken packages or compounded by a licensed pharmacist, or both.
6. A series of eighteen individual lists, arranged by states, and covering the drugs, medicines and poisons, exclusive of patent and proprietary products, mentioned in the laws of these states as salable by general merchants. The individual lists are divided into items salable with permits and items salable without permits.

There are only eighteen state laws which mention the specific drugs, medicines and poisons that may be sold by general merchants, either with or without permits.

The following summary of this tabular matter may be of interest:

1. A total of one hundred and thirty-seven different drugs, medicines and poisons are mentioned by name in the various state pharmacy laws as salable by general merchants, either with or without permits. This is in addition to drugs covered by such terms as "household remedies," "grocers' drugs," "domestic remedies," "drugs commonly sold in general stores," etc.
2. In thirty-five states the laws permit sales of patent and proprietary medicines without restrictions of any kind.
3. In seven states sales of patent and proprietary medicines by general merchants must be confined to non-poisonous preparations.
4. In two states the sale of patent and proprietary medicines by general merchants is confined to communities where there is no licensed pharmacist.
5. In three states the sale of patent or proprietary medicines by general merchants is not permitted, but in one of these, this provision of the law has been held unconstitutional.
6. In seven states anyone may sell so-called household remedies without restriction.
7. In five additional states anyone may sell non-poisonous so-called household remedies without restriction. In one of these, the medicines must be in original packages.
8. In thirteen additional states, anyone may sell so-called household remedies in original packages, but in two of these, individual doses may be sold on the premises.
9. In nine states, permits are required to sell so-called household remedies.
10. In thirteen states the patent or proprietary preparations sold by general merchants must be in original or sealed containers. Two state laws were recently amended to specifically provide for the sale on the premises of single doses of remedies salable by general merchants. All the other state laws make no mention of original packages or single doses.

It is not claimed that the data compiled in this paper are absolutely accurate. The latest copies of state pharmacy laws were asked for, but not always available. If inaccuracies are detected, the author will be glad to make corrections where necessary. In order to economize space, the eighteen tables (6a-6r, inc.) showing drugs, medicines and poisons, exclusive of patent or proprietary medicines, which may be sold by general merchants in the 18 states listing such items in their respective laws, are not printed here. However, the author has prepared these lists and will loan them to enforcement officers for reference on request.

TABLE 1.

A BRIEF STATEMENT OF THE PROVISIONS OF THE PHARMACY LAWS OF THE FORTY-EIGHT STATES AND THE DISTRICT OF COLUMBIA REGARDING SALES OF DRUGS AND MEDICINES BY GENERAL MERCHANTS.

Alabama permits general merchants to sell patent and proprietary medicines, the "ordinary household remedies" and such drugs and medicines as may be specified by the Board of Pharmacy.

Arizona permits general merchants to sell patent and proprietary medicines, drugs, medicines or poisons in original packages, and "drugs, medicines and chemicals" listed in the law (see Table 6-A); and issues permits for a fee of \$1.00 per annum to general dealers located not less than three miles from the store of a registered pharmacist, and where conditions do not warrant the employment of a registered pharmacist in the judgment of the Board, to sell certain drugs and "simple household remedies" listed in the law (see Table 6-A).

Arkansas permits general merchants to sell "grocers' drugs" and patent or proprietary medicines or "non-secret medicines."

California permits general merchants to sell patent and proprietary medicines and "drugs, medicines and chemicals" listed in the law (see Table 6-B); and issues permits for a fee of \$5.00 per annum to general dealers located not less than three miles from the store of a registered pharmacist, and where conditions do not warrant the employment of a registered pharmacist in the judgment of the Board, to sell certain drugs and "simple household remedies" listed in the law (see Table 6-B).

Colorado permits general merchants to sell patent and proprietary medicines in unbroken, original packages, and commercial poisons, acids and chemicals in sealed packages.

Connecticut permits general merchants to sell "proprietary medicinal compounds or preparations put up separately in sealed packages and labeled and accompanied with directions for use and the name and address of the manufacturer or distributor," provided such medicines do not contain in excess of a certain amount of alcohol or narcotic drugs; and issues permits for a fee of \$3.00 per annum to general merchants to sell "any drugs, chemicals or medicinal compounds or preparations" put up by a licensed pharmacist, such permit specifying additional "drugs, preparations, compounds and chemicals" which may be sold.

Delaware permits general merchants to sell "non-poisonous domestic remedies, patent or proprietary preparations and poisonous substances sold exclusively for use in the arts, or for use as insecticides, when such substances are sold in unbroken packages."

District of Columbia permits general merchants to sell patent and proprietary medicines in original packages and certain articles, in sealed packages, listed in the law (see Table 6-C); and issues permits to general merchants to sell poisonous substances used in the arts or as insecticides, in unbroken packages.

Florida permits general merchants to sell patent and proprietary medicines, "and drugs, medicines and chemicals" put up by pharmacists, in original packages, and certain articles listed in the law (see Table 6-D).

Georgia permits general merchants to sell "home remedies, not poison, and preparations commonly known as patent or proprietary preparations when sold in the original and unbroken package." (The law specifically states that the general merchants shall not be required to register.)

Idaho permits general merchants to sell "domestic non-poisonous remedies, patent or proprietary preparations which do not contain poisonous ingredients, and poisonous substances used in the arts and as insecticides in unbroken packages;" and permits general merchandise dealers in cities or rural districts where there is no licensed or assistant pharmacist to sell "such drugs and remedies in original packages as are labeled with the name of a registered pharmacist."

Illinois permits general merchants to sell, in original, unbroken packages, patent or proprietary preparations, "remedies which do not contain opium or coca leaves or any derivative thereof," and poisons used in the arts and as insecticides.

Indiana permits general merchants to sell "medicines of secret composition, and which are advertised to the general public, and popularly known as patent or proprietary medicines," providing they are non-poisonous, certain articles listed in the law (see Table 6-E) and certain other articles listed in the law (see Table 6-E) in unbroken packages if they are labeled with the name of a known pharmaceutical manufacturer or registered pharmacist; and issues permits for a fee of \$3.00 per annum to general merchants located not less than two miles from a registered pharmacist, in communities of less than 500 inhabitants, to sell "such drugs and medicines as may be specified by the Board."

Iowa permits general merchants to sell "proprietary medicines or domestic remedies which are not in themselves poisonous or in violation of the law relative to intoxicating liquors," and completely denatured alcohol or concentrated lye, insecticides and fungicides in original packages.

Kansas permits the sale of "the usual domestic remedies and medicines in unbroken packages" by any general merchant who obtains a license as a "registered dealer" for a fee of \$2.50 per annum.

Kentucky permits general merchants to sell patent or proprietary medicines in original packages; and permits "country stores in small places or rural districts" to sell "the usual non-poisonous domestic remedies and medicines and patent or proprietary medicines."

Louisiana permits general merchants to sell "proprietary medicines, popularly called patent medicines, and the commonly used standard medicines and poisons," if properly labeled. (Planters furnishing medicines to employees or persons leasing land from them are exempt from the provisions of the law.)

Maine permits general merchants to sell "non-poisonous domestic remedies and patent or proprietary preparations usually sold by grocers and others;" and permits general merchants in cities, towns or villages where registered apothecaries are not located to sell, in unbroken packages, the articles listed in the law (see Table 6-F).

Maryland permits general merchants to sell patent and proprietary medicines, "commonly used household or domestic remedies" in original packages, or in single doses to be consumed on the premises, and farm remedies and ingredients for spraying solutions.

Massachusetts permits general merchants to sell patent and proprietary medicines, "drugs and chemicals used in the arts, or as household remedies" listed in the law (see Table 6-G) and other articles listed in the law (see Table 6-G) if sold in original packages and put up by registered pharmacists, manufacturers or wholesale dealers in conformity with law.

Michigan permits general merchants to sell proprietary medicines and the articles listed in the law (see Table 6-H); and permits general merchants where there is no registered pharmacist located within five miles to sell "any drugs, medicines, chemicals, essential oils and tinctures which are put up and labeled by a registered pharmacist" in original, unbroken packages, and other articles listed in the law (see Table 6-H).

Minnesota permits general merchants to sell patent and proprietary medicines and the articles listed in the law (see Table 6-I); and permits general merchants located more than two miles from a drug store operated by a registered pharmacist to sell "any commonly used medicine or poison which has been put up for such sale by a registered pharmacist."

Mississippi permits general merchants to sell patent or proprietary medicines.

Missouri permits general merchants to sell patent and proprietary medicines, and poisonous substances to be used for commercial purposes in unbroken packages; and permits general merchants in any locality where there is no licensed pharmacist or assistant pharmacist to sell the "ordinary household remedies and such drugs or medicines as may be specified by the Board of Pharmacy."

Montana permits general merchants to sell "patent or proprietary medicines in original packages, when plainly labeled, and such non-medicinal articles as are usually sold by general merchants;" and permits general merchants in towns where there is no regularly licensed pharmacist to sell "such drugs, medicines, pharmaceutical or proprietary medicinal preparations in original and plainly labeled packages as the public may require."

Nebraska permits general merchants to sell patent or proprietary medicines, and denatured alcohol or concentrated lye, insecticides and fungicides in original packages. (Licensed physicians in towns of 350 inhabitants or less, not less than ten miles from a registered pharmacist, are exempt from the provisions of the law.)

Nevada permits general merchants to sell the "drugs, medicines and chemicals" listed in the law (see Table 6-J); and issues permits for a fee of \$8.00 per annum to general merchants in rural districts to sell the "simple household remedies and drugs" listed in the law (see Table 6-J).

New Hampshire permits general merchants to sell proprietary remedies in original packages, "drugs and medicines when intended for agricultural, technical and industrial use," the articles listed in the law (see Table 6-K) and certain other articles listed in the law if sold in original packages and put up under the direction of a registered pharmacist (see Table 6-K).

New Jersey permits general merchants to sell non-poisonous patent or proprietary medicines; and permits general merchants in rural districts to sell "simple non-poisonous domestic remedies."

New Mexico permits general merchants in communities where there is no registered pharmacist to sell patent or proprietary medicines, "chemicals used in mining," insecticides and "common household drugs."

New York permits general merchants to sell proprietary medicines and certain articles listed in the law (see Table 6-L); and issues permits for a fee of \$3.00 per annum to general merchants in places of a thousand inhabitants or less, not less than three miles from a pharmacy, to sell "medicines and certain classes of poisons only in original packages and put up by a licensed pharmacist."

North Carolina permits general merchants in three counties to sell "non-poisonous domestic remedies, non-poisonous patent or proprietary preparations," poisonous substances for commercial use in unbroken packages and the articles listed in the law (see Table 6-M); elsewhere in the state the same provisions apply only to localities where there is no established drug store.

North Dakota permits general merchants to sell "proprietary medicines in original packages and the simple household remedies" listed in the law (see Table 6-N). (Drugs and medicines

may be dispensed and physicians' prescriptions compounded in any established hospital to the patients therein by or under the direct supervision of a resident interne physician.)

Ohio permits general merchants to sell patent or proprietary medicines, certain articles listed in the law (see Table 6-O) and other articles listed in the law if sold in original packages and put up by a registered pharmacist (see Table 6-O).

Oklahoma permits general merchants to sell such "poisons, acids and chemicals as are regularly used in agriculture, mining and the arts," in sealed packages; and permits general merchants in towns of less than 300 inhabitants, where there is no licensed pharmacist, to sell "patent and proprietary medicines and such medicines, compounds and chemicals as are required by the general public and in form and manner prescribed by the Board of Pharmacy," and the same provision applies to "country merchants."

Oregon permits general merchants to sell patent or proprietary medicines and any "household remedies and medicines" in original packages; also certain poisons which are listed in the law, in original packages.

Pennsylvania permits general merchants to sell "proprietary medicines and commonly used household drugs when the same have been put up by pharmacists, manufacturing pharmacists, wholesale grocers or wholesale druggists," in original packages, and in single doses to be consumed on the premises.

Rhode Island permits general merchants to sell "proprietary medicines, popularly called patent medicines, and the ordinary household remedies and drugs," and medicines and poisons for use in the arts.

South Carolina permits general merchants to sell "medicines in original packages already prepared for use;" and the Act does not prohibit "country merchants from handling lye, canned goods and such drugs as they now handle."

South Dakota.—The Pharmacy Law contains no exemptions authorizing the sale of proprietary medicines by persons other than pharmacists.

Tennessee permits general merchants to sell patent or proprietary medicines, the articles listed in the law (see Table 6-P) and certain other articles listed in the law when put up by a "regular" pharmacist in boxes and bottles bearing his label (see Table 6-P).

Texas permits general merchants to sell patent or proprietary medicines in original packages, drugs or medicines in original packages, and insecticides and harmless chemicals used in the arts, if properly labeled.

Utah permits general merchants to sell "insecticides, fungicides and other poisons intended for use in the destruction of animal and vegetable pests."

Vermont permits general merchants to sell patent and proprietary medicines, "drugs, medicines and poisons, other than on prescriptions," and insecticides and substances for use in the arts.

Virginia permits general merchants to sell proprietary medicines in original packages, the "ordinary non-poisonous domestic remedies" in original packages, insecticides and commercial poisons under proper regulation, the articles listed in the law (see Table 6-Q) in original packages, and such other medicines as the Board may permit. (Granular effervescing and proprietary liquid preparations and beverages claiming curative properties may be dispensed anywhere; and homeopathic medicines may be sold by homeopathic pharmacists.)

Washington permits general merchants to sell patent and proprietary medicines in sealed packages; and issues permits for a fee of \$6.00 per annum to general merchants to sell "commonly used medicines in original packages of manufacturer or in packages put up by a registered pharmacist in the manner prescribed by the Board of Pharmacy."

West Virginia permits general merchants to sell patent or proprietary medicines and "such ordinary drugs and dyestuffs as are usually sold in a country store," providing these do not include any of the poisons named in the schedules of the law, or any intoxicating liquors.

Wisconsin permits general merchants to sell proprietary medicines in sealed-packages, Paris Green and the articles listed in the law (see Table 6-R); and issues permits for a fee not to exceed \$5.00 per annum to general merchants in rural districts not less than three miles distant

from a registered or assistant pharmacist to sell such drugs and medicines as may be specified in the permit.

Wyoming permits general merchants to sell patent or proprietary medicines.

TABLE 2.—A CONDENSED TABLE SUMMARIZING THE PROVISIONS OF THE PHARMACY LAWS OF THE FORTY-EIGHT STATES AND THE DISTRICT OF COLUMBIA REGARDING SALES OF DRUGS AND MEDICINES BY GENERAL MERCHANTS.

Sale of Proprietary and/or Patent Medicines Permitted by General Merchants* under Conditions Indicated:

State.	No restrictions.	Original packages only.	Non-poisonous products only.	In rural districts only.
Alabama	x	..	..	..
Arizona	x	..	..	..
Arkansas	x	..	..	..
California	x	..	..	..
Colorado	..	x	..	..
Connecticut	..	x	..	..
Delaware	..	..	x	..
District of Columbia	..	x	..	..
Florida	x	..	..	..
Georgia	..	x	x	..
Idaho	..	..	x	..
Illinois	..	x	..	..
Indiana	..	..	x	..
Iowa	..	..	x	..
Kansas†	..	..	..	..
Kentucky	..	x	..	..
Louisiana	x	..	..	..
Maine	..	..	x	..
Maryland	x	..	..	..
Massachusetts	x	..	..	..
Michigan	x	..	..	..
Minnesota	x	..	..	..
Mississippi	x	..	..	..
Missouri	x	..	..	..
Montana	..	x	..	..
Nebraska	x	..	..	..
Nevada	Sales not permitted		..	..
New Hampshire	..	x	..	..
New Jersey	..	..	x	..
New Mexico	..	..	..	x
New York	x	..	..	..
North Carolina††	..	..	x	..
North Dakota	..	x	..	..
Ohio	x	..	..	..
Oklahoma	..	..	..	x
Oregon	x	..	..	..
Pennsylvania	x	..	..	..
Rhode Island	x	..	..	..
South Carolina	..	..	..	..
South Dakota	Sales not permitted**		..	..
Tennessee	x	..	..	..
Texas	..	x	..	..
Utah	Sales not permitted		..	..
Vermont	x	..	..	..
Virginia	..	x	..	..

Washington	..	x	..	..
West Virginia	x	..	..	..
Wisconsin	..	x	..	..
Wyoming	x	..	..	..

* The term General Merchant is used to indicate anyone permitted to sell drugs and medicines who is not a registered pharmacist or assistant pharmacist.

** The Supreme Court of the State has declared this unconstitutional.

† Permit required (fee \$2.50 per annum).

†† This applies only in three counties; in all other counties it applies only to towns where there is no established drug store.

TABLE 2-A.—A CONDENSED TABLE SUMMARIZING THE PROVISIONS OF THE PHARMACY LAWS OF THE FORTY-EIGHT STATES AND THE DISTRICT OF COLUMBIA REGARDING SALES OF DRUGS AND MEDICINES BY GENERAL MERCHANTS.

Sale of Certain Non-Proprietary Drugs and Medicines Permitted by General Merchants under Conditions Indicated:

State.	Anywhere in the state.	In rural districts only.	Sale of some remedies permitted anywhere.	Sale of some remedies permitted in rural districts only.	Permit required to sell anywhere in state.	Permit required for rural district sales only.	Price of permit.	All salable items listed in the law.	All items salable in rural districts listed in the law.	All items salable in rural districts specified by Board of Pharmacy.	Board of Pharmacy authorized to specify some items.
Alabama	x	..	..	..	..	..	..	..	..	..	x
Arizona	..	..	x	x	..	x	\$1.00	x	..	..	..
Arkansas	x	..	..	..	..	..	..	..	..	..	..
California	..	..	x	x	..	x	\$5.00	x	..	..	x
Colorado	Sales not permitted										
Connecticut	x ¹	..	..	..	x	..	\$3.00	..	..	..	..
Delaware	x ²	..	..	..	..	..	..	..	..	..	..
District of Columbia	x ¹	..	..	..	..	..	..	x	..	..	..
Florida	x ¹	..	..	..	..	..	..	x	..	..	..
Georgia	x ^{2,1}	..	..	..	..	..	..	..	..	..	..
Idaho	..	..	x ²	x	..	..	..	..	..	..	..
Illinois	x ¹	..	..	..	..	..	..	..	..	..	..
Indiana	..	..	x	x	..	x	\$3.00	x	..	x	..
Iowa	x ²	..	..	..	..	..	..	..	..	..	..
Kansas	x ¹	..	..	..	x	..	\$2.50	..	..	..	..
Kentucky	..	x ²	..	..	..	..	..	..	..	..	..
Louisiana	x	..	..	..	..	..	..	..	..	..	..
Maine	x ²	..	..	x	..	..	..	..	..	x	..
Maryland	x ¹	..	..	..	..	..	..	..	..	..	..
Massachusetts	x ¹	..	..	..	..	..	..	x	..	..	..
Michigan	..	..	x	x	..	..	..	x	..	..	..
Minnesota	..	..	x	x	..	..	..	x	..	..	..
Mississippi	Sales not permitted										
Missouri	..	x	..	..	..	..	..	..	..	x	..
Montana	..	..	x	x ¹	..	..	..	..	..	..	..
Nebraska	Sales not permitted										
Nevada	..	..	x	x	..	x	\$8.00	x	..	..	..
New Hampshire	x	..	..	..	..	..	..	x	..	..	..
New Jersey	..	x ²	..	..	..	..	..	..	..	..	..
New Mexico	..	x	..	..	..	..	..	..	..	..	..
New York	..	..	x	x	..	x	\$3.00	x	..	..	..

North Carolina*	*x ²	..	..	..	..	..	..	x	..	..	..
North Dakota	x ¹	..	..	..	..	..	..	x	..	..	..
Ohio	x ¹	..	..	..	..	..	..	x	..	..	..
Oklahoma	..	..	x ¹	x ¹	..	..	..	..	..	..	..
Oregon	x ¹	..	..	..	..	..	..	..	..	..	..
Pennsylvania	x ¹	..	..	..	..	..	..	..	..	..	..
Rhode Island	x	..	..	..	..	..	..	..	..	..	..
South Carolina	..	..	x	x	..	..	..	..	..	..	..
South Dakota	Sales not permitted										
Tennessee	x	..	..	..	..	..	..	x	..	..	..
Texas	x ¹	..	..	..	..	..	..	x	..	..	..
Utah	Sales not permitted										
Vermont	x	..	..	..	..	..	..	..	..	..	..
Virginia	x ¹	..	..	..	..	..	..	x	..	..	x
Washington	..	x	..	..	x	..	\$6.00	..	..	..	..
West Virginia	..	x	..	..	..	..	..	..	..	..	..
Wisconsin	..	..	x ¹	x ¹	..	x	\$5.00	x	..	x	..
Wyoming	Sales not permitted										

* This applies only in three counties; in all other counties it applies only to towns where there is no established drug store.

¹ In original packages only.

² Non-poisonous preparations only.

TABLE 3.

A complete list of articles, exclusive of patent and proprietary products, mentioned in the combined pharmacy laws of the various states as salable by general merchants:

- | | | |
|--|----------------------------|--------------------------|
| 1. Glauber Salts | 28. Olive Oil | 57. Spices |
| 2. Condition Powders | 29. Sal Soda | 58. Perfumes |
| 3. Bay Rum | 30. Brimstone | 59. Tobacco |
| 4. Alum | 31. Senna Leaves | 60. Dyestuffs |
| 5. Chloride of Lime | 32. Paregoric | 61. Flaxseed Meal |
| 6. Sheep Dip | 33. Hive Syrup | 62. Gum Tragacanth |
| 7. Blue Stone | 34. Syrup of Tolu | 63. Litharge |
| 8. Vaseline | 35. Sweet Spirit Nitre | 64. Perox. of Hydrogen |
| 9. Cream of Tartar | 36. Tincture of Aconite | 65. Rhubarb |
| 10. Essence of Peppermint | 37. Asafœtida | 66. Sulphate of Copper |
| 11. Castor Oil | 38. Sal Ammoniac | 67. Slippery Elm Bark |
| 12. Glycerine | 39. Pepper | 68. Citric Acid |
| 13. Borax | 40. Sweet Oil | 69. Cottonseed Oil |
| 14. Flaxseed | 41. Syrup of Ipecac | 70. Gelatine |
| 15. Turpentine | 42. Syrup of Squill | 71. Hops |
| 16. Carbonate of Soda | 43. Camphor | 72. Lime Water |
| 17. Ammonia | 44. Essence of Wintergreen | 73. Magnesia |
| 18. Bicarbonate of Soda | 45. Licorice | 74. Petrolatum |
| 19. Witch-Hazel | 46. Saltpetre | 75. Rochelle Salt |
| 20. Sulphur | 47. Blue Vitriol | 76. Cod Liver Oil |
| 21. Insect Powder | 48. Sage | 77. Ginger |
| 22. Fly Paper | 49. Spirit of Turpentine | 78. Gum Arabic |
| 23. Essence of Jamaica
Ginger | 50. Epsom Salt | 79. Hyposulphite of Soda |
| 24. Copperas | 51. Spirit of Camphor | 80. Linseed Oil |
| 25. Squirrel, Ant and Go-
pher Poison | 52. Comp. Cathartic Pills | 81. Phosphate of Soda |
| 26. Poultry Vermifuge | 53. Quinine | 82. Rosin |
| 27. Essence of Ginger | 54. Paris Green | 83. Senna |
| | 55. White Hellebore | 84. Sugar of Milk |
| | 56. Concentrated Lye | 85. Tartaric Acid |

86. Zinc Oxide	103. Sublimed Sulphur	121. Porous Plasters
87. Non-poisonous flavoring essences and extracts	104. Sodium Arsenite	122. Calomel Tablets
88. Laudanum	105. Liniment Camphor	123. Godfrey's Cordial
89. Sugar of Lead	106. Oil of Spike	124. Gum Asafoetida
90. Essence of Cinnamon	107. Butter Color	125. Sulphate of Quinine
91. Tincture of Iron	108. Beef, Iron and Wine	126. Aspirin
92. Quinine Pills	109. Talcum Powder	127. Haarlem Oil
93. Carbolic Acid	110. Court Plasters	128. Beeswax
94. Oxalic Acid	111. Petroleum Jellies	129. Fuller's Earth
95. Carbonate of Ammonia	112. Malt Extract	130. Moth Balls
96. Water of Ammonia	113. Seidlitz Powders	131. Plaster Paris
97. London Purple	114. Toilet Waters	132. Formaldehyde
98. Logwood	115. Composition Powder	133. Juniper Berries
99. Gum Arabic	116. Oil of Origanum	134. Oil of Lemon
100. Arsenate of Lead	117. Extract of Beef	135. Indigo
101. Arsenious Oxide	118. Rock Candy	136. Wood Alcohol
102. Rolled Sulphur	119. Bay Rum	137. Denatured Alcohol
	120. Turmeric	

TABLE 4.

A complete list of articles exclusive of patent and proprietary products, mentioned in the combined pharmacy laws of the various states as salable by general merchants *without* permits, if sold in original, unbroken packages or compounded by a registered pharmacist, or both.

1. Copperas	25. Tannin	47. Mercury
2. Paris Green	26. Tr. of Iodine	48. Insecticides
3. London Purple	27. Chloroform Liniment	49. Flavoring Essences or Extracts
4. Tincture of Iron	28. Stronger Water of Ammonia	50. Oxalic Acid
5. Cream of Tartar	29. Extract Cascara	51. Arsenic
6. Bluestone	30. Soda Mint	52. Phosphorus
7. Sweet Spirit Nitre	31. Tr. of Aconite	53. Ammonia Water
8. Quinine	32. Sweet Tr. Rhubarb	54. Bichloride of Mercury
9. Calomel	33. Sulphuric Ether	55. Borax
10. Carbolic Acid.	34. Ointment Oxide of Zinc	56. Camphor Gum
11. Paregoric	35. Soda Mint & Pepsin	57. Copper Sulphate
12. Essence of Peppermint	36. Sodium Phosphate	58. Fowler's Solution
13. Syrup of Ipecac	37. Aromatic Tr. Rhubarb	59. Iron Sulphate
14. Syrup of Squill	38. Aromatic Spt. Ammonia	60. Camphorated Oil
15. Essence of Cinnamon	39. Sulphate of Quinine	61. Castor Oil
16. Tincture of Arnica	40. Chlorate of Potassium	62. Cotton Seed Oil
17. Spirit of Camphor	41. Nitric Acid	63. Olive Oil
18. Comp. Cathartic Pills	42. Cyanide of Potassium	64. Mineral Oil
19. Hive Syrup	43. Sulphate of Zinc	65. Sal Soda
20. Syrup of Tolu	44. Essence of Jamaica Ginger	66. Sal Ammoniac
21. Number Six	45. Muriatic Acid	67. Concentrated Lye
22. Essence of Ginger	46. Sulphuric Acid	68. White Hellebore
23. Quinine Pills		
24. Comp. Licorice Powder		

TABLE 5.

A complete list of articles exclusive of patent and proprietary products, mentioned in the combined pharmacy laws of the various states as salable by general merchants *with* permits, if sold in original, unbroken packages or compounded by a registered pharmacist, or both.

1. Tincture of Arnica	4. Extract Witch-Hazel	7. Hive Syrup
2. Spirit of Camphor	5. Syrup of Ipecac	8. Sweet Spirit Nitre
3. Almond Oil	6. Syrup of Rhubarb	9. Epsom Salt

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|----------------------|---------------------------|-----------------|
| 10. Senna Leaves | 17. Carbonate of Magnesia | 24. Saltpetre |
| 11. Seidlitz Powders | 18. Quinine | 25. Ointments |
| 12. Cathartic Pills | 19. Chamomile Flowers | 26. Gum Camphor |
| 13. Caraway Seed | 20. Chlorate of Potash | 27. Anise Seed |
| 14. Moth Balls | 21. Plasters | 28. Salves |
| 15. Tincture of Iron | 22. Peroxide of Hydrogen | 29. Copperas |
| 16. Rochelle Salt | 23. Asafetida | 30. Saffron |

Tables 6-A to 6-R, inclusive, are not printed because of lack of space. They may be had by applying to the author.

Upon motion, duly seconded, the Conference approved sending a resolution to the AMERICAN PHARMACEUTICAL ASSOCIATION concerning the manufacture and sale of Drugs and Medicines.

At 12:40, upon motion, duly seconded, the Conference adjourned until 2:00 P.M., Friday, July 31, 1931.

R. L. Swain, *Chairman*.

M. N. Ford, *Secretary*.

SECOND SESSION.

The Second Session of the third annual meeting of the Conference of Pharmaceutical Law Enforcement Officials was called to order by Chairman Swain in Remington Hall, Hotel Columbus, Miami, Florida, at 2:00 P.M. with the following present:

E. D. Oslin, Arkansas; W. M. Hankins, M. H. Doss, H. R. Monroe, Florida; R. C. Wilson, Georgia; G. E. Bond, Illinois; John A. J. Funk, F. C. McCullough, Indiana; Geo. Judisch, J. W. Slocum, Iowa; George Wilhelmi, Kentucky; E. G. Eberle, E. F. Kelly, R. L. Swain, Maryland; R. W. Fleming, Nevada; F. C. A. Schaefer, New York; J. G. Beard, North Carolina; F. H. King, M. N. Ford, Ohio; L. L. Walton, Pennsylvania; Lester Hayman, West Virginia, and Dr. Cannon of the U. S. Public Health Service.

Chairman Swain appointed a nominating committee consisting of Messrs. L. L. Walton, George Judisch and John A. J. Funk.

Chairman Swain presented a paper on "The Legal Significance of the Maryland Prescription Survey." The paper was discussed by Messrs. Judisch, Walton and Monroe.

THE LEGAL SIGNIFICANCE OF THE MARYLAND PRESCRIPTION SURVEY.

BY ROBERT L. SWAIN.

The Maryland prescription survey,¹ a report of which has been presented before the joint meeting of the Scientific Section and the Section on Practical Pharmacy and Dispensing of the AMERICAN PHARMACEUTICAL ASSOCIATION, has raised in my mind many collateral questions, all of which I believe will be of interest to the members of this Conference.

First of all, I have been much impressed, and at times as much embarrassed, by the lack of authoritative data dealing with the extent, nature and value of pharmaceutical work. This is all the more remarkable when it is recalled that pharmacy is a profession of great antiquity and that its professional service has always been looked upon as a service of great value and distinction. Pharmacy laws are designed in the public interest. Through them it is sought to protect the public by making available a professional pharmaceutical service which shall be safe, efficient and dependable. That the purpose of the law shall be accomplished is, of course, the chief function of the members of this Conference. While some may appear to labor under the impression, or possibly the delusion, that the advancement of the commercial phases of the drug store is the objective of law enforcement, enforcement officials, themselves, know that this must be merely an incidental result, if indeed it is to result at all. The public interest is the supporting principle upon which pharmacy laws rely, and it is in the public interest that they must be enforced.

The commercial side of the drug store has been amply surveyed. It is quite true that every commercial department of the drug store has been subjected to an exhaustive study. The total volume of sales resulting from these side lines is known. The value which they attain

¹ See page 938, September JOUR. A. PH. A.