

EDITORIAL

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A LETTER FROM THE PRESIDENT OF THE A. PH. A.

TO THE MEMBERS OF THE AMERICAN PHARMACEUTICAL ASSOCIATION:

Greetings: I regret greatly that I was unable to be present at the Atlantic City meeting. No one could possibly have more sincerely desired to be present than I.

You have bestowed upon me one of the greatest, if not the greatest, honor in the gift of American pharmacy. I do not know whether I am worthy of this honor, but I want to do the utmost in my power to become so if I am not and to justify your confidence in me. The grand old American Pharmaceutical Association, which I have always loved devotedly and to which I have always given my fullest and sincerest loyalty because it stands for all of my own highest professional ideals, is more than an association: it is an influence, a potent influence representative of the highest pharmaceutical thought, endeavor and action. This influence should steadily grow and be directed to flow into and permeate the least as well as the greatest of pharmaceutical activities. The Association's influence and endeavor should represent dynamically the centralized influence and endeavor of all high-minded pharmacists in whatever division of pharmaceutical activity they may be engaged, and only in the degree in which the Association represents and carries out the combined, harmonious and unified ideals, loyalty and work of individual pharmacists does it fulfil its duty to the calling. To do this it needs the continuation and increase of the already noteworthy support and advice of the individual members, for all progress has its initiative and source in individuals who contribute and combine their gifts of work and devotion to a common cause.

Every pharmacist's duty is at least twofold: to himself and to his chosen calling. I like to think of our beloved calling as something concrete, as something to which we owe devotion and loyalty. This loyalty and allegiance we cannot better express and emphasize than through the channels of worthy associations. I take it that this conviction has been the actuating influence of every pharmacist who sought affiliation with state and national associations. If I am right, the duties of the American Pharmaceutical Association are clear and simple and in my humble endeavor to aid in stimulating the performance of these duties in their manifold aspects I invite the assistance of every member of the Association.

I have many ideas of my own of what the Association is yet to accomplish, but I want advice and suggestion that would be helpful and constructive in the work attaching to the high office to which you have elected me. Owing to the nature of the organization of the Association, the duties and powers of the president are quite limited, but within these limitations I desire to do my fullest duty. I can and will write a presidential address that will point out constructively

how the welfare of the Association may be maintained and augmented. In this respect especially do I invite suggestion and help.

Hoping that many will write me freely and frankly, I am, in the interests of all that is best in pharmacy,

Faithfully yours,

FREDERICK J. WULLING,
President.

MINNEAPOLIS, November 1, 1916.

SANE AND SENSIBLE DRUG LEGISLATION.

IT is an obsession of the American people that legislation is a panacea for all the social ills of the body-politic—that, given a sick or undesirable condition of the city, state or nation, all that is necessary to do is to diagnose the case and prescribe a legal remedy, and the case will take care of itself! There was never a greater fallacy. No law is stronger than the public opinion behind it. A weak law backed by public opinion is irresistible, and a strong law without such support is impotent.

The proper treatment of civic ills is not only legislative, but also educational; not only the education of the public regarding the necessity for the law, but also the education of the legislators, so that they shall enact legislation that shall be simple, direct and efficient.

During the past ten years there has been a wonderful growth and development in the moral sense of the American people. Legislation tolerated ten years ago is not tolerated to-day; and no men are keener to “keep their ears to the ground” and be responsive to public opinion than legislators.

What we need to-day is not more legislation—there is such a condition as legal-indigestion—but better laws, the perfection of existing laws and the co-ordination of laws between city, state and nation; and most important of all, the proper education of public opinion to the end that the most efficient administration of the law may be had.

The reason why the Federal Food and Drugs Act and the Harrison Act have been effective is because they both appeal to the moral sense of the American people as righteous legislation, and in their framing, technical expert advice has been utilized to a large extent.

Perhaps one of the most striking features of the legislation of recent years has been the practice of giving administrative departments the power to make rules and regulations for carrying out the provisions of acts not inconsistent with the same, thus delegating legislative powers to an executive department.

The giving of such power in a technical law is a step forward in legislative procedure, because with the rapid development of science and art it is impracticable for legislators, who are non-technical men, to anticipate all possible variations of conditions in the administration of technical law, and to provide for them,

while with regulations, expert advice may be obtained in the framing of the same, and if these prove to be unjust, they can be readily modified or cancelled; the act itself does not have to be amended.

The danger, however, is that such power may be abused, that the departments, in their zeal to make a public reputation for efficiency, may become unreasonable and bureaucratic and frame regulations that are a serious handicap to the drug trade as a whole, without the compensation of better protection to the general public.

The National Drug Trade Conference, which resulted from a motion made at the 1912 meeting of the American Pharmaceutical Association at Denver by Dr. James H. Beal, has been especially useful in securing coöperative action by the national drug trade bodies and the modification of unreasonable governmental regulations.

At the recent convention of the National Wholesale Druggists' Convention at Baltimore, Dr. Beal made an address upon the subject of "A Plea for Sanity in Drug Regulation," in which he dwelt especially upon the dangers to the drug trade in the interpretation of drug laws and regulations by bureaus and boards in whose hands such interpretation and regulation has been vested by legislative action.

Dr. Beal pointed out the fact that the American drug trade believes heartily in rational legislative protection to the general public against the evils of drug abuses, and in support of such belief it has submitted, without quibble, to the enactment of laws and the promulgation of regulations that were a serious handicap to the drug business as a whole; but it is unalterably opposed to "that excessive paternalism which would deprive the average normal citizen of reasonable freedom of action and tend to loosen his sense of legal and moral responsibility to society and the state." . . . "For years the drug trade has served as a sort of experimental guinea-pig for the doctrinaire reformer to try his fads upon, and unless we learn to oppose effective resistance to such efforts the day is not far distant when the drug store will become merely a museum of the things which we were once permitted to sell."

The whole drug trade should be advised as to the serious menace of the tendencies in legislation described and take proper steps to secure coöperative action, preferably through the National Drug Trade Conference, which represents all the national drug trade bodies. But equally as important, the general public itself should be made aware of these tendencies, to the end that public opinion may be aroused to act as a check upon the passage of unwise legislation and the promulgation of dangerous and unjust regulations.

J. W. ENGLAND.

THE BEGINNINGS OF CUT PRICES.

IT is safe to say that the offer of reduced prices on articles of merchandise, in perfect, salable condition and for which there is a demand, is intended for increasing the volume of sales in the stores adopting such a plan.

Many things are to be considered in connection with such methods, if profits are to be derived, and this of course is the purpose for which the system is inaugurated. The reduction in sale price must be sufficient to attract attention and bring more customers into the store. It is presumed that goods also will be sold, as a result, on which the usual profit is charged, perhaps even a greater advance over cost exacted, in order to make up for the diminished profit on the other lines.

An increased volume of sales certainly requires a larger investment and the overhead charges will be greater unless they are kept down by a more frequent turning of stock. If no profit is made on the goods sold at cut prices, or this is not sufficient to meet the relative overhead expense, then it may be assumed that the other articles, which make up the deficiency, are also sold at cut prices. In other words, it might be possible to sell an amount of unprofitable merchandise, for one reason or another, to consume the profits on all sales of the store, and though these were largely augmented, the proportion in the two classes of sales, on which the commercial success of such system is based, was not maintained or obtained. It is fair to assume that with proper management a profitable business can be conducted along these lines, but it is very evident that such a system demands constant attention to its details. The business is subject to the varying trade conditions, changes in surroundings and competition, at least in a degree, just like that of other stores where uniform, fixed prices are adhered to.

There is another and perhaps more serious view to be taken of the situation, namely, cut prices after a while become the fixed prices, when they are no longer attractive; then a continuance of the system will demand a reduction of the selling prices of other items, whereby the relative proportion of profit-bearing goods is still further decreased. The manufacturers did not reduce their prices because some retailers saw fit to sell proprietary medicines below the stated figures, even though eventually nearly all dealers were compelled to reduce the retail prices if they wanted to sell any of them and to dissuade their patrons from going to other stores. The cut price became the fixed price.

It is unreasonable to expect that a merchant will, for a long time, permit another to catch his trade by baits, if he can prevent it; he will use the same kind or, if possible, something more enticing or seductive. Perhaps as a result of cut prices there followed a larger consumption of proprietary medicines, but, if so, non-profitable sales were increased to that extent. It is not likely that the number of these sales at present, per store, is greater than when full prices were charged. This is delving into past history, but the purpose of this writing is to bring these facts to bear on the practice which is at present becoming very popular, namely,

to sell two articles for the price of one, plus one cent, on certain days. The object is advertising, so was the other, and so long as these schemes are promoted in a few stores, these will benefit temporarily. It is unreasonable to expect, however, that others, who are injured by abstraction of trade, will not attempt to follow or devise similar selling and advertising plans, until the custom becomes general, and then the proportion of unprofitable sales will again be increased.

Unfortunately many sundry articles, which have heretofore helped to make up profits, are included in these sales; this can only signify to the thinking patrons that there is no uniformity in the prices of goods sold in drug stores, or ordinarily, excessive charges are made. All other trades are advancing prices on goods that druggists must have, the high cost of living is worrying the average citizen, but in drug stores they persist in devising plans which are bound finally to eliminate the profit on a very large proportion of the total sales.

It cannot well be disputed that under the present systems and combinations the latter method does not directly or indirectly yield profit, but the scheme is wrong and will be extremely hurtful if persisted in. However profitable a selling plan may be for a time, it is not desirable if thereafter it brings large losses or destroys the possibilities of continued successful conduct.

Although the volume of sales in a drug store are relatively small and the profits should be correspondingly large, there are few other businesses that have sought with the same persistency to cut profits on the goods they sell, discovered more ways to increase overhead expenses and otherwise add to their troubles, than have druggists.

A recent article on the "two for the price of one" method of advertising and selling concludes by saying that "it is in the last analysis a question for every druggist to decide for *himself*." We contend that this is not the case, it is a question of far greater importance; such methods injure every business, and are therefore beyond individual right. It is certainly inconsistent to talk of price maintenance, and then devise schemes, and put them into practice, which mean the very opposite, prompted by the very selfish reasoning that only a very limited number can or will compete.

E. G. E.

COMPULSORY HEALTH INSURANCE.

IN this day of adjusting everything by legislation there is bound to be an augmented dispensation of injustice. Men study plans and in accordance systematize and conduct their business; without advice, legislators cannot have this insight, nor a knowledge of the details. On the other hand, business men do not give sufficient attention to what legislators are doing; as a result, legislation is enacted which injures their business—by taxation, diversion of trade, increased cost of its conduct by regulations which at first are not fully understood, and for that reason pass through "legislation mills" without opposition.

The "eight hour law" has largely increased the expense accounts of railroads, but every business and individual, in one way or another, will share in paying a

part of this increase. Other labor organizations have taken courage and advanced their scale of wages—the same deductions apply. But this is simply to indicate that industries, as well as individuals, are interdependent.

Socialistic and paternalistic ideas are factors in many laws, and influence society, the conduct of government and business. For many years fraternal and labor organizations have issued sick-benefits and accident insurance to their members, and some of them now arrange for medical attention, medicine and sick-room supplies, or provide for hospital and dispensary service. This has taken trade away from the drug stores, but the progress has been gradual and, therefore, limited consideration has been given the subject, especially as this would do little, if any, good. Now, however, in line somewhat with the accident insurance laws of many states, legislation has been attempted to provide sick-benefits and medicines or hospital and dispensary service by law, for employees. These bills have varied somewhat in the wording, but stipulate that this expense be divided in certain ratios between employee, employer and the state; some would even extend the benefits to members of the family. It needs no very discerning mind to discover how far-reaching and influential such legislation would be, but the object of this writing is to impress that druggists would be most seriously affected. Not only would they be assessed for their pro rata in the event of sickness of their employees, but share in paying the taxes which create the state funds to meet the cost of the benefits; they themselves would not be beneficiaries, and finally their business would be injured because such medical supplies would not be bought at drug stores, but purchased from the lowest bidders.

Charity should be fostered, it can be misdirected; what may seem charity may be an illusion or delusion. Organizations that furnish medical service and medicine to their members, on contract, should be discouraged. Such methods can only lead to neglect of the insured, while at the same time they are doing injury to medicine and pharmacy. Proposed compulsory health insurance bills and all other legislation that tends to make wards of intelligent human beings should be opposed by druggists, as citizens, and by their local, state and national associations. Legislatures will soon convene.

E. G. E.

THE COÖPERATION OF STATE AND FEDERAL LAWS IN REGULATING SALES OF NARCOTIC DRUGS.

SOON after the United States Supreme Court rendered the decision, in which it was held that "any person," under the Harrison Law, applied to any person in the classes specified in this law, and that only producers, dispensers, dealers and sellers who had not registered and paid the special revenue tax, provided for by this act, were subject to prosecution, we presented an editorial entitled, "State Narcotic Laws Should Complement the Harrison Act" (see pp. 682-684).

Recently Justice Garvin of the New York Court of Special Session has held the regulations of the Boylan-Bloch Law of New York State, limiting the amounts of narcotic drugs handled by, and in the possession of, *unlicensed* and *unregistered*

persons, constitutional and their enforcement a "proper exercise of the police power." He expressed his opinion as follows:

"In such a cosmopolitan population as now characterizes many of our greatest cities, new and complex problems present themselves from time to time in connection with the maintenance of order. The use of the habit-forming drugs is one of these problems, and I am of the opinion that the attempt of the New York State Legislature to limit their (the narcotic drugs) use to those who receive them from a physician for medicinal purposes is a *proper exercise of the police power.*"

The Federal law is a revenue measure, and although it is contended that there is a possibility of adequate amendment, for making it unlawful under the Act for others than registered persons to have the proscribed drugs in their possession, the decision referred to points to the better way for such prohibition, namely, by state laws.

The legislatures of many states will soon convene and therefore consideration should be given to this important matter. Unless pharmacists outline the draft there may be defects or inconsistencies in the legislation. State laws that do not place restrictions on prescribing and office dispensing of narcotics should be corrected, for the violators are not infrequently physicians or those who are engaged in the dual capacity of drug store owners and physicians. And through these sources pharmacists, as a class, are often stigmatized.

Other states besides New York have laws making the possession of the proscribed drugs, except under certain provisions of the enactments, unlawful; we name California, North and South Dakota, Florida, Maine and Massachusetts, and there are more. Decisions have been rendered in a number of test cases, so that by reference to and using one or the other of the statutes as a guide there should be no doubt as to the constitutionality of such legislation, and thereafter of the enforcement, if the officials will do their duty.

In some states, it is contemplated to establish asylums for the habitués, but such provisions should not be incorporated into an anti-narcotic bill. Unquestionably such institutions provide a better and more charitable way of dealing with these unfortunates than to send them to prison, where there is little possibility of rising above their conditions; the encouragement of a home, properly conducted, may bring happiness to a family and restore the usefulness of some of the habitués, instead of continuing an expense and annoyance to a community. Charity often overlooks that many of these unfortunates were offenders before they became addicted to drugs. The very means of narcotic distribution demonstrates that, but for the sake of a few who are worthy, and all of them are to be pitied, encouragement as citizens should be given to the establishment of such asylums.

Actions prove that there are few, if any, pharmacists who are not ready and willing to lend their assistance to stop the narcotic evil, and an analysis would show that in reality they had comparatively little to do with its origin. Even the so-called legitimate sales were forced on them and were not desired, long before there were anti-narcotic laws.