

# The Journal of the American Pharmaceutical Association

Volume III

FEBRUARY, 1914

No 2

Office of Publication, 79-89 North Third St., Columbus, Ohio.

Subscription, \$4.00 per annum, within the United States. To Canada, \$4.35. To other foreign countries in Postal Union, \$4.50 per annum.

Entered at the Postoffice at Columbus, Ohio, as Second-Class matter.

## PROPOSED BICHLORIDE LEGISLATION.

AS might have been anticipated by one familiar with the manner in which American legislation is initiated, the widely reported case of the Georgia banker who by mistake swallowed mercury bichloride tablets instead of headache tablets has resulted in a flood of all sorts of bills to regulate the manufacture and sale of tablets containing poisonous substances. Three or more such measures are now pending in Congress, and an indefinite number in the state legislatures which are in session, besides an innumerable crop of proposed city ordinances.

No two of these measures seem to be alike, and most of them contain provisions which would be absolutely impossible of enforcement, or could not be enforced without causing far greater harm than any benefit that could result from their observance.

Practically all of them exhibit the layman's ignorance as to the meaning of the word poison. Most laymen, and also some druggists and physicians who might be presumed to know better, seem to imagine that it is possible to draw a distinct line between poisons and non-poisons, while, as a matter of fact, nearly every known medicinal agent may be regarded as either poisonous or non-poisonous accordingly as the dose is large or small, and it might fairly be said that the only persons who feel confident of their ability to correctly define a poison are those who have not sufficiently studied the subject to know what they are talking about.

In other words, practically every agent which is capable of producing a pronounced therapeutic or physiological effect will also act as a poison if the dose be sufficiently large. Any definition of a poison is, therefore, imperfect unless it includes a consideration of the dosage, and any enactment which provides

simply that "poisons or poisonous substances," without further limitation of these terms, shall be kept and sold only in tablets of certain forms and colors is a dangerous menace to all who prescribe or dispense medical substances. For example, if a druggist or physician were on trial for dispensing or administering a poisonous tablet, the prosecution would undoubtedly introduce the evidence of toxicologists to prove the guilt of the defendant, and by such evidence it could be shown that very many commonly used drugs and medicines have occasionally produced death when administered in excessive doses or under improper conditions. In certain parts of the country common salt mixed with corn meal and water is a favorite poison for the neighbors' chickens, and cases of human poisoning from common salt, with fatal results, have also been occasionally reported. It is also alleged on good authority that salt is the suicidal agent most commonly used in China, occupying in that country in frequency of use the place that phenol does in this.

Druggists and physicians generally are aware of the fact that society contains numerous individuals who are so dissatisfied with the world and with their place in it that they would cheerfully seek relief in death if it were not for the stigma which attaches to suicide, and to the friends and families of those who are reputed to have destroyed themselves. To such unfortunates the Georgia case furnished an inspiration, since the taking of the bichloride tablets could be pretended to be accidental. And since the newspapers also reported the death as painless, the two greatest deterrents to the commission of suicide, shame and pain, were removed. Within a comparatively short time after that case perhaps a hundred or more cases of alleged accidental bichloride poisoning were announced; a number many times greater than had occurred in all the previous years during which mercury bichloride tablets have been known and used. When the cases became so common that newspapers ceased to feature them under scareheads, the epidemic began to decline, and we may expect that until the newspapers shall discover some other poisonous substance that can easily be taken by mistake and produce a painless death\* we shall not have another epidemic of alleged accidental poisonings.

It would take us too far afield to consider all of the proposed legislative measures to regulate the subject. Those pending in Congress are sufficiently illustrative of the inanities and incongruities of the whole crop.

The Ashhurst Bill, S. 3392, would make it unlawful to import, export, or transport in any manner in interstate commerce "any substance or poisonous compound known as bichloride of mercury," except in the form of green colored cubes, "so as to be readily distinguishable from non-poisonous tablets of similar appearance in common use."

Just how green-colored cubes of mercury bichloride are to be made readily distinguishable from non-poisonous tablets of *similar appearance* is not set forth in the bill.

Neglecting this no doubt unintentional incongruity, a more important objection to the bill is that it would prevent the transportation in interstate commerce of mercury bichloride in any other form than green colored cubes. Consequently

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\*Poisoning by mercuric chloride is, of course, quite the reverse of painless.

any one desiring this salt for use as a reagent or for any one of the numerous chemical and technical operations in which it is employed would be compelled either to manufacture his own supply from the original ingredients or purchase it from some other manufacturer within the same state.

The L'Engle Bill, H. R. 9113, would make it unlawful to "produce, import, manufacture, compound, deal in, dispense, sell or give away any *poisonous* tablet, lozenge or troche not cubical in shape," or to "produce, import, manufacture, compound, deal in, dispense, sell, distribute or give away any *non-poisonous* tablet, lozenge or troche not in spherical or disc shape."

Aside from the fact that this bill would not apply to poisonous agents except when in the form of tablets, lozenges or troches, the bill is a curiosity in that it would apply within the territorial limits of the several states as well as in interstate commerce, in spite of the limitations of that excellent instrument popularly known as the United States Constitution.

The Cary Bill, H. R. 9237, which applies only to the District of Columbia, provides that it shall be "unlawful for any person licensed as a physician, pharmacist or druggist" "to prescribe, compound, or sell" "any drug, chemical, or compound of a poisonous character, especially bichloride of mercury in any form," without making a record of the prescription or order, the name, date, and address of the prescriber, the name and address of the person for whom intended, and the name and address of the purchaser, who in no instance shall be under twenty-one years of age. The prescription or order must be in triplicate,—one copy to be retained on file in the establishment where the substance is compounded or sold, one copy to be filed with the Health Department, and one copy with the Police Department.

Some of the curiosities of the Cary Bill are as follows:

(1) It applies only to "licensed physicians, pharmacists or druggists," and consequently any person not so licensed, e. g., a barber, street vendor or newsboy, might so far as this bill is concerned, sell poisonous substances of any character without limitation or restraint.

(2) It would apply to physicians' prescriptions containing among its ingredients any substance that might under any circumstances be alleged to be poisonous, which means that it would apply to the majority of useful medicinal agents.

(3) The patient if under twenty-one years of age, could not take his own prescription to the drug store, but would have to employ some one who had attained his legal majority to have the prescription filled for him.

The mild (?) penalty for any physician, pharmacist or druggist "failing to comply in any manner with the provisions of this act is a fine of one thousand dollars or imprisonment at hard labor for one year, or both. If the offense is repeated, the license of the physician, pharmacist or druggist is to be cancelled, "disqualifying such person from acting in that capacity," "directly or indirectly, forever."

It will be seen from the examples cited that mercury bichloride legislation is a live subject, and it behooves all who have anything to do in any capacity with the dispensing of drugs and medicines to actively unite in defeating such legislation or in securing its proper amendment.

In considering this subject early last year, the *Journal of the American Medical Association* made the wise suggestion that the U. S. P. Committee of Revision

should incorporate in the forthcoming Pharmacopœia suitable directions for the shaping and distinguishing of highly poisonous tablets. The same subject was also discussed editorially in this Journal, August, 1913, page 929.

The A. Ph. A., at the Nashville meeting adopted a resolution making the same recommendation to the Committees of Revision of both the United States Pharmacopœia and the National Formulary (see Sept. Journal, page 1041), and resolutions bearing upon the same topic and to the same effect were adopted by the National Drug Trade Conference at its recent meeting in Washington, reported elsewhere in this issue.

If the U. S. P. Committee of Revision will awaken to the importance of the subject, and adopt suitable regulations for the distinguishing of mercury bichloride and other dangerous tablets, it will relieve the situation in two ways:

1. The recognition of the fact that these regulations will shortly become a part of the law as the standard of the Federal and of the various State Food and Drugs Acts, will check the fury of legislators to secure special enactments upon the subject.

2. Those who insist upon immediate legislation will be likely to follow the lines of the Committee's regulations in their enactments.

It is to be hoped that the Committee of Revision will recognize the importance of the subject to medicine and pharmacy and utilize the opportunity which the occasion presents.

J. H. BEAL.



#### TRADE PIRATES AND OTHER THINGS.

**R**ECENTLY the writer was consulted by a clergyman concerning the probable cost of making an analysis of a proprietary rheumatism remedy.

Upon gently suggesting that the expense of an analysis would probably exceed the cost of half a dozen packages of the stuff and also that it might be safer to consult a physician for the treatment of a case of "rheumatism," it developed that the sample had been furnished by a physician who had been using it in his private practice with extraordinary success, and that if the formula could be obtained he and his ministerial emissary were to go "cahoots" in its manufacture and sale to rheumatic humanity.

Other interesting details were likewise developed, but the most significant features of the negotiations were the theologian's complete inability to sense the moral obliquity of appropriating the fruits of some one else's labors without consent or compensation, and the readiness of the Aesculapian, who is a man of "some standing" in medical circles, to exchange the garment of professional regularity for the purple and fine linen of a patent medicine king, provided his actual connection therewith could be concealed under the convenient and all-embracing disguise of Co.

While it may be uncommon to find divinity and medicine uniting in a project of this kind, it is not unusual to find both physicians and laymen who condemn the use of patent medicines in the abstract but are quite ready to engage in the manufacture of one, provided they can find a good seller, their idea of a "good