

## THE COMMISSION ON PROPRIETARY MEDICINES.

## SUPPLEMENTAL REPORT FOR 1915-1916.\*

In the formal report of the Commission for 1916 reference was made to a questionnaire conducted for the purpose of obtaining expressions of opinion regarding the proposition to require the publication of formulas upon the labels of package remedies distributed to the general public, and also regarding certain other propositions for the control of such preparations. This questionnaire it is proposed to continue during the present year.

Below are given the answers returned by M. I. Wilbert and Thos. F. Main, of the Commission; Frank H. Freericks, Hugh Craig, Editor of the *Journal of the National Association of Retail Druggists*; Eugene G. Eberle, Editor of the *JOURNAL OF THE AMERICAN PHARMACEUTICAL ASSOCIATION*; W. H. Cousins, Editor of the *Southern Pharmaceutical Journal*, and Ervin F. Kemp, Editor of *Standard Remedies*:

(1) Will the open formula, *i. e.*, publication of the active ingredients on the label, be likely to increase or decrease the sale of proprietary medicines as a whole?

M. I. WILBERT: The publication of the formula of active ingredients of package medicines, as demonstrated by actual experience, is designed to increase rather than decrease the sale of proprietary medicines.

THOS. F. MAIN: This is problematical and there appears to be no reliable data on this subject. A few retail pharmacists whom I have consulted do not believe sales would be affected either way. My own thought is that the open formula would result in an increase in the *manufacture* of proprietary medicines, as in the event of a preparation with published formula meeting with large sale, many other preparations made according to the same formula or differing in some slight particular, would be placed upon the market with hope of participating in the popularity of the original product and such preparations would without doubt meet with some sale.

FRANK H. FREERICKS: In my opinion the publication of *Active Ingredients* will have no appreciable influence to increase or decrease the sale of proprietary medicines, where such preparations have any merit. It may depend somewhat upon how complete the requirement for publication is made. It, of course, would have an immediate tendency to do away with preparations which have no real medicinal value, and which could show no real active ingredients. Freedom of claim with reference to special manipulation in the preparation of proprietaries and of combination with less active constituents would offer sufficient scope for the use of "printer's ink" on the part of manufacturers, so as to fully protect their legitimate interests.

HUGH CRAIG: Such publication, of itself, and wholly apart from any and all incident and consequent influencing factors, would tend to increase the sale of proprietary medicines as a whole, because, first, the majority of such medicines contain one or more ingredients that are, popularly at least, credited with virtue in the condition for which a particular preparation is offered—just so does the name, "Sarsaparilla," or "White Pine and Tar," and the like, indicate certain medicinal usefulness and inspire belief in efficacy; and, secondly, the bugaboo of secrecy, the mystery of the feared unknown, and the belief in the weird tales of "dope"-laden and "booze"-filled concoctions will be shattered.

EUGENE G. EBERLE: I would say that in my opinion the sale of proprietary medicines would not be decreased. Probably the sales of some proprietaries would be increased because there has been a growing doubt relative to constituents in proprietaries, and this doubt would be removed by the publicity and confidence strengthened. There would temporarily be an increasing number of proprietaries in imitation of those advertised.

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W. H. COUSINS: From my long experience in the retail drug business, I do not believe that the publication of the formula of a proprietary on the bottle would affect the sale of a remedy materially. I have found that most people who buy remedies for self-medication, do so because of the recommendations of friends or because the remedy has given relief on former occasions.

I feel safe in saying that ninety percent of the buyers of proprietary remedies do not know what they contain, neither do they care. The sale of a proprietary depends on the effect it has on the ailment for which it is recommended, and not on what it contains. The publication of the formula might have the effect of breaking down a made-to-order prejudice against proprietary remedies created by those whose interests self-medication antagonizes, in that the formulæ would show the preparations incapable of producing disastrous results (long lists of dead babies, feminine alcohol wrecks and narcotic fiends) popularly charged to them. However, we do not believe that the effect would be noticeable, because, according to statistics compiled by the National Wholesale Druggists' Association, the sale of proprietary remedies by the wholesale druggists of the country has shown a very small variation from 1899 to 1914. The chairman of one of the committees of the Association reported that in 1899 proprietaries constituted 54 percent of the wholesale druggist's business, in 1904, 56 percent, 1909, 53 percent, 1914, 53 percent. This shows that the enactment in 1906 of the Food and Drugs Act, which required that if certain drugs were used, the name must appear on the label, had a small effect on the sales of proprietary remedies.

ERVIN F. KEMP: In my judgment the publication of active ingredients, presumably upon the label, or the carton, or both, would neither increase nor decrease the sales of proprietary medicines taken as a whole. It is objectionable, however, from another standpoint (see answer to No. 3).

(2) Will the publication of the formula on the label be likely to change the legal responsibility of retail dealers, who have hitherto been declared by the courts not to be responsible for damage resulting from the use of proprietary medicines concerning the composition of which they were uninformed?

M. I. WILBERT: The publication of the formula would, as it properly should, place an added responsibility on the retail dealer in that it would be expected of him that he inform himself in regard to the probable usefulness of the several so-called active ingredients.

THOS. F. MAIN: A legal question which a layman can scarcely answer with authority. It would appear, however, that in the unlikely event of a preparation containing "cyanide of potassium" for instance, it would be the duty of the druggist to caution purchasers in regard to it.

FRANK H. FREERICKS: In my judgment publication of formula as above indicated, will not add to the legal responsibility of retail dealers, so long as they merely continue, to supply the demand for such preparations, and do not undertake to recommend them. Of course, if they are asked for advice with reference to the therapeutic effect or value of some ingredient, their advice must be correct, but this is equally the case with reference to anything else which they may sell and regarding which they are asked for advice and should be prepared within their province to give advice. Even in that connection they can be held only to the use of ordinary care in giving advice, and if they desire they can refuse to give advice. Of course, if proprietary preparations should be poisonous in the commonly accepted sense of that word, then they would be required to take the precautions which are prescribed for the sale of poisons, but such contingency is not apt to cause the least difficulty, for even without disclosure of formula, the manufacturer of to-day will label real poisons as such, and thus imposes a like duty on the retail dealer. Broadly speaking, there will be no added legal responsibility on the part of the retail dealer in the sense that I understand the question. Of course, any legislation requiring publication of formula should place the burden of complying with the requirement altogether upon the manufacturer.

HUGH CRAIG: Undoubtedly, the pharmacist, or other seller, would be held responsible. This, in turn, might be conducive to the restriction of the sale of proprietary medicines to qualified persons, that is, pharmacists or assistants.

EUGENE G. EBERLE: My answer is that there would be added responsibility, and to what extent, may develop into an important question. Heretofore there has been no definite knowledge of composition and with the information given, the seller's responsibility is bound to be greater.

W. H. COUSINS: I believe the publication of the formula would increase the legal responsibility of the retail dealer, at least to the extent to which he is now responsible in the sale of drugs and chemicals or preparations the constituents of which are known to him. He would assume the responsibility that the courts have held belongs to the manufacturer of secret formula remedies.

ERVIN F. KEMP: Not being an attorney I do not feel that I could add anything to a discussion of a purely legal proposition.

(3) What benefit would the public derive from the publication of the formula of a proprietary medicine on the label?

M. I. WILBERT: The public would be adequately protected by publication of the formula in that the consumer of the medicine would be given an opportunity of safeguarding himself against possible untoward action.

THOS. F. MAIN: Really none; although it would perhaps satisfy the curiosity of a few. There is no argument favoring the publication of formulas on packages of proprietary medicines that would not apply to a proposition to compel physicians to write prescriptions legibly and in English, and the pharmacist to copy the same upon the label of the prescription he compounds. Physicians have hitherto opposed this, largely on account of the psychological effects that might be produced on the patient.

FRANK H. FREERICKS: By publication of the formula limiting this to the active constituents, the public will derive great benefit in that, first, it may know whether a preparation really has active ingredients, and secondly, that it may be able to secure the advice of qualified people as to the therapeutic effect and value of such active ingredients as may be named, and in that, thirdly, this opens the way for frequently guarding against the improper use of medicines, and fourthly, in that it opens the way for confining the sale and distribution of medicines to qualified people.

HUGH CRAIG: In considering the effect of such formula disclosure upon the public, it is necessary to heed a factor that would have an adverse influence upon the effect opined in the foregoing reply to *Question No. 1*; that is the fact that, in his glad possession of a little therapeutic knowledge, the lay person would be strongly inclined to prescribe one or more ingredients of a proprietary formula for his own and his neighbor's ailments, and to call upon the pharmacist to furnish the components of, or to prepare to order, a suitable—or what to the inquirer might appear to be a suitable—dosage form of the selected drugs. This, of course, would *not* be a benefit to the public (unless the fool-killer be regarded as a public benefactor) even with the fullest exercise of caution by the pharmacist. In addition, it may be averred that not even the lay mind, with no appreciable knowledge of exact or clinically proven therapeutic properties, would be wholly free from the psychological effect of doubt, and, even though led by this doubt to turn to a physician for treatment, the lay person could see the similarity of, for instance, "potassium iodide," in a printed formula and "Potass. Iod." on a prescription and would not escape the untoward effect of the psychological phase of the partly understood medication. To offset this there must be considered the beneficial effect of knowing that none of the muckraker's "dope" and "booze" is being taken. The question, whether fear of unknown "dope," or doubt sprung from little knowledge of therapeutic effect, is the more influential, lies in psychological depths beyond my fathoming. I know persons strongly influenced by each; not being a professional muckraker, I do not pretend to know the proportionate influence of the two throughout the human race or even the American fraction thereof. Aside from this psychological phase, the question of benefit has, for me, a negative answer, because of a firm belief that the little knowledge gained from a formula would lead to most dangerous excursions in the field of self-medication. For this reason *alone* I should object least—I speak from the consumer's point of view entirely—to a requirement that the complete formula should be given. If *any* knowledge would be beneficial, it is *full* knowledge of dose, form, and combination. Further, unless the statement be a quantitative one, there is

ample opportunity for fraud in declaring the presence of a really valuable ingredient when it is present only in a minute proportion. This would obviously not be a benefit to the public.

EUGENE G. EBERLE: There would be a degree of protection. The public could study the constituents and secure information. How beneficial this would be, presents another question. Doubtless, however, there is some benefit even if it only substantiates or negatives a claim of the manufacturer, or disabuses the mind of the purchaser, or exposes the composition of worthless proprietaries. Many first and only single-bottle sales of the latter would not be made. This constitutes quite a waste of money by those who buy patents and can ill afford to experiment. Perhaps they are experimenting as much as ever but they have had a chance, whatever its value may be. Honest manufacturers, and I am frank to admit I believe there are those among manufacturers of proprietaries, would be benefited. The general charge of worthlessness and shady purposes could be disproved.

W. H. COUSINS: The public would receive no benefit whatever from formula disclosure and would run the risk of being harmed by it. There seems to be an irresistible fascination for some laymen in mixing their own medicine. This is demonstrated by the newspaper prescriptions that tell him to go to the druggist and get so much of this and so much of that, place them in a bottle and add a certain amount of something else to make an elegant preparation for a certain ailment. If the layman finds that the virtue of Jones' Blood Remedy is in the potassium iodide that it contains, he is likely to prescribe potassium iodide with a free hand for his friends, with disastrous results.

ERVIN F. KEMP: The public would derive no benefit whatever. It would, if anything, be injured. The arguments advanced by physicians against plainly written English prescriptions, copied to the label of the bottle containing the medicine, applies equally to proprietary medicines. It is wrong in principle in either case.

There is another and more sordid reason why publicity of this kind would tend to be injurious to the public. Doubtless unscrupulous manufacturers would be stimulated to make preparations having identical or practically identical ingredients, which preparations might differ greatly in composition and physiological effect from the original preparations, but which might be held out to the public as the "same as" a preparation with which the public is familiar. A valuable and, say expensive ingredient, upon which a remedy might largely depend for its effect, might be present in the imitation article in such minute quantity as to be of no effect, yet neither the retailer nor the public would have means of ascertaining this fact, and the label statements of the two preparations would be identical, thus promoting fraud and the opportunity for fraud.

(4) If the formulas of proprietary medicines are not published, can the public be protected against fraud or injury by a proper system of inspection and analysis?

M. I. WILBERT: No conceivable system of inspection and analysis could adequately protect the public against fraud and injury.

THOS. F. MAIN: Yes, and the public is more fully protected at the present time than ever before by the existing national pure food and drugs and antinarcotic laws and the laws against fraudulent advertising in the several states.

FRANK H. FREERICKS: If formulas are not published the public might be protected to a certain extent against fraud and injury by proper inspection and analysis, but the public never will be properly protected along that line, for it is not likely that sufficient means for proper inspection and analysis will ever be available, and such proper inspection and analysis will never offer the means of guarding against incorrect and improper use in everyday practical life.

HUGH CRAIG: Such a means of protection would be possible, but the qualifying "proper" will prove a very firmly fixed stumbling block, in view of the customary procedure in all attempts at inspection and regulation.

EUGENE G. EBERLE: Considering both the public and the manufacturer, I doubt whether a system of inspection and analysis would prove satisfactory and in reality a protection.

W. H. COUSINS: It certainly can and has better protection to-day than ever before. I believe the public is more fully protected on proprietary remedies than on the U. S. P. and N. F. preparations made in many drug stores.

ERVIN F. KEMP: Yes and no. The public is doubtless protected to a considerable ex-

tent by the inspection of government and state officials empowered under National and State Food and Drugs Acts, National and State narcotic laws, postal laws, advertising laws, etc., but so far as my knowledge goes no analysis made either by government or state officials has been exact, or so nearly so as to be worth anything; and I have no reason to believe that an analysis can be made of a compound medicinal product that will be valuable because of its exactness, or approximate exactness.

In spite of the well developed system of inspection and analysis we still have the fact of narcotic leakage, of unauthorized manufacture and sale of intoxicants, etc., and to a lesser extent the adulteration of foods and drugs, and their misbranding, all to the injury of the public. Fraud, while it may be curbed, probably never can be eliminated by either inspection or analysis, especially if the latter is inexact as has almost invariably been the case where compound medicinal products have been involved.

(5) Instead of the requirement of the publication of all active ingredients as above stated, would it be advisable to require simply a statement of certain potent drugs, or of those deemed to be so active that the purchaser should be informed of their presence?

M. I. WILBERT: A statement regarding certain potent drugs is required at the present time under the Food and Drugs Act, and while this requirement has been of tremendous advantage, it is altogether inadequate unless practically all active medicines are included in the list of potent drugs.

THOS. F. MAIN: This appears to be the ideal proposition.

FRANK H. FREERICKS: By the term "active ingredient" I understand "potent drugs" not necessarily dangerous, but of active medicinal value in comparatively small doses when in original form.

HUGH CRAIG: In the light of the judicial interpretation of "derivative" in the "Antikamnia" case, the federal food and drugs act and the state acts patterned thereafter cover a sufficiently wide field of potent drugs. As I see it, the purpose of formula disclosure should be not so much to indicate the presence of any certain drugs as to show the absence of such as might be useful. If the presence of but certain drugs is required to be indicated there will be opportunity for the unscrupulous manufacturer to make capital of the fact that his preparation contains none of the proscribed drugs—and such a limited provision would, in truth, be a proscription—and his preparation might contain nothing of the least value. The Sherley amendment is not omnipotent.

EUGENE G. EBERLE: I regard formula disclosure not only a source of information for the prospective user relative to drugs contained, but those conspicuously absent, or only present in sufficient quantity to advertise the fact that the proprietary contains the lauded constituent. When there is a change in the composition of the proprietary, the self-healer should know it. Some proprietaries have in late years changed to the extent of adding purgatives and emetics.

W. H. COUSINS: I believe the present laws cover the ground sufficiently. Narcotic drugs are provided for in the Harrison Law, and the Food and Drugs Act requires a statement of the presence of certain potent drugs. So far as absolute protection is concerned, it is impossible to protect the public from the dangers of over-dosage, and disregard for directions. Proprietary manufacturers are no more anxious to ruin the reputation of their preparations or to face suits for damage than are physicians. The above mentioned danger from over-dosage or disregard of directions applies to physicians' prescriptions.

ERVIN F. KEMP: As I understand the question this is accomplished, in part, by the provisions of the Food and Drugs Act of June 30, 1906. I have always been exceedingly skeptical of the benefit that has been derived by the public from this particular feature of the law. I do not believe that the slightest good to the public would be derived from extending the list of drugs whose presence must be revealed.

(6) If you believe the last proposition to be preferable to the publication of the complete formula, what definition would you propose for potent drugs; or, instead of a definition, what list of drugs would you propose for statement?

M. I. WILBERT: A satisfactory list of potent drugs would have to be very comprehensive indeed, and would require provisions for addition from time to time.

THOS. F. MAIN: The drugs that are enumerated in the pure food and drugs and anti-

narcotic laws, which with the "*minimum requirements*" proposed by our Commission in its report of last year, would appear to fully protect the public without requiring the enumeration of a long list of drugs such as is contained in the Canadian Proprietary or Patent Medicine Act.

FRANK H. FREERICKS: The best attempt at a definition with which I have yet come in touch is the one found in the report of the Voluntary Conference to draft a Modern Pharmacy Law under the auspices of the A. Ph. A., Section on Education and Legislation, as published in one of the late issues of the JOURNAL OF THE AMERICAN PHARMACEUTICAL ASSOCIATION. No doubt further study will permit great improvement, but it seems to me that the attempt therein shown must be the correct basis for such a definition.

HUGH CRAIG: This subject is covered in the first sentence of the preceding reply. (Answer to question No. 5, Mr. Craig.)

EUGENE G. EBERLE: A list would have to be very comprehensive and added to from time to time. Potency is not only a relative term, but subject to differences of opinion; for example, the most active homeopathic arsenic attenuation, and a grain of arsenic in a 16-ounce mixture of which the dose is a teaspoonful. It seems to me that impotent, non-potent, or inactive medicinal constituents should not be concerned. The answer depends largely on whether the disclosure of the formula is to be considered a protective measure only, or for education and information.

W. H. COUSINS: See No. 5.

ERVIN F. KEMP: I pass this question.

(7) If you favor neither of the two main propositions above stated, namely, publication of the entire formula, or of potent ingredients only, what are your views as to a law requiring the communication of the active ingredients to some official bureau authorized to pass upon or approve or disapprove preparations offered for sale generally to the public?

M. I. WILBERT: The requirement that active ingredients of the preparations be communicated to some official bureau to pass upon or approve or disapprove, is vicious, inadequate, and not in keeping with the spirit of American institutions.

THOS. F. MAIN: I do not believe in it, first, because of the difficulty of securing men with the necessary medicinal and pharmaceutical knowledge and with judicial minds; second, in order to safeguard the rights of the individual there would have to be a provision subjecting the decision of such a bureau to a reviewal by the courts.

FRANK H. FREERICKS: The publication of potent drug content will in my opinion sufficiently safeguard the public interest. I have absolutely no confidence in an official bureau authorized to approve or disapprove. The public would not be helped one particle, and the chances are that it would be made to suffer because of abuse of authority on the part of such bureau, or because of misplaced confidence because of the approval of the bureau. I do not want to be understood as saying that a really worth while bureau could not be created, but I have no confidence in its creation.

HUGH CRAIG: Such a requirement is, under existing conditions, the least meritorious of the three; but it has possibilities well worth the most careful consideration.

EUGENE G. EBERLE: I do not believe it expedient.

W. H. COUSINS: The bureau idea is a vicious one that smacks of despotism. Authorities agree like cats and dogs on the therapeutic efficiency of drugs. Interests would be represented on such a bureau that would be best served if the manufacture and sale of proprietary remedies were stopped. It would mean continual warfare between two opposing forces.

ERVIN F. KEMP: Aside from the objection to it as an un-American proposition, it presents what, in my judgment, are insurmountable obstacles. The field of medicine is one of theory and opinion, and not one of fact; there is no science of therapeutics, but such a proposition presupposes that there is; and that there is, or might be established, a standard of therapeutic effectiveness which could be enforced. There being no such standard, and no science upon which to base one, such a bureau would be at sea without rudder or chart, with nothing but its prejudices to guide it; and its conflicting opinions, backed by a semblance of authority, would, in my judgment, only tend to further complicate matters.

*If*—and I underscore the “if”—a board of broad-minded and learned scientists, charged with impartial investigation should also be charged with a duty to commend as well as condemn finished products submitted to it—and such a board could be secured; *if*—and I again emphasize the “if”—such a board could be started out free, and kept free from the domination of the clique of “school,” and *if* the examination was of a complete product and not of its component parts separately, and such examination was of the therapeutic properties of the completed article as a separate substance, it might be a step in the right direction.

Knowing, however, the practical impossibility of securing such a personnel and such a motive, I am strongly of the opinion that the establishment of a bureau as outlined in the question would be vicious from all standpoints—including especially that of the public.

(8) If you approve the last proposition, would it be possible to draft a law that would prevent unreasonable condemnation of formulas by the official bureau, or to prevent sectarian prejudice from influencing its determinations? For example, would a board composed of “old school” or regular physicians be inclined to pass or reject a Homeopathic remedy for rheumatism upon a statement of its contents?

M. I. WILBERT: I cannot conceive of the composition of any Board or Bureau that would prove to be satisfactory in all respects.

THOS. F. MAIN: I think it very doubtful.

FRANK H. FREERICKS: My answer to question 7 also answers 8-9 as well as question 10.

HUGH CRAIG: The drafting of such a law would be difficult but not impossible; but its enactment would scarcely be practicable—and its equitable enforcement would be less nearly so. As long as therapeutic opinion is to be regarded as fact, as the Supreme Court of the United States has decreed, and as the weight of opinion would be the determining factor, it would practically be necessary to designate certain authorities in regular, homeopathic, and eclectic medicine as the absolute standards so as to preclude the influencing of the findings of the board by the individual opinions of its members. I have sometimes favored judicial benches of persons trained in chemistry, medicine, and the like; but, unless such a judicial body were guided by fixed standards rather than by personal opinion, it would be far less efficient than the present judiciary which must weigh the mass of opinion presented before it. The opinion of the hired expert should no more determine therapeutic value as an actuality than it should define murder, albeit the questions of fact must necessarily be left to the board as the facts in an allegation of murder are left to the judge and jury. The great question is: Who shall determine the standards? Shall they be determined by the body that is to apply them to the standardization of therapeutic products? Pharmacists themselves are so standardized; so are food products and certain drug products under the federal food and drugs act. Shall they be selected from the findings of independent bodies as is now the case with official drug products under food and drug statutes? The first method would appear to be the more feasible because of the necessity of passing upon unstandardized drugs and upon additions to the materia medica. In this case, it would be quite impracticable to wait ten or twelve years for the deliberation of a standardizing body. But feasibility and reliability would, in this connection, be as wide apart as the poles unless ideal conditions were attained in the selection of the board.

W. H. COUSINS: I cannot imagine a board that would be fair to all concerned.

E. F. KEMP: See answer to No. 7.

(9) Should such a bureau be composed of physicians exclusively or should pharmacy be represented in the membership, and to what extent?

M. I. WILBERT: The inclusion of pharmacists on such a board would not improve its composition.

THOS. F. MAIN: While opposed to the idea of a board to pass upon proprietary medicines, I believe that any board designed to act upon matters concerned with both medicine and pharmacy should consist of both physicians and pharmacists in equal numbers, both physicians and pharmacists to be men of good repute and who have been successful in the practice of their professions. In other words, I mean the board should be composed of practical men and not theorists.

HUGH CRAIG: Such a board should be equally representative of *every* branch of medicine as a *whole* profession, but of no branch as a commercial pursuit, despite the obvious assistance of the research laboratory of the manufacturer—if such could be had without bias. The presence of pharmlcal representatives is absolutely necessary in view of the lack of knowledge of even therapeutic incompatibility on the part of physicians—to say nothing of the vocational phases of the question. I know of an instance where it was necessary for a pharmaceutical chemist, called in an advisory capacity, to point out with care to a manufacturer of pharmaceutical specialties that in filtering a preparation of cod-liver oil he was removing every trace of the oil. Practical experience in medicine and pharmacy of the every-day sort should be a qualification of every member of such a board, and every member should be paid for his full time and be free from all connection with other medical or professional engagements for profit. In passing it might be stated as of interest, that in Chosen there is a class of medico-police officers known as medical supernumeraries or something such, who are specifically prohibited from engaging in any way in the sale of medicines—and so are the members of their families.

EUGENE G. EBERLE: If such a board is established, pharmacy should have equal representation with physicians. There should also be other men of science, as chemists, physiologists, etc., on the board. Essential qualifications should be, a number of years of successful practice in their respective professions and arts.

W. H. COUSINS: Would you select a German jury with a view to giving a Frenchman justice?

ERVIN F. KEMP: No board would be representative unless it included pharmacists, therapists, diagnosticians, toxicologists, etc., including representatives of the commercial interests involved.

(10) Should a bureau charged with the duties above specified be municipal, state or national?

M. I. WILBERT: Such a bureau would be equally objectionable whether it be municipal, state or national.

THOS. F. MAIN: National by all means, as attempts by municipal or state laws to legislate on subjects of national importance usually result in unjustifiable interference with business at a great cost either to the trades concerned, or the state or municipality without corresponding benefit to the general public.

HUGH CRAIG: A federal bureau or board would be less objectionable than fifty varieties of state bodies or a thousand varieties of municipal bodies with an equal variety of standards and modes of procedure. Unless some form of incidental taxation be devised, it is obvious that the powers of a federal body would be limited. There might be devised some sort of non-mandatory plan of registration and certification somewhat similar to the patent or copyright plan, as a supplement to an interstate prohibitory regulation. The effect of this would, of course, reach the manufacturer indirectly, as does the effect of registration under the federal food and drugs act—the public is suspicious of the products of the unregistered manufacturer, no matter what may be the official attitude toward the guaranty legend and the serial number.

EUGENE G. EBERLE: If established, should be a federal board.

I think it wise if consummation of formula disclosure would come gradually, although, in my opinion, those proprietaries that really have merit would not suffer because of formula disclosure. It would certainly give officials a better opportunity for investigation.

W. H. COUSINS: If such a calamity should come, let it be National.

ERVIN F. KEMP: If a national bureau would be objectionable, as it would be, except under practically impossible conditions, state and municipal boards would certainly be insufferable. A national board, even if it did not meet all of the ideal requirements would greatly be preferred to state and municipal bureaus, boards or commissions, which would only multiply confusion at a time when clearness is most to be desired.

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