Dr. Blumenschein said there are a number of States in which no record is kept, hence the number of deaths as officially reported could have but little bearing as a whole.

Dr. Saalbach cited personal experience with a refined wood alcohol, the label upon which claimed it to be non-poisonous and commended its use in the preparation of external remedies such as tincture of iodine, etc. Later this misstatement having been called to the attention of the manufacturers, the wording of the label was changed.

The ordinance effective in New York City was commended and on motion of Dr. Julius A. Koch the Branch adopted a resolution advising that an effort be made to have legislation in accord therewith adopted generally.

Dr. Wurdach exhibited by blackboard illustration a method in use by him in the postgraduate course of the Pittsburgh College of Pharmacy for producing methyl alcohol which proved a very interesting and instructive demonstration.

B. E. PRITCHARD, Secretary.

## The Pharmacist and the Law

### RULING UNDER HARRISON LAW SUSPENDED.

The ruling contained in the first paragraph of Treasury Decision No. 2244, requiring the quantity of narcotic drug to the ounce or if in tablet form, the total number of tablets, and the quantity in grains per tablet to be indicated on the official narcotic order forms, is hereby suspended until January 1, 1916, in order to give manufacturers, dealers and other persons who make use of these order forms, an opportunity to adjust themselves to the changed conditions necessitated by the treasury decision referred to.

The second paragraph of Treasury Decision No. 2244, relating to the signing of narcotic order forms, is not suspended.

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### NEW YORK WHOLESALE DRUGGISTS TO OBSERVE N. Y. HEALTH BOARD'S FORMULA DISCLOSURE ORDINANCE.

Eleven New York drug jobbers go on record as willing to comply with the ordinance forbidding handling of proprietary medicines unless registered with Health Department—Also indorse federal legislation of similar character.

Seemingly reconciled to the idea that legislation of a national as well as of a local character, to compel the disclosure of qualitative formulas and the registration of all proprietary medicines is close at hand, several leading representatives of the wholesale drug trade of New York City have placed themselves on record, in a letter to the Commissioner of Health, as favoring a federal enactment regulating the sale of such goods, in addition to signifying their intention of complying with the local Health Board's ordinance on this subject.

This action on the part of some of the wholesale drug houses in New York City, whereby they have pledged themselves to observe the provisions of Section 117 of the local Sanitary Code, which becomes effective December 31, without interposing any objection to their enforcement, follows closely upon a similar submission to this local ordinance on the part of the New York Pharmaceutical Conference, representing the retail druggists of New York City.

It had been expected that considerable opposition to the enforcement of this ordinance, which was adopted by the local Health Board to assist the local health commissioner in his campaign against "nostrums," would be manifested by the wholesale and retail drug trades of New York City, as well as by the national organization representing the proprietors and manufacturers of "patent" or proprietary medicinal preparations. The latter organization, in fact, has already made plans for fighting this ordinance in the courts and for attempting to have it adjudicated unconstitutional. Although some of the local drug jobbers, as well as retail druggists, have been summened to appear as defendants in prosecutions begun by the local Health Department for their distribution of proprietary remedies, which the department has declared to be misbranded within the meaning of Subdivision "c" of Section 116 of the local Health Board's sanitary code, none of these jobbers now appears desirous of opposing openly the enforcement of the board's formula disclosure ordinance and, as the retail druggists' representative organization, the New York Pharmaceutical Conference, has recently asked the local health com-

missioner to keep the local druggists informed on what proprietary remedies he considers to be misbranded, in order that they may avoid handling them, it is evident that the burden of contesting the constitutionality of the ordinance now rests entirely upon the Proprietary Association of America.

The letter, in which several wholesale drug houses have signified their intention of complying with the local Health Board's proprietary medicine formula disclosure and registration ordinance, follows:

NEW YORK, Oct. 18, 1915.

DR. S. S. GOLDWATER, *Commissioner of Health.*

Dear Dr. Goldwater—The undersigned wholesale druggists and dealers in proprietary medicines have signified their intention of complying with section 117 of the ordinances of the Board of Health of New York city in regard to the selling only of registered patent and proprietary articles.

We also desire to go on record as favoring a Federal law regulating the sale of patent and proprietary articles, for the same reasons which brought about the passing of the above mentioned local ordinance. We are,

Very respectfully yours,

(Signed) BAKST BROTHERS,
BRITT, LOEFFLER & WEIL,
BRUEN, RITCHEY & Co.,
EIMER & AMEND,
HENRY KLEIN & Co.,
LEHN & FINK,
C. S. LITTELL & Co.,
MATZ & COHEN,
MCKESSON & ROBBINS,
SCHIEFFELIN & Co.,
TOBBINS & JAMES.

Supplementing their action in thus notifying the local health department of their intention to observe the formula disclosure and registration ordinance, these wholesale druggists have also drafted and are now sending to manufacturers of proprietary medicines the following circular letter:

The undersigned wholesale druggists and dealers in proprietary medicines are confronted by the necessity of having their stocks of these goods in condition to comply with the terms of section 117 of the ordinances of the Board of Health of New York city, taking effect December 31.

It is our purpose to comply with the ordinance, and we ask all manufacturers to make their articles legally salable, as we decline to place ourselves in a position inviting prosecution.

We call your attention to the fact that the regulations do not require the disclosure of the complete formula and percentage composition, but merely a statement of active ingredients. As Federal legislation of a similar nature seems to be impending, compliance with these new requirements seems to be more urgent in order to make your products salable in all parts of the country.

Section 117 of the local Health Board's Sanitary Code, which was originally enacted at the close of last year, and which is to become effective at the end of this year, follows:

Sec. 117. Regulating the sale of proprietary and patent medicines.—No proprietary or patent medicine manufactured, prepared, or intended for internal use, shall be held, offered for sale, sold, or given away in the city of New York until the following requirements shall in each instance have been met.

The names of the ingredients of every such medicine shall be registered in the Department of Health in such manner as the regulations of the Board of Health may prescribe.

The expression "proprietary or patent medicine," for the purposes of this section, shall be taken to mean and include every medicine or medicinal compound manufactured, prepared or intended for internal human use, the name, composition or definition of which is not to be found in the United States Pharmacopœia or National Formulary, or which does not bear the name of each ingredient conspicuously, clearly and legibly set forth in English on the outside of each bottle, box or package in which the said medicine or medicinal compound is held, offered for sale, sold or given away.

The provisions of this section shall not, however, apply to any medicine or medicinal compound, prepared or compounded upon the written prescription of a duly licensed physician, provided that such prescription be written or issued for a specific person and not for general use, and that such medicine or medicinal compound be sold or given away to or for the use of the person for whom it shall have been prescribed and prepared or compounded; and provided also that the said

prescription shall have been filed at the establishment or place where such medicine or medicinal compound is sold or given away, in chronological order, according to the date of the receipt of such prescription at such establishment or place.

Every such prescription shall remain so filed for a period of five years.

The names of the ingredients of proprietary and patent medicines, registered in accordance with the terms of this section, and all information relating thereto or connected therewith, shall be regarded as confidential, and shall not be open to inspection by the public or any person other than the official custodian of such records in the Department of Health, such persons as may be authorized by law to inspect such records, and those duly authorized to prosecute or enforce the Federal statutes, the laws of the State of New York, both criminal and civil, and the ordinances of the city of New York, but only for the purpose of such prosecution or enforcement.

Regulations supplementing this ordinance were promulgated June 30 of this year. They modify the ordinance's general requirement that the names of the ingredients of every medicine shall be registered in the Department of Health by stating that no disclosure of the quantities of these ingredients is called for, and that only the names of the active ingredients on which therapeutic claims are based, not those of inert substances, such as flavoring or coloring agents, are to be set forth in the application for the registration of the proprietary medicines in question. These regulations however, demand a registration certificate for every patent or proprietary remedy held, offered for sale or sold or given away in New York City—and seek to compel the labeling of each package containing these goods with local registration phrase and registration certificate number.

The Proprietary Association of America has advised all its members, including the leading proprietary medicine manufacturers of this country, to ignore the provisions of this local formula disclosure ordinance and its regulations, on the ground that they are wholly unconstitutional, because they seek to deprive them of their vested property rights by attempting to compel disclosure of privately owned formulas, even though such disclosure is only partial. In particular, this association is determined to have the ordinance declared unconstitutional on the ground that it prohibits the "holding" of non-complying proprietary preparations by local wholesalers or retailers, as it contends that a merchant has a legal right to "hold" any article of commerce which he desires, regardless of whether it meets with the sale requirements of local statutes, provided that such article is not sold within the jurisdiction of such ordinances or laws.—From Oil, Paint and Drug Reporter.

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## PRESCRIPTIONS AS PUBLIC RECORDS.

The right of a state to constitute druggists' files of prescriptions public records in the sense that a druggist may be compelled to produce them before a court or grand jury as an aid in the enforcement of regulations governing the sale of intoxicating liquors, was upheld by the Missouri Supreme Court in the case of State vs. Davis (18 Southwestern Reporter, 894).

Defendant was indicted for violating a statute requiring every druggist to "preserve all prescriptions compounded by him or those in his employ, numbering, dating and filing them in the order in which they are compounded," and to "produce the same in court or before any grand jury, whenever thereto lawfully required." Defendant attacked the validity of this provision on the ground that it sought to compel one to surrender private papers which might tend to incriminate him, in violation of the guaranty of the federal constitution that no person shall be required to furnish evidence against himself in a criminal case.

But the court refused to regard prescriptions as necessarily belonging to the class of private papers. Speaking of the public policy of permitting druggists to sell intoxicating liquors, the court said: "It was, therefore, deemed necessary that druggists in compounding medicines and filling prescriptions should have the right to sell liquor as a medicine. There can be no doubt that the legislature had the right to impose its own conditions in authorizing such sales. It undertook to do so by the provisions of Section 4621, which limits sales to those made under the written prescription of a regularly registered and practicing physician. * * * These prescriptions thus became the license, or jus-

tification, to the druggist for making sales, which otherwise would be unlawful. As evidence of authority to make particular sales they would constitute private papers of the druggist, but could not be regarded as evidence of crime, but rather of innocence. The chief purpose of their preservation, however, was evidently that they might be used in giving aid to courts and grand juries in their proper and lawful endeavors to control and regulate the sale of intoxicating liquors within the limits prescribed by the legislature, and, in the investigation of matters of public concern. In these respects all the prescriptions become public and not private papers, and the druggist merely their custodian.—Through Druggists' Circular.

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## HARRISON LAW ORDER FORM RULING.

In a decision issued by the Commissioner of Internal Revenue, with the approval of the Secertary of the Treasurer (T. D. No. 2244), there are set forth the requirements regarding the preparation and signing of narcotic order forms, as follows:

In entering items calling for narcotic preparations and remedies on the order form issued in accordance with the provisions of section 2 of the act of December 17, 1914, the quantity of narcotic drug to the ounce must be indicated, or if ordered in tablet form, the total number of tablets and the quantity in grains per tablet should be stated.

The signing of narcotic order forms with a firm name with no other name to indicate who wrote the order, will not be permitted. The name of the principal officer of a firm, corporation, partnership or company, or the person who is granted through power of attorney authority to sign such orders, must invariably appear thereon, and druggists and dealers are cautioned against filling such orders unless these requirements are complied with. Stamps or printed signatures on order forms are not permitted, and in every instance there must be an indication of individual responsibility in the preparing and signing of these forms.

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## A RECENT DECISION AFFECTING THE HARRISON LAW.

A demurrer to an indictment against a physician for not registering prescriptions of habit-forming drugs was sustained by Judge Dyer in the Federal District Court at St. Louis, October 28, on the ground that the Harrison law provided no penalty in case physicians did not register such prescriptions.

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## SERIOUS DEFECT FOUND IN HARRISON LAW.

According to a decision which has pust been rendered by Judge Wilbur F. Booth, in the United States District Court in Minneapolis, Minn., "mere possession of opium and cocaine or their derivatives by a person other than an importer, a manufacturer, seller or compounder, does not make him liable under the provisions of the Harrison law."

This judicial finding appears to point out a serious defect in the Federal narcotic sales regulation enactment.

Judge Booth made the decision when sustaining a demurrer to an indictment against Charles E. Jeannin, who is neither a recognized handler nor dispenser of the narcotics in question, charging him with having some of these drugs in his possession. The case against Jeannin was thereupon dismissed on motion of the defense. Judge Booth's opinion stated: "The Harrison law defines certain persons who can offend under its provisions. They are those who produce, import, manufacture, compound, sell, dispense, or give away opium, coca leaves, their salts or derivatives or preparations. These persons may offend in four ways—by producing, selling, transporting or having in their possession drugs without meeting the requirements of registration. But mere possession does not constitute a violation of the act in the case of persons who are not among those classes named."

In this decision, Judge Booth has followed a precedent of the United States District Court of Montana, but Judge Booth's decision defines the scope and applicability of the law much more clearly than the Montana decision.

Federal officers who have hitherto trusted implicitly in the efficacy of the Harrison law's provisions to apprehend habitues of the narcotics in question, are greatly disgruntled at Judge Booth's decision, which United States District Attorney Alfred Jacques, in Minneapolis, contends will "give immunity, as far as the Federal government is concerned, to those 'dope fiends' who are caught with drugs in their possession."

"It means, moreover," says Mr. Jacques,

"that internal revenue officers, who suspect certain individuals, cannot arrest them and convict them merely because they are caught carrying the drugs. The government in the cases of these persons will have to prove that they have actually sold or given away the drugs to others."—Oil, Paint and Drug Reporter.

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## DETERMINATION OF FREE SULPHUROUS ACID BY TITRATION.

A comparison of the methods previously employed shows that there is a discrepancy in the results obtained. Against standard sodium hydroxide, using phenolphthalein as indicator (which carries the operation to the formation of neutral sulphite), the results are higher than those obtained by titration with iodine solution. Using methyl orange as indicator, the end point of which is the formation of sodium bisulphite, the results are practically equivalent to those obtained with iodine. The discrepancy is due to the fact that methyl orange only reacts sharply to mineral acids, and is not accurate in the case of weak acids, such as sulphurous. A new method is, therefore, suggested. The sulphurous acid is oxidized to sulphuric acid by means of hydrogen peroxide, which is then determined by titration with standard alkali. The oxidation takes place completely in two minutes. The results obtained are consistent, and are just double the figures obtained by direct titration with standard sodium hydroxide, using methyl orange as indicator. A second method is also suggested. This consists in treating the sulphurous acid solution with mercuric chloride after first half neutralising it with sodium hydroxide. The following reaction takes place:

$$NaHSO_3+HgCl_2=NaSO_3HgCl+HCl.$$

The free hydrochloric acid is then titrated in the ordinary way; the presence of the double salt does not interfere with the reaction of the titrating reagent. No oxidation takes place during the progress of the reaction, as evidenced by its behavior to barium chloride solution. The results obtained by this method compare favorably with those obtained by direct titration with sodium hydroxide, using methyl orange as indicator. Thus, for instance, ten mils of sulphurous acid solution required 4.3 mils of N/10 sodium hydroxide by direct titration with methyl orange, and after treatment with mercuric chloride solution 8.6 mils were required.—A. Sander (*Chem. zeit.*, 106-107, 1,057.)

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## REMOVING MARKING INK STAINS

In ordinary cases, that is, where the composition of the ink is unknown, the following steps should be taken, in order:—(1) First soak in a solution of common salt, and then wash with ammonia. (2) Treat with a solution of potassium cyanide, 10 grains; iodine, 5 grains; in water, 1 fl. oz. (3) Moisten with a solution of iodine in potassium iodide, and then wash with water. (4) Treat with strong solution of zinc sulphate, and then touch with a piece of metallic zinc, or sprinkle with powdered zinc, afterwards washing. (5) Treat with solution of chlorinated lime, freshly prepared, and then with a solution of acetic or citric acid in water. (6) If the stain should happen to be one made by alizarin ink, it may be removed by treating with a solution of tartaric acid; the older the stain the more concentrated should be the solution.—*The Pharmaceutical Journal*, 1915.