

LEGAL AND LEGISLATIVE.

NARCOTICS CONVENTION IS
RATIFIED BY U. S. SENATE.

The international convention for the further control of traffic in narcotics, concluded at Geneva in July 1931, was ratified by the Senate, without debate. The Senate also ratified six reservations made by the representatives of the United States at the time they signed the convention. These chiefly set forth that the relevant laws of the United States are not to be weakened because of the convention and may be made stronger than the international restrictions, if desired.

MAILING OF PRESCRIPTIONS.

"Preparations compounded on physicians' prescriptions which are prepared in the District of Columbia or the territories, or which enter the channels of interstate commerce, must comply with the labeling requirements of Section 8 of the Act, Paragraph 2 (Food and Drugs Act), in the case of drugs." This means that if a druggist compounds a physician's prescription and sends it into an adjoining State by mail, or express, or otherwise, the label must state the amount of alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilid, or any derivative thereof. This applies whether the preparation is a U. S. P. or National Formulary product, or not. The only exception is that if a package compounded according to a physician's prescription is carried by the patient himself, or a member of his household, or the physician himself across a State line and is not subject to sale it need not be marked so as to conform with the law, because the transaction is not considered one of interstate commerce.

RECENT COURT DECISION IN
CALIFORNIA.

The Court in rendering its decision in the Application of Scott & Gilbert for Writ of Injunction against the State Board of Pharmacy stated that the Gray Case is binding upon the Court.

The plaintiff contended the right to sell anywhere within or without the three-mile limit the following seventeen articles—five contended not to be drugs or medicines, and that the State Board had no right to regulate the sale, namely:—Cardamom seed, zinc

oxide tape, hydrogen peroxide, saltpetre, cod liver oil and contending that the twelve following items are registered trade-marked proprietary medicines, and being within the Act—namely, "nor does this act apply to registered trademarked or copyrighted proprietary medicines registered in the U. S. Patent Office," and consequently may be sold by anyone anywhere, the following: Cespi Syrup of Figs, Cespi White Pine & Tar, S. & G. Cathartic Pills, Cespi Eucalyptus Ointment, Cespi Cascara Tablets, S. & G. Arnica Salve, S. & G. Menthol Syrup, S. & G. Magnesia Lax., S. & G. Cascara Quinine, California Syrup of Figs, Phillips Milk of Magnesia.

The Court found the first five:—Cardamom seed, zinc oxide tape, hydrogen peroxide, saltpetre, cod liver oil—to be medicines, even though they may have other uses and within the regulation, and the other twelve items, although branded with S. & G form of Trade mark of firm name, were not "Proprietary" medicines and therefore are subject to regulation under the Pharmacy Act.

The Court's definition of a "Proprietary Medicine" is "Any medicine or preparation, the name of which does not describe the constituents or ingredients, such as Tanlac, Pinkham's Compound, Beechman's Pills, Zemo, H. H. H., Pierce's Golden Medical Discovery, Pierce's Favorite Prescription, etc. Such names not giving any intimation of what they are or what they are intended to cure."

The judgment therefore was rendered for the Defendant—The State Board of Pharmacy—the first group—"Medicines;" the second group—"Proprietary Medicines."

DEATH FROM RADIUM WATER
ALLEGED.

The death of Eben M. Byers of Pittsburgh is said to have been the result of drinking radium water during a long period of time. The news item states that "Mr. Byers was incurably ill, when charges were preferred against the laboratories." "The patient had also used up about 1400 bottles of the radium water." There is no excuse for indiscriminately selling preparations that may produce harm and it is probably true that preparations of this type are sold, which are not all that they claim for the product, but there seems to be a number of contributing causes in this case.