

# THE COUNCIL, AMERICAN PHARMACEUTICAL ASSOCIATION

1937-1938.

Minutes of the Meetings Held during the Minneapolis Meeting.

The Second Meeting of the Council was held in the Hotel Nicollet, Minneapolis, Minn., on Sunday, August 21st, beginning at 10:15 A.M., with the following members present: Hilton, J. H. Beal, Swain, Christensen, Fischelis, Little, Costello, Gathercoal, George D. Beal, Jenkins, Kelly, Eberle and DuMez. Mr. Roy B. Cook attended the meeting as chairman of the Committee on Proprietary Medicines.

The secretary reported that Motions Nos. 27, 28, 29, 30 and 31, as submitted in Council Letter No. 11, had been carried.

71. *Minutes of the Council.* On motion J. H. Beal—Little, the minutes as distributed and printed in the JOURNAL since the last meeting were approved.

72. *Committee on Property and Funds.* Chairman Gathercoal read the following report:

"Following the precedent of former Committees, it is recommended that the following banks and safe deposit vaults be approved as depositories for funds, securities and records of the ASSOCIATION:

#### DEPOSITORIES FOR FUNDS.

The Baltimore Trust Company, Baltimore, Maryland.  
The Baltimore National Bank, Baltimore, Maryland.  
The Maryland Trust Company, Baltimore, Maryland.  
The Merchants and Newark Trust Company, Newark, N. J.

#### DEPOSITORIES FOR SECURITIES AND RECORDS.

The Baltimore National Bank, Baltimore, Md.—Safe Deposit Boxes.  
The Maryland Trust Company, Baltimore, Md.—Safe Deposit Boxes.  
The Merchants and Newark Trust Co., Newark, N. J.—Safe Deposit Boxes.

No applications for grants from the interest derived from the established funds have been submitted to the Committee. It is the understanding of the Committee that the Remington Medal and the Ebert Prize are to be regularly paid for from the receipts of the respective funds, and that recommendations for awards from the Research Fund are submitted to the Council by the Committee on Pharmaceutical Research. The report of the Committee on the Requirements for the Ebert and the Kilmer Prizes will be submitted at the meeting of the Council for consideration.

The report of the treasurer will show the status of each of the established funds, the receipts therefrom and the investments made for each of them.

The Committee has no recommendations to submit with respect to the property of the ASSOCIATION and no changes of particular importance have occurred in this connection during the year. The report of the Committee on Maintenance will provide further detailed information about the property of the ASSOCIATION."

The report was received and the recommendations approved on motion of George D. Beal—Jenkins.

73. *Committee on Standard Program.* Chairman Hilton submitted a verbal report and, in the discussion which followed, arrangements for giving the membership earlier and more complete information about the program of the annual meeting were suggested. The report was received and the Committee was requested to submit recommendations respecting these suggestions at the Third Meeting of the Council on Wednesday, on motion of George D. Beal—Little.

74. *Committee on Finance.* Chairman Swain presented the following report covering the first six months of the present calendar year, which was received on motion of George D. Beal—Gathercoal:

*Receipts:* The current receipts for this period total \$23,860.89 against the estimate of \$49,458 for the year. There are noticeable variations from the estimate as to items but no more than is usually the case, and these variations may be evened up by the receipts during the second half of the year. These figures do not involve any transfers to, or receipts for, the Laboratory.

*Laboratory Receipts and Transfers:* Transfers amounting to \$25,500 as approved by the Council, Letter No. 5, page 160, have been made. As estimated, \$1750 has been received in addition, to further the work of the Laboratory.

*Disbursements:* To June 30th, the budget disbursements were in proportion to the respective appropriations, with the exceptions of the JOURNAL and Abstracts account and that of the Laboratory.

The appropriation for 1938 for the former account is \$16,000, of which \$11,000 is for the JOURNAL and \$5000 for the Abstracts. To June 30th, the disbursements were \$9724.99, of which \$7174.40 was for the JOURNAL and \$2550.59 for the Abstracts. It is to be expected that the disbursements for this account will be somewhat higher for the first as compared to the second six months of the year, since the December issue of the JOURNAL, which is paid for in the next year, carries the annual index for both JOURNAL and Abstracts.

*Laboratory Disbursements:* Of the \$27,250 appropriated for the Laboratory, \$15,864.87 was expended as of June 30th. The expenditures, as was to be expected, were largely for: Preparation of Rooms; Laboratory Furniture; Office Furniture and Permanent Apparatus, which will not be materially increased during the remainder of the year.

No additions were made to the budget for 1938, since its adoption, with the exception of the Laboratory items given in Council Letter No. 5.

At a session of the Council, held in connection with the annual meeting of the AMERICAN PHARMACEUTICAL ASSOCIATION in New York in 1937, serious consideration was given to the various aspects of the proposed popular publication, and certain specific recommendations, constituting a part of the report of the Publications Committee, were referred to the Committee on Finance.

The Committee on Finance has not given further study to the financial aspects of the publication, but is inclined to give its approval to the proposed tentative budgetary provisions as they were submitted by the Committee on Publications, which group has had considerable experience in production cost and other related subjects.

The Committee on Finance does not believe that it will be feasible, however, to definitely fix the budget until a more general agreement is reached with respect to the publication itself. I discussed this entire project with one of the donors of the funds from which the proposed publication will be developed. He expressed the view that he was not altogether satisfied with any proposal which has been so far advanced with respect to the publication, and that he would prefer that the whole project be given further study before any definite plans are undertaken. The Committee on Finance feels that this is a wise procedure, as every possible contingency should be anticipated and debated before the project is actually launched."

After a general discussion and on motion of J. H. Beal—George D. Beal, the Proposed Publication was made a special order of business for the afternoon session.

75. *Committee on Publications.* The report of the Committee was read by Chairman DuMez:

"The Committee on Publications respectfully submits the following report of its activities for the year, 1936-1937, and on the status of the publications of the ASSOCIATION.

*Journal:* The total amount expended for the publication of the JOURNAL for 1937, including the editor's salary, was \$19,499.98 (\$14,499.98 plus \$5000). The total amount expended for 1936 was \$18,199.68 (\$13,199.68 plus \$5000.00). This represents an increase in expenditures of \$1300.30 over the expenditures of 1936.

The receipts of the JOURNAL for advertising, subscriptions, sales of single copies, reprints, etc., for 1937 were \$7762.54. The subscription credit received for 1937 amounted to \$5420.66, making the total receipts \$13,183.20. The total receipts for 1936 were \$12,844.39. The receipts for 1937, therefore, exceed those for 1936 by \$338.81.

The total expenditures for 1937 of \$19,499.98 less the total receipts of \$13,183.20 give the net cost of the JOURNAL for 1937 as \$6316.78. This represents an increase in net cost of \$961.49 over that of the preceding year.

The increase in net cost is due in large measure to the fact that the cost of publication was increased 5% beginning with September 1937, and to the publication of the Proceedings number which cost \$2542.01.

The Mack Printing Company of Easton, Pennsylvania, was awarded the contract for the publication of the JOURNAL for 1938. This company has given satisfactory service for a number of years and was again the lowest bidder.

Further details regarding the publication of the JOURNAL will be given by Editor Eberle in his report.

*Pharmaceutical Abstracts:* For the year 1937 there were published a total of 552 pages of abstracts and 88 pages of index, making a grand total of 640 pages. The cost of publishing the abstracts amounted to \$367.28 per issue or a total of \$4041.18 for eleven issues. The cost of publishing the index was \$366.18, making a grand total for this section of the JOURNAL of \$4407.36.

Each issue of the JOURNAL carried 48 pages of abstracts, except the September and October issues which carried 64 pages. The November issue of the JOURNAL, which is the Proceedings number, did not carry any abstracts.

Additional copies of Pharmaceutical Abstracts have been printed each month and have been bound into volumes containing the issues for the year. Two hundred copies of Volume I for 1935, of Volume II for 1936 and of Volume III for 1937 were bound in buckram. Of these, 157 copies of Volume I, 149 copies of Volume II and 167 copies of Volume III were sold up to June 30, 1938. The price charged per volume is \$2.00.

In this connection, it is desired to thank the Board of Trustees of the United States Pharmacopœial Convention for its coöperation in the publication of the Abstract Section. It will be recalled that the Board contributed \$1000 per year toward the publication of the YEAR BOOK and this contribution has been continued for the abstracts.

*National Formulary:* Up to June 30, 1938, a total of 40,257 copies of the National Formulary VI were printed and bound in three printings; 39,809 in buckram, 408 in leather and 40 in leather interleaved. Of those bound in buckram, 37,176 were sold, 223 were distributed complimentary for copyright and review and 2410 were in stock. Of those bound in leather, 310 were sold, 42 were distributed as complimentary copies and 56 were in stock. Of those bound in leather interleaved, 20 were sold and 20 were in stock.

One copy of the National Formulary V was sold during the year.

Of the 1500 copies, each, of corrections to the National Formulary VI, First and Second Lists, 2084 of the First List and 11,876 of the Second List were in stock on June 30, 1938.

Permission to use portions of the text of the National Formulary VI for comment in other publications was granted to the following: Dr. W. C. Davison, Duke University, for use in a Proposed Book on Pediatrics; Dr. Harold M. Wright, University of Minnesota, for use in the preparation of a lecture manual for a course in prescription writing; Dean Edward Spease, Western Reserve University, for use in the preparation of a revised edition on "Pharmaceutical Mathematics;" P. Blakiston's Sons & Co., Inc., for use in the publication of the 6th edition of Youngken's "Pharmaceutical Botany;" Dr. E. N. K. Geiling, University of Chicago, for use in the publication of course material for prescription writing; Professor C. D. Leake, University of California Medical School, for descriptive purposes in a "Booklet of Drugs and Chemicals;" B. T. Howiler, Pharmacist-Secretary, Peralta Hospital, Oakland, Calif., for use in publication of the "Peralta Hospital Formulary;" Council on Dental Therapeutics of the American Dental Association for use in "Accepted Dental Remedies;" Helen Glucksman, Chief Pharmacist of the Orange Memorial Hospital, Orange, N. J., for use in preparation of a hospital formulary.

*Pharmaceutical Recipe Book:* Up to June 30, 1938, a total of 10,040 copies of Recipe Book II were printed and 2040 copies were bound, 1990 in buckram and 50 in leather. Of those bound in buckram, 1515 were sold, 144 were distributed complimentary for copyright and for review and 331 were in stock. Of those bound in leather, 25 were sold and 25 were in stock. The remaining 8000 copies are in stock unbound.

Your committee is of the opinion that something should be done to popularize this valuable collection of formulas. Apparently the amount of advertising which has been done for this book is inadequate or has not been of the right kind. Perhaps the secretary of the ASSOCIATION should be given authority to enter into a contract to supply the Recipe Book to manufacturers or others

who might use the book in large numbers, even though it is necessary to decrease somewhat the present margin of profit.

*Aconite Monograph:* Two hundred and fifty copies of the Aconite Monograph were printed and bound. Of these, 169 were sold, 4 were distributed complimentary and 77 were in stock on June 30, 1938."

The report was received and approved on motion George D. Beal—Jenkins with a rising vote of thanks to the chairman.

After making a verbal statement about the condition which led to the communication, Chairman DuMez read the following letter which he had received from Editor Eberle:

"Referring to the conference with you and Secretary Kelly on July 29th, I have to advise that, owing to the present state of my health, it becomes necessary for me to give up the active direction of the JOURNAL as its Editor, which position I have held continuously since 1916. The ASSOCIATION has honored me in many ways and, in return, I have earnestly tried to serve its best interests and those of our profession.

My medical advisers state that it is not necessary for me to retire altogether, but that on the contrary, it would be helpful if I could have some interests which would not overtax my strength.

In response to your request, I beg to submit the following suggestions for consideration:

1—That I be designated as Editor of the JOURNAL, Emeritus, in which position I can advise in the future editing of the publication.

2—That as Historian, I devote such time and effort as I can give in the future to the collection, cataloging and arrangement of the historical material in which the ASSOCIATION is interested and assist in the Library and Museum.

3—That, if agreeable, I be paid \$3000 per year as salary so long as I can undertake the work outlined above, this amount to be changed to a retirement allowance when I have to retire from all duties.

The physicians advise that I can safely undertake to attend the Minneapolis meeting provided I conserve my strength, and I hope to attend the meeting of the Council on August 21st, when I can furnish any further information desired.

Please be assured that I take this step with great regret and only with the conviction that it is to the best interest of the ASSOCIATION and myself."

President Gathercoal and other members of the Council spoke in high appreciation of Dr. Eberle's splendid services to the ASSOCIATION and in expression of regret that the resignation became necessary. Dr. DuMez moved that Dr. Eberle's resignation as Editor of the JOURNAL be accepted, that he be given the title of Editor of the JOURNAL, Emeritus, that as Historian he be employed to carry out the duties suggested in his letter; and that he be paid \$3000 per year as salary until such time as he finds it necessary to retire. The motion was seconded by Gathercoal and carried.

On motion of Costello—Little, a committee consisting of J. H. Beal, R. B. Cook, Gathercoal and DuMez was requested to prepare and submit to the Third Meeting of the Council a resolution in connection with Dr. Eberle's resignation.

Dr. Eberle expressed his deep appreciation of the action of the Council and of the helpful coöperation extended to him during his services as Editor of the JOURNAL, especially in recent months.

76. *Report of the Editor of the Year Book.* Editor DuMez stated that information with respect to Pharmaceutical Abstracts was included in the report of the Committee on Publications.

77. *Committee on National Formulary.* Chairman Gathercoal read the following report:

"The activities of the National Formulary Committee with reference to N. F. VI have shown no abatement during 1937 and the first half of 1938.

The chairman's office has been maintained with two stenographers rendering valuable assistance. Volume V of the Bulletin has been completed with an index and Volume VI has been nearly completed. Nearly 300 pages have been issued in the Clinical Laboratory Bulletin and 35 pages in the Extractive Preparations Committee Bulletin. The expense of publication of the Bulletins has become an important item. The requests for the Bulletin are numerous and many have been refused on the basis of an inadequate number of copies. The cost of each copy of each volume of the Bulletin is approximately \$10.00 and we now send out 80 copies.

The N. F. Committee assembled and conducted a large amount of business during several sessions held on August 19th and 20th. The minutes of these sessions will soon appear in the N. F. Bulletin. There were 161 items in the agenda and nearly 100 of these were subjected to a vote of the Committee.

Many projects have been assigned to the N. F. Laboratory, and these projects along with a number of research projects located in other colleges of pharmacy have received careful supervision from the chairman of the N. F., who has traveled to Washington and Baltimore, several times, to La Fayette, Cincinnati, Pittsburgh, Philadelphia, Atlantic City, New York City, Boston, and several cities in Illinois for the purpose of attending meetings, making addresses, consultations upon research work, assignment of research projects and all in behalf of the National Formulary. Many constructive criticisms of N. F. monographs have been received and these have been dealt with by correspondence and have frequently been assigned in the Laboratory or outside of the Laboratory for further study.

The budget for 1937 included \$2800 for the chairman's office and \$3200 for research, plus \$1500 from the A. Ph. A. Research Fund. The expenditures were \$2725.06 for the chairman's office and \$4877.64 for research or a total of \$102.70 in excess of budget. However, there were receipts from the sale of Bulletin covers and Prescription Ingredient Survey books of \$67.40 and there was a research balance of \$80.75 at the University of Illinois.

The second Correction List and the third printing of the National Formulary were prepared and issued during 1937. A few more than 40,000 volumes of N. F. VI have been printed and nearly all of them have been sold.

During the first half of 1938 the budget for the secretary's office has been kept within the monthly average for the several items. The budget item for the A. Ph. A. Laboratory of \$3000 has been credited to the Laboratory Fund. An extra expense of some \$5000 for N. F. Committee honoraria has been charged against the N. F. Revision Account. An item of \$1000 was included in the 1938 budget for an N. F. Committee meeting. The meeting has been held at an estimated expense of \$800.00.

The report of Chairman Gathercoal to the N. F. Committee as assembled August 19th, 9:30 A.M. is made a part of this report and is presented herewith. It will be published in the N. F. Bulletin. The following resolution was approved by unanimous vote of the Committee:

Whereas we recognize that a continuous revision of the U. S. P. and the N. F. is a necessity and is now actively in progress,

And whereas we also recognize the desirability of having the official books issued simultaneously and that the established policy of complete cooperation between the two committees be maintained,

Therefore it is recommended that the present N. F. revision committee be authorized to prepare a revision of N. F. VI, so it may be possible to publish the N. F. VII if so desired, soon after the election of the new revision committee.

It is also recommended that the policy of supplements for the N. F. VII be endorsed. These supplements are to be issued as occasion demands and the initial sales price of the N. F. should cover the cost of the supplement. Coupons requesting the supplements are to be included in the original books so as to make it possible for the purchaser to procure on request these supplements as they appear.

The word 'supplements' should be employed instead of 'correction sheets.'

It is also recommended that a third Correction List be prepared and issued as promptly as possible and not later than the end of 1938.

The following Budget for 1939 from the N. F. Revision Fund is also recommended:

Item A	Clerical	\$1200
Item B	N. F. Bull. and Sub-com. Letters	1000
Item C	Office Supplies	400
Item D	Chairman's Travel Expense	400
Item E	N. F. Com. Meeting	1000
Item F	A. Ph. A. Laboratory	3000
		<hr/>
		\$7000

The total amount transferable to the N. F. Revision Fund at the end of 1938 will be about \$40,000. The total expenditures from this fund will not exceed \$22,700 by the end of 1938; hence there is an available balance at this time of \$17,300. It is reasonable to expect there will be a fair sale of the book, at least 5000 copies, during 1939 and 1940, even if a new edition does come out toward the end of 1940."

The report was received on motion of Little—Jenkins and the recommendations were considered seriatim.

George D. Beal moved that a third list of Corrections in N. F. VI be issued as promptly as possible and that these Corrections be incorporated in the Fourth Printing of N. F. VI. The motion was seconded by Jenkins and carried.

On motion of George D. Beal—DuMez, the Committee on National Formulary was instructed to prepare the manuscript for the National Formulary, Seventh Edition, for submission to the new Committee on National Formulary when it is elected in 1939 with the object of issuing N. F. VII when approved by the Council and as promptly as possible.

On motion of George D. Beal—Jenkins, the recommendation dealing with the issuance of supplements to N. F. VII was referred to the Committee on N. F. and R. B. Policies together with the suggestions for more frequent revision of the National Formulary and its issuance in loose leaf form, for study and a report at the 1939 meeting of the Council.

The recommendation dealing with the budget for the Committee on National Formulary was referred to the Committee on Finance, on motion of George D. Beal—Jenkins.

78. *Committee on Recipe Book.* The following report was read by Chairman Lascoff:

"At the last meeting of the A. PH. A., the chairman nominated a new committee for the Recipe Book as several of the old members were inactive. The following eight new members were appointed: M. G. de Navarre, Alice-Esther Garvin, H. Evert Kendig, Charles E. McCormick, George A. Moulton, J. C. Munch, C. Leonard O'Connell and George C. Schicks. The total number of committee members is now 22, besides the chairman and should be increased to 25.

A committee was also appointed last year to take up the question of publicity for the Recipe Book, but to date very little has been accomplished in this line. However, I am sure that a great deal will be done during the coming year.

Of course, the U. S. P. and N. F. are official books and it is compulsory in many states for a pharmacist to own these, whereas pharmacists are not required to own a copy of the Recipe Book. For that reason the sale of the U. S. P. and N. F. is much larger than that of the Recipe Book. Despite this fact and despite the fact that practically no publicity was given to the Recipe Book, the sale of the R. B. has been very satisfying. To June 30, 1938, 1520 copies of the R. B. II have been sold and 144 distributed without charge. These figures indicate that over the same period we will probably sell as many, if not more, copies of R. B. II as compared to R. B. I.

Your chairman believes that we will be able to dispose of all the remaining copies of R. B. II (about 8000) as there are several manufacturing concerns interested in purchasing the balance of the books. We will then have fulfilled our contract for the 10,000 books published, and as we have the plates and the additional formulas which have been submitted to the committee, we will soon be ready for Recipe Book No. III.

The chairman is happy to report that since the publication and distribution of the Recipe Book No. II, he has received practically no criticisms in regard to misprints, typographical errors, etc. There has been some question on the formula for Vienna Cream. The original formula was revised and the amount of borax reduced. It has been suggested that 10 times the original amount of borax be used. This question will be decided by a vote of the committee. Comments relative to the supplement are of course invited from all members of the ASSOCIATION and from anyone interested. They will be gratefully accepted and given the proper consideration.

Through many sources, the chairman has received numerous requests from pharmacists for various formulas. Many of the formulas requested have been difficult to locate and have been of wide interest to pharmacists all over the country. Therefore, the chairman decided to send out bulletins to the members of the committee with respect to these formulas, which I believe are worthy of consideration. Additional ones will be submitted from time to time.

I want to thank Dr. Kelly for his kind advice, and I also want to take this opportunity to thank all the members of the committee for the interest they have shown and for their coöperation in behalf of the Recipe Book."

The report was received on motion Costello—Little.

79. *Committee to Develop Advertising for R. B. and N. F.* Chairman Lascoff submitted a verbal report of progress and discussed proposals recently received with respect to the purchase of a considerable number of copies of R. B. II. After a general discussion and on motion of Jenkins—George D. Beal, the Committee was requested to study these proposals, the price and the conditions of sale, and report to the Council.

The Council then adjourned until 2:30 P.M.

80. *Proposed Publication.* This subject was taken up as the special order of business. Upon request, the secretary briefly reviewed the actions with respect to the publication as taken by the Council. After a general discussion, it was moved by George D. Beal that arrangements be made to issue the proposed publication by not later than January 1, 1940, that the present JOURNAL be furnished to A. Ph. A. members at a club rate and that the proposed publication be sent to members of the A. Ph. A.

After further discussion and on motion of J. H. Beal—George D. Beal, the pending motion and all matters pertaining to the proposed publication were referred to a special committee consisting of the secretary, the chairman of the Committee on Publications and the chairman of the Committee on Finance, for study and a report at the Third Meeting of the Council.

81. *Committee on A. Ph. A. Laboratory and Committee on Research.* Chairman George D. Beal requested that the reports of these Committees be deferred until the next meeting of the Council on Wednesday afternoon.

82. *Committee on N. F. and R. B. Policies.* The following report was read by Chairman George D. Beal:

"No questions of policy relating to the National Formulary or to the Recipe Book have been referred to this committee during the current year. The committee is pleased to note that the recommendations made by it at the Dallas meeting were adopted by the Council at the New York meeting and that one of the important recommendations, for an annual meeting of the N. F. Committee, has already been carried out during the past week.

We would also respectfully bring to the attention of the Council a second provision under which action must be taken during the coming year, as follows:

(a) The chairman of the Revision Committee is to be elected by the Council in 1939 to serve for ten years or until the election and qualification of his successor.

(b) The remaining ten members of the Revision Committee are to be elected by the Council in 1939, and the Council is to determine by lot the term of each member, so that thereafter one vacancy will occur each year.

(c) Not later than three months preceding the meeting of the ASSOCIATION the chairman of the Council shall appoint a nominating committee of three members of the Council to nominate to the Council two candidates for each vacancy to be filled."

The report was received on motion of Jenkins—Costello.

83. *Committee on Proprietary Medicines.* Chairman Cook read the report of the Committee with a supplemental statement by Robert P. Fischelis:

"This report for and on behalf of the Committee on Proprietary Medicines is incomplete, of course, and is submitted simply to give a résumé of some of the activity in this direction on the part of our organization, or in other avenues, that has taken place since August 1936.

At Dallas, a report with supplementary observations was presented which covered a period from 1884, or thereabouts, down to 1936. This was printed in full in the JOURNAL OF THE AMERICAN PHARMACEUTICAL ASSOCIATION in September 1936 (page 816), to which reference is made. It was pointed out in a majority view that the object for 'the present may best be attained by co-operation with agencies now at work, and through legislative activities, state and national.' It was also suggested, in the same connection, by a member of the committee that a study be made

(1) of existing legislation with respect to classification of proprietary medicines, (2) the ethical status of proprietary medicines and (3) the sources of information as to the composition, standards, classification and ethical status of proprietary medicines.

The result was that the committee was continued and any proposal deferred until final action was taken by Congress on the pending Food and Drug Act in order to learn to what extent such legislation would correct conditions. It is now well known, of course, that a new revised law has been passed, but it will be a year before the actual changes made by its operation may be observed.

It is interesting to examine the many conflicting views existing relative to the entire subject. It is claimed by many that the proper definition of "patent" and "proprietary" medicines is a basic fact in any movement designed to control the distribution of drugs or afford protection to the public. The more your committee investigates this subject the more perplexing it becomes. It seems, however, aside from a few items marketed, or processes patented, that the basic factor is really the misuse of 'copyright' protection to the general detriment of the field of medicine and to the public.

It is interesting to note a comment which came direct from the Patent Office. In a letter to a member of this committee, it is recited that: Compositions of matter form proper subject for patent protection, but a patent cannot be obtained for a composition of matter that is a mere aggregation of well-known ingredients already used in similar preparations. Invention as well as novelty must be shown. It is the practice of many manufacturers \*\*\*\* to sell their products under a trade-mark but this does not prevent others from making and selling the same thing under a different name.

In the July 1936, issue of *Drug Store Retailing*, the late Mr. Frank Blair pointed out that: A proprietary medicine is as the name implies, one of which some manufacturer is the proprietor. These may be advertised products with distinctive names, or these may be products of the so-called ethical group sold directly through the recommendations of doctors. \*\*\*\* In the early days of the industry, proprietary medicines were known as patent medicines. To-day that phrase is a misnomer although the term is still commonly used incorrectly.

That this question is not new is demonstrated by an editorial that appeared in the Weston (W. Va.) *Independent*, February 8, 1907, when the author of the article just quoted, was a representative in the field for a 'proprietary medicine' house in that region. The editor wrote: "There is such discussion in the papers of the state of two measures proposed by the medical doctor." After remarking that it was planned to drive out of the market preparations that had stood the test for years, he continued, 'there is no more reason to expose the formula of a reliable proprietary medicine, than there is to require that every local practitioner shall have written on the label the name and quantity of every ingredient which enters into his mixtures.' The editor, of course, failed to grasp the significance of the education of the physician, which, if used correctly, would enable him to 'fit his drugs to the patient and not to fit his patient' to the myriad of so-called ethical proprietary medicines of this day and time.

The question is not one before our organization alone. Men, learned in the law, everywhere are searching for definitions. In the state of North Dakota, on January 6, 1938, the Attorney-General, in an opinion, stated in part, that "aspirin is a drug and not a proprietary medicine," and further observed: Considering these cases \*\*\* and other federal decisions, it is our opinion that "proprietary medicine" within the definition of our statutes, refers only to those patented preparations or others, which though not patented, consist of a secret formula, which is sole ownership of and can be used only by one individual, corporation or association which is the owner thereof.

In the state of California, the law carries a section as follows: This act does not apply to registered, trade-marked or copyrighted proprietary medicines, registered in the U. S. Patent Office.

The subject of definition and a decision thereon, having to do with the section quoted, came up in 1937 in California. A court, after citing a number of cases (especially one in Minnesota) involving similar questions, concluded that: From all these authorities and the usual meaning of the words we conclude that a proprietary medicine is one which the maker has the exclusive right to manufacture and which is labeled or otherwise marked with his name. This does not mean that the composition of the medicine itself must be patented but it must either be made by a secret



formula or the maker must have some exclusive process of manufacture by which exceptional virtues are imparted to his product as distinguished from other preparations of the same sort.

In an opinion based upon this, the Attorney-General, on July 16, 1937, stated that, under the California law, 'the mere compounding of drugs and medicines (the sale of which was restricted to registered pharmacists) into a particular product of sale as such product, does not, without more, render the product a proprietary medicine.'

In connection with a survey of legislation recently enacted in various states it is interesting to note the Virginia definition, particularly as copied in the new Drug and Cosmetic Misbranding Law. It reads as follows: The term 'patent or proprietary medicines,' shall include only medicines prepared according to a private formula or a secret process or under a trade-mark of the manufacturer or owner, and sold under a trade name in an original package on the label of which appear the disease or diseases for which the medicine is intended to be used and specific directions for its administration.

It has been suggested by some, however, that the words 'medicine prepared according to private formula' might open the door for more of the ethical proprietaries.

Among the few other states that have attempted to define or classify this field, Indiana deserves notice. In the Pharmacy Act of that state appears the following statement: Nothing in this act shall apply to, nor in any manner interfere with the business of a general merchant in selling any of the following articles, to-wit: Medicines of secret composition, and which are advertised to the general public, and popularly known as patent or proprietary medicines, providing said medicines are not poisonous.

It has been suggested that this covers the field fairly well. It would seem that, in Indiana at least, medicinal preparations, the composition of which is not a secret and which are advertised to the general public, would not be looked upon as patent or proprietary medicines. This would give the public some protection by restricting the sale to proper channels of the time, usually referred to as ethical proprietaries.

Dr. Robert P. Fischelis, in a most interesting article under the caption of 'What Is a Patent or Proprietary Medicine?' (*Scientific Monthly*, January 1938), repeats various definitions, as delineated by the A. M. A., and finally quotes the one set out some time ago by the A. P. H. A. Commission on Proprietary Medicines, which this committee succeeded. He concludes, however, that the latter is perhaps the better, 'but if it were accepted as a legal definition the field of proprietary medicines would be greatly enlarged and that of drugs and medicines greatly restricted.' He then gives many shining examples of the misuse of the trade-mark, as applied to well-known, everyday medicinal products.

All of which, summed up, brings up this one question—How can this organization, or any other interested group, hope to accomplish anything in the interest of the public until such time as the wide-open application of trade-mark laws, to anything from bird gravel to hyoscine hydrobromide, is stopped? It is clear that in reforms in that direction lies some hope for the future.

The question of duplication of effort, the work of other organizations and such fields were covered in our last report. Many feel that care should be exercised not to develop further agencies. It has been urged that we form a body similar to the Council on Pharmacy and Chemistry of the A. M. A., which has done such splendid work but which, unfortunately, is not always appreciated in either the direct field of Medicine or Pharmacy. It is recited that pharmacists should be informed as to the exact nature of all drug items which we may sell or dispense.

There is not the slightest doubt that all pharmacists desire to be informed. In no way, however, can they cut the bonds by which they are now duty bound, and will continue to be bound, to the feeling that they must dispense what the physician prescribes. This brings up the question of medical training. Many pharmacists know well the contents of many proprietary products but, in general, this has little value in restricting the sales to drug stores or the more ethical practice of the physician. In one direction he has the fear of offending the supposed intelligence of the customer and in the other direction, so long as the physician prescribes, he will continue to dispense.

It has been pointed out that pharmacy should be expected to guide the public in its choice of medicine for self-medication, as well as guiding the physician in the selection of brands or products of similar composition. That is true, as to hopes, but so long as any alleged manufacturer can grasp and apply any "title" and set up a claim, suggesting that it is either "new or old," so long

will they continue to influence both fields, and the pharmacist is caught right in the middle of the whole affair.

Now the question is, can and should our organization go into the field of investigation and attempt control, on the behalf of the public, of medicinal agents through legal definitions in laws and content examinations? Most, if not all, of the problems arise in the so-called proprietary field. With the new rewritten Federal Food, Drug and Cosmetic Act, and subsequent activities to come, there is bound to come about a vast improvement in the whole proprietary field.

Indeed, some of the old-time, so-called 'patents' at this early date already claim that with new labels, new statements as to content and use, that they now qualify along with the so-called medical proprietaries. In this way the prestige of age-old offenders is raised, from the viewpoint of the maker. A transition in that direction is to be seen on the shelves of most all pharmacies.

In Federal supervision through at least two agencies, there is bound to be a certain amount of formula disclosure. Label statements will be more closely controlled. Indeed, the whole interest of our organization in this type of legislation is based on the beneficial results we know will result.

It is very doubtful if an agency should be set up, or attempted to be set up, in our organization under present-day conditions. It would have to be done most thoroughly and operated most carefully, if at all. The responsibility in this direction lies more or less with the selection, preparation, standardization, packing and distribution. In other words, we should control at the source through our professional training, wherever that source may be. In some states, notably Maryland, Virginia and New York, efforts have already been made along that line. It is well to note also that a well-defined movement is on foot to modify the patent and trade-mark laws to eliminate some of the abuses that had occurred under them. This will, it is hoped, furnish a further restraining influence on the unfair use of patents and trade-marks as applied to medicines and medical supplies.

This, coupled with proper support of other agencies, will perhaps best serve the purpose of rendering proper service to the public and the field of medicine. In the meantime, however, it might seem well to continue this committee, if so desired, as an avenue of approach to such problems that may arise in this direction."

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*Memorandum.*—As a matter of information, this report was read and approved by members named, with exception that the secretary for Dean W. B. Day, on his behalf, made the written statement that he would agree with the majority, and report was quite in order.

A supplementary report, by Dr. R. P. Fischelis, the remaining member of the committee, follows:

"I do not agree with the conclusions of the foregoing report to the effect that the AMERICAN PHARMACEUTICAL ASSOCIATION should not set up a fact-finding agency in connection with the distribution of information on the composition and ethical status of proprietary medicines. On the contrary, it is my opinion that we are now in an excellent position to gather and disseminate valuable information to pharmacists on the status of these products.

This is a necessary activity in behalf of the movement to restrict the sale and dispensing of all drugs and medicines to registered pharmacists and pharmacies. If pharmacists are thoroughly acquainted with the composition of proprietary medicines, the Courts will no longer be in a position to rule that the pharmacist renders no professional service in connection with their distribution. I believe the present situation demands action rather than inaction in this field."

After a general discussion the report was received and referred for publication on motion of J. H. Beal—Jenkins.

84. *American Council on Pharmaceutical Education.* E. F. Kelly was elected to succeed himself as a member of this Council for a term of six years, on motion of George D. Beal—Costello.

85. *Estate of Franklin M. Apple.* Referring to Item 68 (Council Letter No. 11, page 722), the Committee on Finance was requested to submit recommendations with respect to the use of the funds recently received, on motion of George D. Beal—Costello.

86. *George and Lillian Judisch Memorial Fund.* The secretary reported that he had recently been advised that Mr. George Judisch wished now to pay the \$2000 for this fund which was

provided for in his will, dated the 18th day of August 1928, and referred to in the minutes of the meeting of the Council during the Portland, Maine, meeting in that year. Mr. Judisch submitted an agreement with the request that, if approved, the Council appoint two representatives to sign the agreement on behalf of the ASSOCIATION and to accept the bonds, and with the further request that he be advised by letter of the action of the Council. The income from the fund is to be employed in the promotion of professional Pharmacy. (See Funds.)

It was moved by J. H. Beal that the offer of Mr. Judisch be accepted with the profound and earnest thanks of the Council and of the ASSOCIATION, that the agreement be approved, that the chairman of the Council and the secretary of the ASSOCIATION be designated as the two representatives to sign the agreement with Mr. Judisch and to accept the bonds for transfer to the treasurer of the ASSOCIATION. The motion was seconded by George D. Beal and carried.

87. *Election of Members.* On motion of Kelly—George D. Beal, applicants for membership numbered 532 to 539, as submitted in Council Letter No. 12, page 818, and applicants for membership numbered 540 to 555 were elected as members.

88. *Nomination of the Honorary President, Secretary and Treasurer of the Association.* Dr. W. C. Anderson was nominated to the House of Delegates for election as *Honorary President for 1938-1939*, on motion of Eberle—George D. Beal; E. F. Kelly as *Secretary* on motion of J. H. Beal—Hilton; and C. W. Holton as *Treasurer* on motion of Fischelis—George D. Beal.

89. *Report of the Council to the House of Delegates.* On motion of Costello—Eberle, the chairman and the secretary were authorized to prepare the report to be submitted to the House at its First Session.

90. *Visitor's Book and Subscriber's Book.* The secretary reported that a Visitor's Book and stand had been given the ASSOCIATION by the Lambda Kappa Sorority and a Subscriber's Book to contain the names of the subscribers to the Headquarters Building Fund and the Maintenance Fund, and stand, had been given by Dr. H. A. B. Dunning, and that the stands had been designed by the Office of John Russell Pope. On motion of George D. Beal—Jenkins, both gifts were accepted with thanks of the Council to the generous donors, and the presentation of the first-mentioned book, which has been finished, be made an order of business at the Second or Third General Sessions.

The meeting then adjourned.

The Third Meeting of the Council was held on Wednesday afternoon, August 24th, in Minneapolis, with the following members present: Hilton, J. H. Beal, H. C. Christensen, R. P. Fischelis, Ernest Little, P. H. Costello, George D. Beal, E. N. Gathercoal, Glenn L. Jenkins, E. G. Eberle, A. G. DuMez, A. L. I. Winne and E. F. Kelly.

91. *Report of the Editor of the Journal.* Editor Eberle read the following report:

"The report of the editor, herewith, deals with the business of 1937 and as reports of previous years, is compared, in part, with the prior year, 1936.

The expenses of the JOURNAL for 1936 were \$13,199.68; the receipts were \$8085.57. Deducting the receipts, not including membership subscriptions, from expenses shows a cost of \$5114.11. Add the editor's salary we have a cost of \$10,114.11, deduct subscription credit received for 1936 membership, \$4758.82, we have \$5355.29 as the net cost of the JOURNAL for 1936.

The expenses of the JOURNAL for 1937 were \$14,499.98, the receipts were \$7762.54. Deducting the receipts, not including membership subscriptions from expenses shows a cost of \$6737.44. Add the editor's salary, we have a cost of \$11,737.44; deduct subscription credit received for 1937 membership, \$5420.66, we have as the net cost of the JOURNAL \$6316.78; or \$961.49 more in 1937 than in 1936.

The receipts in 1936, as stated in the foregoing were \$8085.57 + \$4758.82, or \$12,844.39; the receipts in 1937 were \$7762.54 + \$5420.66, or \$13,183.20. The receipts were \$338.81 more in 1937 than in 1936.

The expenses in 1936 were \$13,199.68 + \$5000, or \$18,199.68; the expenses of 1937 were \$14,499.98 + \$5000, or \$19,499.98. The expenses in 1937 were \$1300.30 more than in 1936.

Deduct \$338.81 from \$1300.30 and it shows that the net expenses of 1937 were \$961.49 more than in 1936.

The American Association of Colleges of Pharmacy continued its contribution of \$300 annually and this applies to the years 1936 and 1937.

The costs for publication increased 5% beginning with September 1937.

Editor A. G. DuMez will report on the Abstract Section; briefly, the Section costs on an average \$367.28. However, the Index published in the December issue brought the costs up to \$4407.36 for the months January to December 1937. We are confident, from correspondence, that the Abstract Section has met with favor.

The editor desires to thank Editor A. G. DuMez for the fine coöperation he has given the JOURNAL; and also the Mack Printing Co.

Perhaps in justice to the JOURNAL, it should be stated that all costs such as postage, etc., are carried by the JOURNAL.

The 'Professional Pharmacy' has been a work of real value. The revised edition of 10,000 copies has not been sufficiently sold out to warrant a revision at this time.

Comparative details of some of the expenses are shown in the following: Clerical Expenses, 1936, \$1219; 1937, \$1196. Office Postage, Parcel Post, \$335.82 and \$293.63; Publication Costs, \$8834.81 and \$9888.32. Photos, Engravings, \$480.17 and \$625.84. Postage, mailing the JOURNAL, \$724.87 and \$777.23. Telegraph, telephone, etc., \$52.68 and \$65.11. Reprints, \$941.26 and \$1140.89. Commission on Advertising, \$400.08 and \$317.68.

Comparison of other items, receipts: Advertising, \$4358.06 and \$4159.46. Subscriptions and Single Copies, \$1605.59 and \$1808.46. Reprints, \$1304.73 and \$1217.57; Professional Pharmacy, \$454.69 and \$73.90. We endeavor to have subscribers, as far as possible, become members of the ASSOCIATION.

We have nearly caught up with publication of papers. The papers of the Scientific Section are studied and passed on by the Board of Review and thanks are extended for this coöperation and, perhaps, no objection will be made in referring particularly to Chairman F. E. Bibbins. The rosters of the various Associations are published monthly.

For the minutes of the General Sessions, Minutes and Letters of the Council, House of Delegates, Sections and Conferences, thanks are extended for helpfulness of the officers and bodies.

For reference only it is stated that the receipts up to July 1, 1938, are \$3911.78. The expenses for the same period are \$6011.69. The receipts to July 1, 1937, were \$4098.43; the expenses of the same period, \$6608.78.

The report of the editor is made monthly to the Publication Committee; annually a scheduled report is made of Receipts and Expenses. Itemized Reports are given to the secretary for the Auditor's Report and all bills are receipted before going to the secretary."

The report was received on motion DuMez—Little.

92. *Resolution on the Retirement of Dr. Eberle.* Dr. James H. Beal, on behalf of the special committee appointed during the second meeting of the Council, submitted a resolution which was approved, with a vote of thanks to the committee, and referred to the Committee on Resolutions of the A. Ph. A., on motion of George D. Beal—Jenkins.

93. *Committee on A. Ph. A. Laboratory.* The following report was read by Chairman George D. Beal:

"This Committee, appointed by the Council to succeed the committee created to establish the laboratory, has had two meetings to date, June 21 and August 23, 1938. E. F. Kelly, secretary of the ASSOCIATION, has been named as secretary of the committee and business manager of the laboratory. The personnel of the laboratory is:

E. N. Gathercoal, *Acting Director*

Roy K. Snyder

E. C. Beeler

Karl B. Rosen

Kenneth L. Kelly, *Research Associate at*

Bureau of Standards

Rachel Shelton, *Office Secretary*

Director Gathercoal has already reported upon the equipment of the laboratory. The formal operation of the new laboratory was begun on June 15, 1938.

Necessary arrangements and authorizations for the operation of the laboratory were made by the Committee at its June meeting and are being carried out. The committee adopted certain rules for the operation of the laboratory and the handling of reports. A copy of these rules is appended to this report.

A series of projects for investigation at the laboratory has been submitted by Chairman Gathercoal and approved by the committee, with a listing of the projects in relative order of their importance.

The budget from September 1937 to January 1, 1939, having already been approved by the Council, is not discussed here, except to say that the committee has operated within its budget. A request for an advance on the 1939 budget for the purchase of some needful apparatus will be found in a later paragraph.

The committee has recommended to the Committee on Research the making of certain grants from the Research Fund for extramural investigations. These will be presented in the report of the Committee on Research.

*Recommendation No. 1.*—The Committee requests the Committee on Finance to authorize the transfer of \$1500 from any unappropriated funds of the ASSOCIATION for the purchase of certain necessary permanent apparatus, including in particular a laboratory centrifuge, a water still, a potentiometer and a microscope, said purchases to be made under the direction of the acting director, the secretary and the chairman of the Committee. The committee wishes to say that this transfer is to be regarded as an anticipation of the 1939 expenditures and is to be a first charge against the funds appropriated from the Maintenance Fund for 1939.

*Recommendation No. 4.*—The chairman has had conversations and correspondence with a number of the leading glass technologists of the country regarding the subject of prescription glass ware, and finds them anxious to cooperate with the laboratory in the establishment of higher standards for prescription ware and ampul glass. Some of them have gone so far as to say that they would heartily approve of adequate U. S. P. and N. F. standards for these commodities. They have said that they would be pleased to form an advisory committee on this subject, to be known as the Advisory Committee on Glass. We therefore recommend that the following gentlemen be invited to constitute this committee.

Mr. Al. E. Bowes, Owens-Illinois Glass Co.	Mr. J. F. Green, Vineland Glass Co.
Dr. A. N. Finn, Bureau of Standards	Mr. Donald E. Sharp, Hartford-Empire Co.
Dr. Francis C. Flint, Hazel-Atlas Glass Co.	Dr. W. C. Taylor, Corning Glass Co.
Dr. H. P. Gage, Corning Glass Co.	Dr. E. Ward Tillotson, Mellon Institute

*Recommendation No. 5.*—There is always the possibility that in the course of any laboratory investigation, a discovery of commercial as well as scientific importance may be made. The ASSOCIATION should be protected against the patenting, for private gain, of any such discovery. The committee realizes that the ASSOCIATION would need to proceed very cautiously in the establishment of any policy for holding patents, regardless of the fact that a wise administration of such patents might be to the advantage of both the public and the ASSOCIATION. It does, however, feel that the ASSOCIATION should take the necessary steps to protect its potential interest in any such discoveries by executing a contract of employment with its laboratory staff. We therefore recommend that an agreement protecting the following principles be entered into with each member of the staff of the Laboratory.

As a condition of their employment it is agreed:

1. That any and all discoveries made by them during or as a result of their employment by the ASSOCIATION shall be the property of the ASSOCIATION.
2. Each person agrees to transmit promptly to the secretary of the ASSOCIATION and the chairman of the Laboratory Committee a dated, signed and witnessed disclosure of any novel idea or development.
3. Each person agrees, upon demand of the ASSOCIATION through its secretary, to execute promptly all patent applications and assignments relating to such discoveries and to give his assistance to the prosecution of any applications thereon.
4. Each person agrees, at the request of the ASSOCIATION, to give expert testimony on behalf of the ASSOCIATION, in any litigation arising out of such patents or processes.
5. The expense of the prosecution of such applications or of any litigation arising therefrom shall be borne by the ASSOCIATION or its licensees.

It is suggested that the secretary and the chairman of the Committee be authorized to confer with a patent attorney regarding the form of such an agreement. The Committee wishes it

specifically understood that it is not recommending any patent policy to the ASSOCIATION at this time, nor does it believe that such an agreement would commit the ASSOCIATION to any policy on patents.

The Committee will hold its next quarterly meeting in Washington in November or December. At that time it will be prepared to present a budget for 1939 and will possibly be prepared to make recommendations regarding a Director for the Laboratory."

The report was received on motion of Swain—Costello, and the following actions taken on the recommendations:

*Recommendation No. 1.*—That \$1500 be provided for the purchase of necessary equipment, was approved and referred to the Committee on Finance for prompt action on motion of DuMez—Jenkins.

*Recommendations Nos. 2 and 3.*—Were deleted from the report and referred back to the Committee for further consideration and *Recommendation No. 4* was approved, on motion of Swain—Fischelis.

With respect to *Recommendation No. 5*, it was moved by Fischelis that the recommendation be approved and that the Council declare it the fixed policy of the ASSOCIATION, that in case of any discovery of value which results in financial return to the ASSOCIATION, some suitable participation remuneration be arranged for the discoverer. The motion was seconded by George D. Beal and carried.

94. *Committee on Research.* Acting Chairman George D. Beal read the following report:

"The acting chairman begs leave to transmit the following recommendations, which are concurred in by a majority of the members of the Committee in attendance in Minneapolis.

Of the funds allotted to the Laboratory for 1937–1938 and set aside for the promotion of extramural research there remains approximately \$900.00. We are advised by the secretary that there will be approximately \$3000 available for 1939. We recommend that of these sums \$2000 be set aside for extramural grants, and that the balance be placed to the credit of the Laboratory of the AMERICAN PHARMACEUTICAL ASSOCIATION.

We recommend that the sum of \$2000 be expended in grants of \$400.00 each, to cover the period from September 1, 1938 to July 1, 1939, and awarded as follows:

Dr. H. M. Burlage, University of North Carolina, for the study of bismuth preparations, especially the double salts of bismuth, alkali metals and organic acids.

Dr. C. O. Lee, Purdue University, for the study of the percolation of astringent drugs.

Dr. A. H. Wirth, University of Illinois, for an investigation of aloe, carmine and cochineal.

Dr. H. W. Youngken, Massachusetts College of Pharmacy, for a continuation of the investigation of the pharmacognosy of botanical drugs.

To be awarded at the discretion of the Committee on Laboratory, a grant to Dr. John C. Krantz, Jr., of the University of Maryland, for an investigation of the pharmacology of the various Ringer's solutions."

On motion of J. H. Beal—Costello, the report was received and the grants approved.

95. *Committee on the Requirements for the Ebert and Kilmer Prizes.* The report of this Committee as printed in Council Letter No. 12, page 817, was presented by Chairman Marvin J. Thompson. The report was received and the recommendations approved on motion of George D. Beal—Swain.

96. *Committee to Confer with Representatives of the U. S. P. Board of Trustees.* Chairman Gathercoal presented a verbal report of progress and reviewed the decisions reached at two meetings of the Joint Committee, and stated that a formal report would be submitted later to the Council. On motion of DuMez—Christensen, the verbal report was received and the Committee continued.

97. *Committee on Pharmacy Week Policies.* The following report was submitted by Chairman Fischelis:

"National Pharmacy Week has been observed for thirteen consecutive years. Its original objective was to focus attention of the public on the professional activities of pharmacists by emphasizing these activities at a given period in the year through proper displays in retail drug

stores, addresses before civic organizations, through radio and newspaper publicity, and by other dignified and helpful methods.

There has been a very general response to the basic idea of selecting a week during the year for this public emphasis upon the every-day professional activities of practicing pharmacists. In the development of this activity, a variety of problems has arisen and these problems have become more complicated as the activities have grown in scope and the number of participants.

There has been quite active coöperation in this movement on the part of the National Association of Retail Druggists, the colleges of pharmacy, state and local pharmaceutical associations, the pharmaceutical press and the drug industry. Naturally, with so many different groups participating it has been somewhat difficult to identify the leadership of the movement, especially since the direction of Pharmacy Week activities has never been the full-time responsibility of any single individual or committee. We have depended largely on volunteer service and the movement has doubtless been handicapped, in so far as executive direction is concerned, by this fact.

Some years ago it was decided to make this a coöperative movement by the appointment of Pharmacy Week committees by both the AMERICAN PHARMACEUTICAL ASSOCIATION and the National Association of Retail Druggists, which committees acted jointly in supervising the activities of Pharmacy Week. More recently the activity has been turned over again to the sole sponsorship of the AMERICAN PHARMACEUTICAL ASSOCIATION. The National Association of Retail Druggists has continued to appoint a Pharmacy Week committee but it is our understanding that the appointment of this committee is to be discontinued as soon as a definite policy with respect to Pharmacy Week is announced by the AMERICAN PHARMACEUTICAL ASSOCIATION. This Committee was appointed to carefully review the present activities constituting the observance of Pharmacy Week and to formulate a policy for the future observance of this week.

Mr. A. L. I. Winne and Dr. Glenn L. Jenkins are the other members of this Committee, and they were asked to pay particular attention to the 13th observance of Pharmacy Week last October and present their views as to the character of the observance and also their suggestions for changes and the development of a general policy. I shall read their communications on the subject.

Since receiving these communications, the chairman of the Committee has had several extended discussions of the entire subject with Dr. Kelly and short discussions with Secretary Dargavel of the N. A. R. D. and Dr. George Secord who is the chairman of the N. A. R. D. Committee on Pharmacy Week. The general situation and publicity problems involved have also been discussed with Mr. Jerry McQuade and Mr. Harold Hutchins of *Drug Topics* and *American Druggist*, respectively.

The members of the council will recognize the purpose and significance of these discussions in view of their own observations of the trend of Pharmacy Week observance. It is probably unnecessary to voice criticisms of various phases of past observance of this week since these have led to the appointment of this committee and to the definite program which we are now ready to propose.

It is the opinion of the Committee that greater control should be exercised over the use of radio time before and during Pharmacy Week in publicizing the activities of Pharmacy in the professional field. A definite understanding has been reached with those who previously more or less controlled the use of that portion of radio broadcasts of various members of the drug industry which were devoted to announcements of Pharmacy Week. It is possible to obtain three definite fifteen-minute periods at the beginning of Pharmacy Week from the three outstanding National Broadcasting chains. These periods should be obtained in the name of the AMERICAN PHARMACEUTICAL ASSOCIATION and the ASSOCIATION should determine who is to occupy the time and have definite knowledge of the contents of each of the three addresses. For the announcements made by National Broadcasters who donate a minute or two of their regular time at the beginning or end of a broadcast to references to Pharmacy Week, a definite script can be furnished. We are informed that the reason for the commercial nature of the Pharmacy Week message used by individual broadcasters is our previous failure to furnish a statement for their use.

Many of these broadcasters have had the idea that what we wanted said in behalf of retail pharmacy during Pharmacy Week was something to the effect that drugs should be bought at drug stores and Pharmacy Week was the occasion for filling the medicine chest. When we emphasize that this is not the intention, we must be ready to supply short statements covering our desires. To this end it is recommended that for the purpose of radio publicity a theme for each day of

Pharmacy Week be selected and that a short message of two or three sentences be supplied to every broadcaster for the day on which his Pharmacy Week message is given. The themes suggested are as follows:

- Monday—"Pharmacy in World Affairs"
- Tuesday—"Pharmacy's Part in the Quest for Health"
- Wednesday—"The Production and Distribution of Drugs and Medicines"
- Thursday—"The Education and Licensing of Pharmacists"
- Friday—"The Standardization of Drug Products"
- Saturday—"The Corner Drug Store."

The system of supplying prepared articles for use by pharmacists over the radio and in public addresses, should be continued, but the articles should be carefully revised and as far as possible should reflect modern developments in our field. The six themes mentioned above can be made to serve as general titles for public addresses and the subject matter can be brought up-to-date each year and a variety of illustrations may be used under each heading.

Perhaps the most successful method of interesting individual retail druggists in the Pharmacy Week movement has been the window display contest. We see no objection to continuing this activity on the basis which has prevailed heretofore. This involves local and state prizes and a national prize. While there may be some objection to the sources of some of these prizes, it would be difficult to make substantial changes without interfering unnecessarily with present status of this activity.

It has been customary for the N. A. R. D. and the A. PH. A. to supply certificates of merit for various displays, and this could be continued, but it is suggested that a more artistic certificate be devised.

The *American Druggist* has for a number of years issued a Pharmacy Week number during the month of October. While this has naturally been a commercial activity on the part of this publication, it may be said in general that the articles appearing in this issue have been of a relatively high order. Another activity engaged in by this publication has, however, drawn some criticism. It is the award of a plaque to certain pharmacists who have been selected as being the most outstanding in their particular state. The method of selection has left much to be desired and the coupling of Pharmacy Week with these awards has been open to criticism. It is our understanding that the only connection these awards will now have with Pharmacy Week is that they may be presented to the recipients during this week. There is no objection to this as long as it is definitely known that selection of the recipients and the making of the award is not an activity of the AMERICAN PHARMACEUTICAL ASSOCIATION.

The *Pharmaceutical Press* in general has cooperated very helpfully in this movement and the principal recommendation in connection with its participation in the future is that there should be definite guidance of the advance publicity directed to the profession.

We have purposely refrained from making recommendation as to details of the various activities which should be considered a part of Pharmacy Week observance because this is clearly the function of the Pharmacy Week Committee. We believe that this Committee should be appointed by the president of the ASSOCIATION and should consist of five members, two of whom are actively associated with the N. A. R. D. This will give us a group representing both associations but will concentrate the responsibility in the AMERICAN PHARMACEUTICAL ASSOCIATION.

The latter part of October has come to be recognized as the best time of the year during which to promote this activity and we recommend no change in this regard.

Pharmacy Week is a publicity activity. As such it will properly come under the direction of the officer of the association whose duty it is to make public contacts and contacts with the profession. If a new non-technical journal is established, the editor of this journal would probably be the officer referred to. Pharmacy Week would then have full-time direction and attention and many of the difficulties which have arisen in the past would probably not arise again. As long as volunteer service must be depended upon for leadership in this activity, the chairman of the committee will have to rely to a considerable extent on the secretary's office for assistance in the promotional work. It goes without saying that as an A. PH. A. activity, Pharmacy Week should be handled directly from the Headquarters Building. The degree and quality of service that can be rendered in this field will depend to a considerable extent on the financial backing which it receives.



We understand that contributions of \$500.00 each from the A. Ph. A. and N. A. R. D. may be looked forward to regularly and these amounts may be increased if conditions seem to warrant additional appropriations. A charge can be made for material furnished state and local associations and individuals to cover the actual cost of preparing the material supplied. This will assist in meeting the expense of this activity.

We believe we have covered the outstanding factors which enter into the development of a definite policy with respect to Pharmacy Week and we recommend that careful consideration be given to the appointment of the chairman and personnel of this committee so that Pharmacy Week observance may take on the dignified professional aspect which is characteristic of the ASSOCIATION sponsoring it."

The report was received, the recommendations were approved and the Committee continued on motion of George D. Beal—Costello.

98. *Election of Members.* Applicants for membership numbered 556 to 582, inclusive, were elected as members on motion of Kelly—George D. Beal:

No. 556, A. J. Sampson, 17 E. Ashland St., Brockton, Mass.; No. 557, Justin M. Pokorny, 126 N. Cedar St., Nevada, Mo.; No. 558, David V. Whitney, Jr., 4931 Prospect Ave., Kansas City, Mo.; No. 559, Ray M. Amberg, University Hospitals, Minneapolis, Minn.; No. 560, Harvey Donnell, 519 S. W. 6th St., Portland, Ore.; No. 561, L. L. Riggs, 1138 S. W. Morrison, Portland, Ore.; No. 562, John C. Wamberg, 1414 N. E. Hancock St., Portland, Ore.; No. 563, Frank R. Henry, 8 North 27th St., Corvallis, Ore.; No. 564, Howard Hopkins, Brownsburg, Ind.; No. 565, Solomon M. Zoltick, 87 Lambertson St., Trenton, N. J.; No. 566, Samuel Shavitz, 72 Edgewater Place, Edgewater, N. J.; No. 567, Leo L. Levi, 55 Lanark Rd., Brighton, Mass.; No. 568, James L. Savage, P. O. Box 1411, Charlottesville, Va.; No. 569, Roscoe O. Raiter, 901 Cloquet Ave., Cloquet, Minn.; No. 570, Hugh L. Davis, 715 S. Wood St., Chicago, Ill.; No. 571, Goldie Goldman, 650 E. 6th St., New York, N. Y.; No. 572, Frederick C. Peters, 203 W. 94th St., New York, N. Y.; No. 573, Paul Pawel, 317 W. 100th St., New York, N. Y.; No. 574, Elsa Herzog, 225 E. 63rd St., New York, N. Y.; No. 575, Murray W. Posner, 420 Avenue F, Brooklyn, N. Y.; No. 576, Lucy Heiden, 280 Crown St., Brooklyn, N. Y.; No. 577, Charles H. Liss, 518 W. 124th St., New York, N. Y.; No. 578, Solomon Epstein, 166 E. 92nd St., New York, N. Y.; No. 579, Aaron Finkelstein, 1138 Manor Ave., New York, N. Y.; No. 580, Joachim Anshel, 315 W. 95th St., New York, N. Y.; No. 581, Harold F. Clark, 1721 Baltimore Ave., Kansas City, Mo.; No. 582, Samuel F. Higger, 5017 Connecticut Ave., Washington, D. C.

99. *Proposed Publication.* The special committee consisting of E. F. Kelly, A. G. DuMez and R. L. Swain, reported as follows:

"The Special Committee on the Proposed Publication reports that the first problem considered was that of necessary amendments to the By-Laws. The Committee believes that it is inadvisable at this time to undertake such amendments.

The Special Committee recommends that in view of this belief, the Committee be continued to give further study to the matters referred to it with the understanding that a report with recommendations will be submitted to the Council not later than November 15, 1938, with the object of issuing the publication not later than July 1, 1939."

After a general discussion, the report was received and the Committee continued on motion of George D. Beal—Costello.

It was suggested that a brief statement about the delay in issuing the publication be made to the delegates. This was done at the final session of the House of Delegates.

100. *George and Lillian Judisch Memorial Fund.* The secretary reported that Chairman Hilton and he had signed the agreement referred to under Item 86, with Mr. Judisch, and had received the two \$1000 bonds mentioned in the agreement, for transfer to the treasurer of the ASSOCIATION. The bonds bore coupons from March 15, 1939.

The meeting then adjourned.

The Fourth Meeting of the Council was held on Saturday, August 27th, beginning at 1:00 P.M., with the following members present: Hilton, J. H. Beal, Swain, Christensen, Fischelis, Costello, George D. Beal, Gathercoal, Jenkins, Kelly, Eberle and DuMez.

The minutes of the Second Meeting of the Council were submitted and approved as read on motion of J. H. Beal—Eberle. The minutes of the Third Meeting were submitted and approved as read on motion of J. H. Beal—Christensen.

101. *State Committees on U. S. P.—N. F. Promotion.* The following resolution was referred to the Council by the House of Delegates:

WHEREAS, a conference of representatives of the State Pharmaceutical Association Committees on U. S. P.—N. F. Promotion was held during the 1938 meeting of the A. PH. A. to consider how best to correlate their work; *Resolved*, that provision be made to establish at the A. PH. A. Headquarters a center for the assembling and distribution of U. S. P. and N. F. Promotion Material in order that such material may be available to those interested.

The secretary reported that his office could, for the present at least, take care of the work which he understood was desired and stated that if the work later required additional personnel, it would be reported to the Council. This arrangement was approved on motion of Jenkins—Swain.

102. *Procter Memorial Fund.* A resolution dealing with the contracts for the erection of the statue of Procter was referred to the Council by the House of Delegates. After a general discussion, it was moved by DuMez that the chairman of the Committee on the William Procter, Jr., Monument Fund and the secretary of the ASSOCIATION be authorized and empowered to sign a contract or contracts for the making and erection of the William Procter, Jr., statue in the AMERICAN INSTITUTE OF PHARMACY which contracts when so signed shall be binding on the AMERICAN PHARMACEUTICAL ASSOCIATION provided, however, that the total liability of the AMERICAN PHARMACEUTICAL ASSOCIATION under and by virtue of such contracts shall not exceed the sum of eleven thousand (\$11,000) dollars. The motion was seconded by Jenkins and carried.

Dr. J. H. Beal spoke of his forty years or more of very pleasant and profitable association with the members of the Council which came to a close with his retirement and expressed his deep appreciation of the opportunity to serve the ASSOCIATION as a member and officer of the Council.

On motion of Fischelis—Eberle, the chairman was authorized to appoint a Committee of three members to draft a suitable resolution on the retirement of Dr. Beal. The chairman appointed R. P. Fischelis, E. N. Gathercoal and Ernest Little.

The meeting then adjourned.

#### THE COUNCIL, 1938-1939.

The reorganization and First Meeting of the Council was held in the Hotel Nicollet, Minneapolis, Minn., on Saturday afternoon, August 27th, with the following members present: Christensen, Fischelis, Little, Hilton, Costello, Jenkins, Swain, Lascoff, Gathercoal, Mickelsen, Moulton, Rogers and Kelly. President Lascoff called the meeting to order.

1. *Election of Chairman and Vice-Chairman of the Council for 1938-1939.* S. L. Hilton was elected Chairman on motion of Lascoff—Swain. Glenn L. Jenkins was elected Vice-Chairman on motion Little—Lascoff.

2. *Editor of the Journal.* The election of an Editor of the Journal was deferred until the mid-winter meeting of the Council on motion Fischelis—Little, and it was agreed that the Secretary would act as Editor in the meantime.

3. *Editor of the Year Book.* A. G. DuMez was elected Editor of the YEAR BOOK on motion Swain—Jenkins.

4. *Membership of the Council.* The membership and officers of the Council for 1938-1939 are as follows:

#### ELECTED MEMBERS.

H. C. Christensen, 130 N. Wells St., Chicago, Ill. (1939)  
R. P. Fischelis, 28 W. State St., Trenton, N. J. (1939)  
Ernest Little, 1 Lincoln Ave., Newark, N. J. (1939)

H. A. B. Dunning, Charles & Chase Sts., Baltimore, Md. (1940)  
 S. L. Hilton, 1033 22nd St., N. W., Washington, D. C. (1940)  
 P. H. Costello, Cooperstown, N. Dak. (1940)  
 Roy B. Cook, 1559 Lee St., Charleston, W. Va. (1941)  
 Glenn L. Jenkins, Univ. of Minn., Minneapolis, Minn. (1941)  
 R. L. Swain, 2411 N. Charles St., Baltimore, Md. (1941)

## EX-OFFICIO MEMBERS.

J. Leon Lascoff, New York, N. Y.  
 E. N. Gathercoal, Chicago, Ill.  
 A. O. Mickelsen, Portland, Ore.  
 Geo. A. Moulton, Peterborough, N. H.  
 E. F. Kelly, Washington, D. C.  
 C. W. Holton, Essex Fells, N. J.  
 A. G. DuMez, Baltimore, Md.  
 C. H. Rogers, Minneapolis, Minn.

## OFFICERS OF THE COUNCIL.

S. L. Hilton, *Chairman*  
 Glenn L. Jenkins, *Vice-Chairman*  
 E. F. Kelly, *Secretary*

5. *Committee on Finance.* Chairman Hilton appointed R. L. Swain, Chairman, H. A. B. Dunning and C. W. Holton as members of the Committee, and the appointments were confirmed on motion Jenkins—Lascoff.

6. *Committee on Property and Funds.* The personnel of this committee, as provided for in the Council's By-Laws, is as follows: J. Leon Lascoff, C. W. Holton, S. L. Hilton, R. L. Swain and E. F. Kelly.

7. *Committee on Publications.* Chairman Hilton appointed R. P. Fischelis, Roy B. Cook, and P. H. Costello as members of the Committee, the other members being E. F. Kelly, A. G. DuMez and C. W. Holton, as provided in the By-Laws. The appointments were confirmed on motion Mickelsen—Jenkins. Chairman Hilton appointed A. G. DuMez as Chairman of the Committee.

8. *Committee on Standard Program.* J. Leon Lascoff, C. H. Rogers, E. F. Kelly, Ernest Little and H. C. Christensen were elected members of this committee, on motion Costello—Swain.

9. *Committee on N. F. and R. B. Policies.* Chairman Hilton appointed Glenn L. Jenkins, Ernest Little and E. F. Kelly as members of this committee, of which E. N. Gathercoal, E. F. Cook and J. Leon Lascoff are ex-officio members, and the appointments were confirmed on motion of Rogers—Christensen.

10. *Committee to Confer with Representatives of the U. S. P. Board of Trustees.* This special committee was continued with E. N. Gathercoal, E. F. Kelly and Geo. D. Beal to represent the A. P. H. A.

11. *Committee on Pharmaceutical Research.* F. E. Bibbins and Ernest Little were elected as members of this Committee, to serve until 1943, on motion of Jenkins—DuMez.

12. *Committee on Pharmacy Week Policies.* The Committee was continued with the following members: R. P. Fischelis, A. L. I. Winne and J. Lester Hayman.

13. *Committee to Develop Advertising for the R. B. and N. F.* The Committee was continued with the following members: J. Leon Lascoff, H. A. B. Dunning and R. P. Fischelis.

14. *Committee on Proprietary Medicines.* The following were elected as members of the Committee on motion Jenkins—Christensen: Chairman, R. P. Fischelis, Roy B. Cook, R. L. Swain, A. O. Mickelsen, G. A. Moulton, Hugo H. Schaefer and A. L. I. Winne.

15. *Appointment of Standing and Special Committees and Delegates of the Association.* As President Lascoff was not prepared to present his appointments, it was moved by Fischelis that the president be authorized to make such appointments as are now authorized, to fill vacancies as they may occur, and to make such additional appointments as may be necessary or advisable during the year, with the request that the appointments appear in the October issue of the JOURNAL. The motion was seconded by Mickelsen and carried.

16. *Joint Meeting of the Council with the Executive Committee of the N. A. R. D.* The secretary submitted an invitation from Secretary Dargavel that the joint meeting be held at the Hotel Sherman, Chicago, Ill., on Monday, October 10th, at 9:45 A.M. On motion of Kelly—Mickelsen, the invitation was accepted with thanks, and those members of the Council who were in Chicago on that date were urged to attend.

17. *Committee to Nominate the Members of the Committee on National Formulary.* The Chairman appointed H. C. Christensen, Ernest Little and G. A. Moulton as the members of this committee.

18. *New York World's Fair.* The developments in connection with the proposed Pharmacy exhibit at the Fair were considered at length, after which H. C. Christensen, J. Leon Lascoff and E. F. Kelly were elected as a special committee to act if and when an official invitation to participate is received by the ASSOCIATION, on motion of Mickelsen—Rogers.

19. *N. F. Bulletins.* Chairman Gathercoal reported on the cost of the bulletins and that the requests for them are increasing. After a general discussion, it was moved by Rogers that the material in the bulletins be copyrighted and that the bulletins be offered to subscribers at cost. The motion was seconded by Moulton and carried.

20. *Meeting of the Council.* It was moved by Jenkins that a mid-winter meeting of the Council be held, the date to be determined by the chairman and the secretary. It was suggested that the meeting should be held just before or just after that of the National Drug Trade Conference. The motion was seconded by Mickelsen and carried.

The meeting then adjourned.

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