

Resolutions indorsing the Stevens bill offering price protection for standard articles of commerce, and the model bill prohibiting all manner of misrepresentation, verbal as well as written or printed, were adopted by the members at the business sessions. Frank L. Beggs, of Newark, O., formerly first vice-president, was elected president, succeeding Dr. S. H. Baer, of St. Louis, Mo., who was chosen president of the Association at last year's meeting. Several other changes were made in the other offices, the election resulting as follows: President, Frank L. Beggs, of Newark, Ohio; first vice-president, C. F. Sauer, of Richmond, Va.; second vice-president, J. O. Schlotterbeck, of Rochester, N. Y.; secretary, F. P. Beers, of Earlville, N. Y.; and treasurer, Gordon M. Day, of Milwaukee, Wis., succeeding Robert F. Heekin, of Cincinnati, O.

The Pharmacist and the Law

Recent court decisions, involving fixed prices should not affect the attitude of druggists nor associations ament the Stevens bill.

The Stevens bill is intended to legalize contract for the control of resale prices, irrespective of the patent law, as a protection to good-will and reputation.

The opposers of the measure should convince retail druggists that they must come to the support of this desirable legislation, otherwise it will not be enacted. The opposition includes mail order houses, chain stores, etc.

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PHILADELPHIA DRUGGISTS PROTEST AGAINST TREASURY DECISION No. 2213.

Pointing out that Treasury Decision No. 2213, recently issued, is not only confusing and misleading, but that it discriminates between legitimate pharmacy in favor of patent and proprietary medicines, the Philadelphia Association of Retail Druggists at a largely-attended meeting at the Philadelphia College of Pharmacy, July 9, after a thorough discussion of the decision, adopted the following resolutions:

WHEREAS, In the enforcement of the Harrison law a Treasury Decision No. 2,213 has

been issued by the Department of Internal Revenue; and

WHEREAS, In this decision an interpretation of the words "preparations," "remedies" and "prescriptions" have materially changed the exemptions in Article 6 of the law, which is contrary to the thought of those responsible for the enactment of the law; and

WHEREAS, This decision prevents the renewal of prescriptions containing narcotics in any quantities, for both external and internal use, allowing at the same time the sale of patent and proprietary remedies and medicines containing narcotics in quantities exempted; and

WHEREAS, The enforcement of this ruling discriminates between any legitimate pharmacy in favor of patent and proprietary medicines; and

WHEREAS, Webster's definition of "prescription" as used medicinally is defined as a "prescribed remedy," which in Article 6 of the law is exempt; therefore, be it

Resolved, That the Philadelphia Association of Retail Druggists in meeting assembled at Philadelphia, Pa., on July 9, protest against this unjust Treasury decision; and be it

Resolved, That the said decision is contrary to the wording of Article 6 of the act; and be it further

Resolved, That the decision discriminates against ethical pharmacy in favor of patent and proprietary medicines containing exempted narcotics; and be it further

Resolved, That the enforcing of the decision will work a hardship on pharmacists and the medical profession, as well as the laity in the renewing of legitimate prescriptions, calling for narcotics in minute quantities; and be it further

Resolved, That the Philadelphia Association of Retail Druggists, in meeting assembled, protest against the decision, as a whole, and call upon the Hon. W. G. McAdoo, Secretary of the Treasury of the United States, and the Hon. Wm. H. Osborn, Commissioner of Internal Revenue of the United States, for a just and equitable hearing on Treasury Decision No. 2,213; and be it further

Resolved, That a copy of these resolutions be forwarded to the Hon. Secretary of the Treasury of the United States and to the Commissioner of Internal Revenue of the United States.

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FOOD AND DRUG LAW ANNOUNCEMENTS.

The United States Bureau of Chemistry has collected a sample of a product labeled "Oil of Sandalwood, German." Analysis shows this article to consist of a mixture of oil of amyris balsamifera (sometimes improperly called "West Indian oil of sandal-

wood") and oil of copaiba. It does not contain any true oil of sandalwood. The name "Oil of Sandalwood, German," does not represent the facts, and the product is therefore misbranded. It should be labeled as "Oil of Amyris Balsamifera Compound," "Oil of Copaiba Compound," "Oil of Copaiba and Amyris Balsamifera," or vice versa, depending on the oil which predominates in the article. In this connection Food Inspection Decision 63, relating to the use of the word "compound" in names of drug products, should be consulted.

Food Inspection Decisions 142 and 146 do not forbid the use of saccharin in drugs generally. If an article is sold under a name recognized by the United States Pharmacopœia or National Formulary, and such article deviates from the prescribed standard, however, the nature and character of such deviation must be clearly stated on the label, as required by Section 7 of the Federal Food and Drugs Act.

The term "aromatized castor oil" on a label is not considered sufficient to fulfill the requirements of the act in describing a castor oil containing saccharin in addition to certain aromatics. The label should also plainly show that the article varies from the pharmacopœial standard for castor oil in that it is sweetened with saccharin.

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SODA FOUNTAINS AS SOURCES OF INFECTION.

A. J. Lanza of the Public Health Service in an article in Public Health Reports on the interstate migration of tuberculous persons, says that soda-fountain utensils are common eating and drinking devices in the most vicious sense of the word. He has seen advanced consumptives at soda fountains, and as soda fountains are a common rendezvous for children, the danger is apparent. Soda-fountain attendants are likely to be careless in the handling and washing of cups, spoons and glasses, and he has observed on more than one occasion advanced consumptives put down glass and spoon which were then carelessly rinsed in standing water and placed on the shelf for the next customer. He says that in hotels, cafés and other eating places tableware is generally cleaned in machines, or at least soap and hot water are used, and while potentially sources of infection, the

danger would be less than by the careless rinsing that suffices at soda fountains.

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HABIT-FORMING DRUGS—HEROIN—SALE BY CLERK.

Appeal was made from a conviction of unlawfully selling morphine, the trial court having directed the jury to return a verdict of guilty. The New Jersey act upon which the indictment was based (P. L. 1908, p. 399), reads as follows: "Any person who shall sell, give away, furnish or dispose of the alkaloid cocaine, or its salt, alpha or beta eucaine, or their salts, opium, morphine, codeine, chloral or any of the derivatives of chloral, or who shall sell, give away, furnish or dispose of any admixture of cocaine or eucaine or any patent or proprietary remedy containing cocaine or eucaine, except on the written prescription of a duly licensed and practicing physician, shall be guilty of a misdemeanor." The defendant was a druggist in Jersey City, and a graduate of a recognized college of pharmacy. The alleged commission of the offense charged consisted in the fact that a clerk in the defendant's employ sold a bottle containing 100 tablets, each tablet containing one-twelfth of a grain of "heroin," to one Courtney. The clerk when employed had been instructed by the defendant to sell no drugs contrary to law. Courtney, it seemed, had made prior purchases of the drug at the defendant's store, but the defendant testified that when these sales were made he was not informed that heroin was included in the category of habit-forming drugs, and it was held to be inferable from the testimony that the general discovery of that fact has been only of comparatively recent date.

To bring the commission of the offense within the language of the statute, the state offered expert testimony to show that heroin is in fact morphine. Expert chemists in behalf of the defendant testified that heroin and morphine are two distinct drugs, the latter being a very old alkaloid, and the former a comparatively recent derivative of morphine, and that each responds differently to recognized chemical tests. It was also in evidence that the two drugs respond differently on the human system, and that heroin may be used with benefit for throat ailments. The court did not deem it necessary to say

more in the disposition of the case than that the statute in question does not include in its categorical statement of the inhibited habit-forming drugs the drug known as heroin. If it were known and in existence by name as a habit-forming drug at the time of the enactment of the prohibiting law, it must be assumed that the Legislature purposely excluded it. If it were not known, and not in existence, at that period, it was equally manifest that the Legislature did not have it in mind in its generic designation of habit-forming drugs. But if it were conceded that the language of the act included heroin among the derivatives of the drugs specifically condemned, the difficulty of sustaining the conviction lay in the fact that the defendant personally did not sell the drug, that he had given orders to his clerk not to sell habit-forming drugs, and that when he learned that this drug was included in the class of habit-forming drugs, he ceased to sell it. This testimony presented an issue of fact as to the defendant's guilt which should have been left to the jury to determine. The judgment of conviction was therefore reversed.

State v. Norwood, New Jersey Supreme Court, 93 Atl. 683.

Council Business

COUNCIL LETTER No. 28.

Philadelphia, Pa., July 2, 1915.

To the Members of the Council:

Gentlemen—*Motion No. 44 (Election of Members; Applications No. 175 to No. 215, inclusive)*, has received a majority of affirmative votes.

Motion No. 45 (Election of Members). You are requested to vote on the following applications for membership:

No. 216. Harry Vogel Becker, 576 Mission St., San Francisco, Cal., rec. by Fred I. Lackenbach and K. B. Bowerman.

No. 217. William J. Clancy, 657 First St., LaSalle, Ill., rec. by Wm. B. Day and C. M. Snow.

No. 218. John W. Forbing, 2435 Brown St., Omaha, Neb., rec. by H. F. Gerald, M. D., and I. Curtis Arledge.

No. 219. Harry Alexander Shapiro, 139

Manning St., Portsmouth, N. H., rec. by John G. Godding and Theodore J. Bradley.

No. 220. Oakley Smith Skinner, Windsor, Vermont, rec. by C. Herbert Packard and Theodore J. Bradley.

No. 221. Armand Merrill Dupaul, Hamilton St., Southbridge, Mass., rec. by Theodore J. Bradley and Fred W. Archer.

No. 222. James Weston Pratt, 5 Summer St., Quincy, Mass., rec. by Howard H. Smith and Theodore J. Bradley.

No. 223. Florin Joseph Amrhein, 61 Fort Ave., Roxbury, Boston, Mass., rec. by Elie H. LaPierre and Theodore J. Bradley.

No. 224. George Weldon, Paris, Idaho, rec. by H. H. Whittlesey and Wm. B. Day.

No. 225. Henry Louis Kath, West 85th St., near 32d St., Seattle, Wash., rec. by C. W. Johnson and Forest J. Goodrich.

No. 226. Harry Breslaw, 64 West 144th St., New York, N. Y., rec. by Otto Raubenhaimer and Jeannot Hostmann. Best Thesis Presented in Chemistry, University State of New Jersey, "Tea as Sold in the American Market."

No. 227. Jacob Bankoff, 345 Hopkinson Ave., Brooklyn, N. Y., rec. by Otto Raubenhaimer and Jeannot Hostmann. Best Thesis Presented in Balneology; University State of New Jersey, "Mineral Springs of the Fifth District of New Jersey."

No. 228. Charles Mueller, 1304 John St., Guttenberg, N. J., rec. by Otto Raubenhaimer and Jeannot Hostmann. Best Thesis Presented in History of Pharmacy, University State of New Jersey, "Contribution to the Oldest History of Pharmacy."

No. 229. Abraham Rosenberg, 524 East 12th St., New York, N. Y., rec. by Otto Raubenhaimer and Jeannot Hostmann. Best Thesis Presented in Physiological Chemistry, University State of New Jersey, "Variations of Carbohydrates in the Urine in Diabetes."

No. 230. Reuben Podolsky, 885 Jennings Ave., New York, N. Y., rec. by Otto Raubenhaimer and Jeannot Hostmann. Best Thesis in Pharmacy, University State of New Jersey, "Improvements in Galenical Preparations of Digitalis."

No. 231. William C. Roysse, 431 South Fifth St., Terre Haute, Ind., rec. by A. H. Dewey and W. F. Gidley.

No. 232. Edward Rudy Gifford, 23 Robin Hood St., Dorchester, Mass., rec. by Leon A. Thompson and Theodore J. Bradley.

No. 233. Fred Martin Neningen, 513 South Warren St., Syracuse, N. Y., rec. by Willis F. Gregory and Wm. B. Day.

No. 234. Jacob Bernstein, 45 Peckham St., Buffalo, N. Y., rec. by Willis F. Gregory and Wm. B. Day.

No. 235. Hugh Adelbert Judd, 836 Main St., Buffalo, N. Y., rec. by Willis F. Gregory and Wm. B. Day.

No. 236. Bernard Edward Tracy, 72 West