

COUNCIL BUSINESS

A. PH. A. COUNCIL LETTER NO. 13.

PHILADELPHIA, PA., December 16, 1915.

To the Members of the Council:

GENTLEMEN:

Motions No. 19 (Executive Committee of the Council), No. 20 (On the Financial Affairs of the Association), No. 25 (Expunging Discussion on Discontinuance of Prof. C. Lewis Diehl as Reporter on the Progress of Pharmacy from Published Minutes in Journal), No. 26 (Expunging Discussion from Minutes Published in Journal on Financial Affairs of the Association), No. 27 (Election of Members; Applications Nos. 22 to 32 inclusive), and No. 28 (Approval of Budget of Appropriations for 1916) have each received a majority of affirmative votes.

A protest has been received from H. P. Hynson on Motion No. 23 (Adoption of Substituted N. A. R. D. Resolutions) that it is out of order, as the subject of the motion has been already considered by the Council and disposed of under Motion No. 18 (Council Letter No. 8, p. 23). The protest was referred to Chairman Eberle, who decides that:

"Motion No. 23 is in order. The Council referred or committed Motion No. 18 (N. A. R. D. Resolutions). Mr Freericks comes with resolutions of his motion for action by the Council; namely, to adopt or reject or instruct a committee in the performance of work committed to them. After a careful study I hold that Mr. Hynson's reference does not govern the question involved."

The following communication has been received from Frank H. Freericks (December 9):

"With reference to Council Letter No. 12 and copy of communication from Professor Remington, I beg you to send to Council members the following comments from me, no matter what circumstances may arise:

"May I submit with the best of good-will to all concerned that Professor Scoville was without authority to ask Professor Remington to state to Council the reasons for deleting whisky and brandy. In a matter under consideration by the Council its members are entitled to come to a conclusion without the pressure of outside influence. If any mem-

ber of Council may take it upon himself to ask expressions of opinion, explanation, or information from outside sources, which are to influence the opinion of the Council members in reaching a decision on any question before it, then some of the parties concerned are invariably subjected to a disadvantage. If light from those who are not members of the Council was deemed necessary, it should have been requested by action of the Council itself in the regular manner. I do not for a moment deny the helpfulness and value of any opinion which we may be able to secure from Professor Remington, but, since the matter involves a question which I submitted to Council for its action, I am somewhat weighed down with the rather unequal task thus imposed upon me, granting, of course, that at any and all times the Council can extend the privileges of the floor to those who are not members. In my judgment, no person living has better right to be heard or to express opinion in any matter concerning the American Pharmaceutical Association than has Professor Remington, regardless of where such matters may be under consideration, but it is clear to me that, in this instance, Professor Remington would not have expressed an opinion and would not have entered into explanation had he not been requested to do so.

"The matter discussed by Professor Remington is now before Council on my motion. His criticism applies with its fullest force to me, though I do not believe that he knew such to be the case, and this only emphasizes the unfairness of calling for expressions from those who are not possessed of all of the facts.

"I do not undertake to speak for any one but myself, and do not claim to know the reason, or lack of reason, which may have prompted the third resolution of the N. A. R. D., to which Professor Remington refers, but I do know the reasons which prompted me to offer said resolutions for adoption by Council as coming from me, and my reason was plainly stated when I undertook to offer it. It was offered without vindictiveness; not in the heat of argument, and plainly negatives, without even the slightest hint, any moral

turpitude. In a word, the 'rumors' referred to were plainly stated to be that the Revision Committee had decided upon a deletion of brandy and whisky in order to serve the cause of Prohibition. I said then, and I say even more emphatically now, that the Revision Committee and the pharmacists of the country represented by it cannot in self-respect allow it to be publicly understood that brandy and whisky were deleted from the Pharmacopœia to further and serve the cause of Prohibition. If such inference may be drawn from statements made by any member of the Revision Committee, then those who are responsible for the Pharmacopœia owe it to themselves and owe it to pharmacy and medicine to make publicly known that such has not been the reason. In order that there may be no question about the existence of such 'rumors,' and in order that I cannot possibly be misunderstood as to the rumors referred to by me, I would say that some day in June, evidently while Dr. Wiley was passing through Cincinnati, he was interviewed by the Cincinnati Post, and there appeared in it as coming from Dr. Wiley a statement to the effect that the deletion of brandy and whisky had been decided upon because there was no legitimate use for them in medicine, and the impression was plainly conveyed that such deletion was another victory for Prohibition. I have tried to find the article in question, but to this moment have not succeeded, though I have no doubt about my recollection with reference to it. The article must have appeared in the Cincinnati paper during the middle of June, and very shortly after deletion had been decided upon by the Revision Committee. Again, under date of July 10, in the Chicago Tribune, Dr. Wiley was quoted as seeking 'Revenue Bureau confirmation for an assertion that druggists would have to take out a saloon license if they would dispense brandy or whisky, *for it could not longer be sold as a medicine.*'

"Now, as to the reasons which Professor Remington gives as having prompted deletion: It has always been my understanding that President Taft, either with or without authority, as the case may be, undertook to promulgate a standard for whisky on the ground primarily that whisky was not only a drug and medicine, but that its use was even more general as a beverage. Either by expression or by inference, he made plain that this decision was concerned with whisky as a

beverage. Plainly he did not mean to change the standard, and did not change the standard, and would be altogether without authority to change the standard for whisky when sold as a drug or for pharmaceutical purposes. Plainly the standard laid down in the Pharmacopœia is not null and void, but there has been added another standard which is to govern when whisky is sold as a beverage. Any pharmacist who dispenses or uses pharmaceutically the brandy or whisky of U. S. P. standard will always be protected and found to be within the law. The standard as decided upon by President Taft for whisky as a beverage has even no necessary force for that purpose in the several states, and the several states may and have adhered to the U. S. P. standard. In Prohibition states, where brandy and whisky may not be manufactured and sold as a beverage, and where it may be sold only as a drug and used pharmaceutically, it is not possible to have a standard other than that laid down in the Pharmacopœia, and it is particularly in those states where a standard is necessary.

"Assuming, however, that the reasons which are stated to have prompted the Revision Committee control to the fullest extent, it cannot be denied that there are a number of ways open to the Revision Committee and to the National Formulary Committee for deciding upon standards which will and must invariably be recognized when the articles in question are to be used medicinally or pharmaceutically, and that is the only concern to pharmacists as such. If but one standard is desirable, it can be stated in connection therewith that it is the standard for brandy or for whisky respectively when sold as a drug or used pharmaceutically, or some word can be added to the title indicating medicinal or pharmaceutical use, so that when sold under such titles the standard laid down will apply.

"In this connection I do not assume to give advice, but would point out only that every objection which has been raised can be reasonably met. The fact remains that a majority of the Revision Committee favor the inclusion of brandy and whisky; that only on the ground of disagreement as to standard was deletion decided upon by a bare majority, and plainly under some misapprehension of facts; that in truth and for all practical purposes it will not be more difficult to decide upon a standard than it is with reference to

a standard for any other article regarding which there may be difference of opinion; and, finally, it is plainly evident that a vast number of pharmacists throughout the country believe that the Pharmacopœia, or, if not it, then the National Formulary, should contain a standard for said articles.

"In conclusion, I submit for consideration to members of the Council that no one can have greater respect and higher regard and esteem for Professor Remington than I have, but this communication plainly evidences that he was asked to express an opinion without having presented to him all of the facts. His criticism is plainly directed toward a condition which does not in the least apply with reference to my motion in offering the resolutions for adoption, and, therefore, I do hope and trust that you will not be controlled by his indirect request to vote against the motion which I have submitted.

"This is not a question of men or their relative merits; it is purely and alone a question of principle. Upon its proper decision rests the possible contingency of having the Pharmacopœia regarded as a work subject to the whim and petty prejudices of some, or of having it regarded by the public as a book of light, sanity and truth, pharmaceutically speaking."

The following communication has been received from George M. Beringer (December 13):

"As a member of the Committee of Revision of the U. S. P. to whom was referred the duty of preparing the monographs for whisky and brandy, I have heretofore refrained from public discussion of the pharmacopœial standards for these or the reasons for the deletion of these titles. Since it appears that the Council of the American Pharmaceutical Association is to become the forum for the discussion of these questions and for the presentation of statements, it now becomes my duty to plainly present certain facts so that the judgment of the Council may not be perverted or misleading, and *ex parte* statements be published in the records of the American Pharmaceutical Association as expressing its opinion.

"The communication from Prof. Joseph P. Remington in Council Letter No. 12, despite its form and appearance on pharmacopœial stationery, must be accepted only as his personal opinion. The Committee on National Formulary had no authority to re-

quest such a statement. I have no knowledge of such a request coming before the Executive Committee or the General Committee of Revision of the U. S. P., and if not authorized by these or by the Board of Trustees of the U. S. P., it must be viewed as a personal and not as an official statement from the Revision Committee.

"The Committee on National Formulary is justified in explaining why these titles should not be included in the standards of the Formulary, and an intelligible statement of this character is certainly within their authority and ability.

"The statement that the present U. S. P. standards declare for straight whisky is on a par with another published statement purporting to come from the same source, that any doctor can get pure whisky by 'simply ordering Spiritus Frumenti, Eighth Revision.' The referee's report unmistakably pointed out to the members of the Revision Committee that the tests laid down in the U. S. P. VIII were very faulty, and especially that the tests for total solids and the solubility of the residue would permit the use of factitious and grossly-adulterated whiskies; and these are not the only points criticised.

"The Pharmacopœia should not become entangled in the trade controversies over whisky as a beverage, and in every way possible the referee has endeavored to avoid this. The duty of the Pharmacopœia is to define, describe, and supply tests for properly-produced whisky that may be dispensed for medicinal purposes. The report of the referee was unanimously adopted by the Subcommittee on Spirits, Liquors, and Waters, and was substantially correct and undoubtedly would have accomplished this purpose. The elimination of a proper pharmacopœial standard now leaves the quality of the whisky entirely to the judgment of the dispenser.

"The late Solicitor-General Lloyd W. Bowers was forced to conclude that the 'term whisky as a drug is not applicable to a different *product* than whisky as a beverage' (*italics mine*). However, he properly pointed out that the Pharmacopœia has the making of 'the particular requirements,' 'the points of distinction between superior and inferior whiskies,' 'the prescribing of tests of excellence.' This is the proper function of the Pharmacopœia, and is exactly what the Pharmacopœia has always done and continues to do in defining standards for numerous

articles. For example, the standards in the Pharmacopœia for sulphuric acid and sodium carbonate are for those grades of these products suitable for medical purposes, and the Pharmacopœia does not attempt to fix standards for the technical grades of oil of vitriol and sal soda used in numerous industries. The same principle holds and should have been applied to whisky and brandy, and the definition, description, and tests laid down should be for those types or grades of these products suitable for medical purposes.

"It was the misfortune of the Pharmacopœia that several of the members of the Committee of Revision had been witnesses in the hearing before the Government officials to determine the standards for whisky as a beverage. They approached the pharmacopœial discussion from the viewpoint of the partisan in this trade controversy, and their efforts were directed to have the Pharmacopœia in this revision nullify the decision of President Taft and formulate a standard that would cover whisky as a beverage. Power and influence were exerted in no uncertain way to attain the end they desired and to sway the judgment of the committee and to control its vote.

"Before the referee had submitted any report to the Sub-committee, the General Committee received a circular in which President Taft's decision and actions were criticised. Further, this too evident intent was shown in a monograph prepared without reference to the referee and attempted to be put through over his head. In this draft the initial sentence defined whisky as 'The *alcoholic beverage* obtained by the distillation of the mash of *fermented grains*' (I am responsible for the italics, but not for the erroneous language). The description started out: '*A beverage* having, etc.' The referee declined to be merely a figure-head, and, in the discharge of this duty, refused to accept the texts for these as prepared in advance and submitted, without his knowledge, to the chairman of the sub-committee for approval and passage.

"To every one of the numerous assignments in the U. S. P. revision that has fallen to my lot to consider I have given careful study and made a report. Why the same consideration, fair treatment, and discussion that accompanied the other topics did not hold in the matter of whisky and brandy is a question.

I fear this was due to the prejudgment and bias of some of the members.

"I have no desire to engage in any controversy on this subject, but the plain, uncontroverted facts should be understood by every member of the Council, and the responsibility for the failure of the Pharmacopœia to discharge a duty that it had accepted and voted to discharge and had assigned to be discharged should be fixed. Further, permit me to state that I cannot approve of the language of the resolution offered by Mr. Freericks."

J. W. ENGLAND,
Secretary of the Council.

415 N. 33rd St., Philadelphia, Pa.

A. PH. A. COUNCIL LETTER NO. 14.

PHILADELPHIA, PA., December 20, 1915.

To the Members of the Council:

GENTLEMEN:

The following communication (December 18) has been received from Frank H. Freericks:

"In keeping with my telegram this morning, I now move, as substitute for Motion No. 23, the adoption of the following resolutions:

"*Resolved*, That we respectfully request the Revision Committee of the Pharmacopœia to reconsider its action in deciding upon the deletion of brandy and whisky from the new Pharmacopœia, and urge it to include therein suitable monographs for both.

"*Resolved*, That this request be made known also to the Board of Trustees of the United States Pharmacopœia and to the Revision Committee of the National Formulary.

"*Resolved*, That the Revision Committee of the National Formulary be requested to defer action on the communication heretofore referred to it concerning this matter, pending word of possible reconsideration and favorable action by the Pharmacopœial Revision Committee, and that in the absence of such favorable action it be understood as the sense of the Council that suitable monographs for brandy and whisky ought to be included in the new revision of the National Formulary.

"*Resolved*, That the National Formulary Committee be requested to include in the National Formulary at least two formulas for denatured alcohol best suited for external application, which said formulas either have or may find the approval of the Internal

Revenue Department in exempting denatured alcohol, prepared in keeping with them, from taxation.'

"The above substitute motion is offered upon further reflection with a view of avoiding friction, and also with a view to avoid the beclouding of the important subject-matter with subsidiary questions not necessary for consideration in connection therewith."

The above motion is seconded by C. T. P. Fennel. It will be regarded as *Motion No. 29* (*Substitute Motion for Motion No. 23*).

J. W. ENGLAND,
Secretary of the Council.
415 N. 33rd St., Philadelphia Pa.

A. P. H. A. COUNCIL LETTER NO. 15.

PHILADELPHIA, PA., December 24, 1915.
To the Members of the Council:

GENTLEMEN:

A telegram has just been received from Frank H. Freericks withdrawing last resolution of *Motion No. 29* (*Substitute Motion for Motion No. 23*), regarding inclusion of formulas in the N. F. (IV) for denatured alcohol for external application, leaving the other three resolutions unchanged.

The resolutions will then read:

"*Resolved*, That we respectfully request the Revision Committee of the Pharmacopœia to reconsider its action in deciding upon the deletion of brandy and whisky from the new Pharmacopœia, and urge it to include therein suitable monographs for both.

"*Resolved*, That this request be made known also to the Board of Trustees of the United States Pharmacopœia and to the Revision Committee of the National Formulary.

"*Resolved*, That the Revision Committee of the National Formulary be requested to defer action on the communication heretofore referred to it concerning this matter, pending word of possible reconsideration and favorable action by the Pharmacopœial Revision Committee, and that in the absence of such favorable action it be understood as the sense of the Council that suitable monographs for brandy and whisky ought to be included in the new revision of the National Formulary."

In order to simplify the voting, the above will be regarded as *Motion No. 30* (*Substitute Motion for Motion No. 23*).

Motion No. 29 having been withdrawn, no vote will be taken upon it.

J. W. ENGLAND,
Secretary of the Council.

415 N. 33rd St., Philadelphia, Pa.

A. P. H. A. COUNCIL LETTER NO. 16.

PHILADELPHIA, PA., January 7, 1916.
To the Members of the Council:

GENTLEMEN:

Motion No. 30 (*Substitute Motion for Motion No. 23*) has failed to receive a majority of affirmative votes, the vote having been 12 for the adoption of the motion and 16 against.

Motion No. 29 was substituted for Motion No. 23 in Council Letter No. 14 but withdrawn in Council Letter No. 15, and Motion No. 30 was then substituted for Motion No. 23.

Motion No. 31 (*Election of Members*). You are requested to vote on the following applications for membership:

- No. 33. Charles Herbert Owen, U. S. Navy Aero Station, Pensacola, Fla., rec. by J. H. Rupert and W. B. Day.
- No. 34. Charles Earle Delhotal, Attica, Kan., rec. by L. D. Havenhill and G. N. Watson.
- No. 35. John W Akers, Jr., Mill Creek, Okla., rec. by E. G. Eberle and W. B. Day.
- No. 36. Frank Y. Thedick, Lincoln and Colfax Sts., Denver, Col., rec. by Samuel T. Hensel and W. T. Hover.
- No. 37. Charles MacGregor, 715 Washington Ave., Detroit, Minn., rec. by E. L. Newcomb and W. B. Day.
- No. 38. Harley R. Monroe, Tampa, Fla., rec. by G. D. Timmons and W. B. Day.
- No. 39. Frank William Anderson, 1700 Coma Ave., S. E., Minneapolis, Minn., rec. by E. L. Newcomb and W. B. Day.
- No. 40. Fred George Kiburtz, 32 Adams Ave., W., Detroit, Mich., rec. by Leonard A. Seltzer and A. A. Wheeler.
- No. 41. Max Johnson, 32 Adams Ave., W., Detroit, Mich., rec. by Leonard A. Seltzer and A. A. Wheeler.
- No. 42. Clarence A. Peat, 32 Adams Ave., W., Detroit, Mich., rec. by Leonard A. Seltzer and A. A. Wheeler.
- No. 43. Raleigh E. Balger, care of Haddens' Pharmacy, Alta, Iowa, rec. by E. O. Kagy and W. B. Day.

- No. 44. Clare A. Wilson, care of Ahrens Drug Co., Bedford, Iowa, rec. by E. O. Kagy and W. B. Day.
- No. 45. Arthur C. Heidenreich, care of Olsens Drug Store, Des Moines, Iowa, rec. by E. O. Kagy and W. B. Day.
- No. 46. E. Orville Gross, care of Miller Drug Co., Albia, Iowa, rec. by E. O. Kagy and W. B. Day.
- No. 47. Plumer L. Egert, Iowa City, Iowa, rec. by E. O. Kagy and W. B. Day.
- No. 48. James Weyrauch, 534 West Eighteenth St., Chicago, Ill., rec. by Leo L. Mrazek and William B. Day.
- No. 49. Henry Fisher, M.D., 2345 East Dauphin St., Philadelphia, Pa., rec. by John R. Minehart and J. W. England.
- No. 50. Melvin Carr Eaton, 333 North Broad St., Norwich, N. Y., rec. by Richard C. Stofer and J. Fred Windolph.
- No. 51. Anton J. Schwarz, 3716 Densmore Ave., Seattle, Wash., rec. by A. W. Linton and Forest J. Goodrich.
- No. 52. Emma Grace Lotz, Phar.D., 2135 Mt. Holly St., Baltimore, Md., rec. by Chas. Caspari, Jr., and Henry P. Hynson.
- No. 53. Truman Smith, 1139 34th Ave., care of Madrona Pharmacy, Seattle, Wash., rec. by A. W. Linton and J. C. Palmer.
- No. 54. David J. Gleason, United States Marine Hospital, Stapleton, N. Y., rec. by William L. Stearns and Dr. H. M. Whelpley.
- No. 55. Eugen Friedmann, M.D., 65 Oak Grove, Minneapolis, Minn., rec. by Gustav Bachman and E. L. Newcomb.

J. W. ENGLAND,
Secretary of the Council.

415 N. 33rd St., Philadelphia, Pa.
