

Section on Education and Legislation

Papers Presented at the Fifty-Ninth Convention

REPORT OF THE COMMITTEE ON NATIONAL LEGISLATION.

(LEGISLATIVE YEAR 1910-1911.)

The one act of this Committee, or of its Chairman, that needs to be reported is the part taken by it at a hearing of the so-called Foster Bill, a bill to place the control of narcotic drugs in the hands of the Commissioner of Internal Revenue. The hearing was before the Committee on Ways and Means of the House of Representatives, during the last regular session of Congress.

The details of the two hearings upon this bill have been widely published and the memorial presented by your Chairman is herewith attached.

Probably of more importance and of largely more helpfulness to the Chairman was a careful conference had by him with that very able, most agreeable and much experienced representative of pharmacists, Mr. W. S. Richardson, of the city of Washington, Chairman of the Committee on National Legislation of the National Association of Retail Druggists.

Although your Committee cannot claim the accomplishment, or part in the accomplishment of any matter of direct importance, it is hoped, by the Chairman, that *his* closer contact with legislative affairs and *his* more thorough study of conditions and of the position of this Association, respecting its very catholic membership, will enable him to make suggestions, prompted by his observations, which will claim such thought and consideration as will, finally, lead the Association to further its original and professed objects.

The first and most fundamental recommendation is that we be serious. For the sake of all that is right and true, let us be serious about serious matters and, especially, about legislation. Nothing would seem to be so capable of impressing the Association with the seriousness of this part of its work as a veritable company of ex-chairmen of your Legislative Committee. They know and feel, and they have ably and forcefully shown their knowledge and feelings in their reports; they *must* evince earnestness, if they half-way do their duty. But, what does the Association give in return for this care, this earnestness, this enthusiasm? Scarcely a patient hearing; and the half-hearing ends, mayhap, in a lark! This Chairman is not pleading for himself, neither for his illustrious predecessors, but for the Association that it, through its members, may meet its grave responsibilities in respect to the law, both as to its enactment and its enforcement. We cannot, however, treat a subject seriously that we do not understand and, of course, we cannot understand it without study.

Would you know the power and import of command, of authority, which is law? If so, witness what has followed the very first law. "Let there be light"—Do you know what impress has been made on man and his character by the Decalogue? Whether you be orthodox or not, you respect the broad, elevating, helpful principle involved in the command, "Thou shall love the Lord, thy God,

with all thy heart." Neither will you deny the benefits that follow obedience to the law, "Love thy neighbor as thyself." Undoubtedly, civil and moral laws are the very foundation of social peace and moral development and, because this is so, all that is done with the law must be most seriously done.

If you would know and know well all that you are required to know, fundamentally, of law, as it relates to pharmacy, then study well the report of this same Committee, written by that wise, true and lovable man, Oscar Oldberg, and presented at the Hot Springs Meeting in 1908. It is not yet too late to do justice to that report; it should be used as a text-book in our colleges and should be the foundation for an examination for those seeking places on our boards of pharmacy.

The next recommendation is that this Association study itself to the end, that it may, properly and effectively, take part in this very serious work of promoting, amending or retarding legislation. The observation of your Chairman enables him to tell you that, in striving to carry out your very indefinite instructions, regarding the Foster Bill, at the hearing, he was, as an individual, among other individuals, none seeming to be working for exactly the same end. The divisions of pharmacy, as represented in the membership of this Association, were as numerous as there are divisions. Listen to the list: wholesale association, retail association, this mixed body of ours, the government bureau of chemistry. State pharmacy board, local pharmaceutical association, food and drug commission. Individual wholesaler, individual manufacturer, individual manufacturing chemist, individual retailer. A remarkable discordant set, all of whom should have been, in some way, represented by a uniform body. Is it not, in view of this mixup, the business of this Association to study its own character and organization before it goes further into this work? It surely needs to be better and more differently organized, that it may become more thoroughly representative of pharmacy, as a whole. It is suggested that, at least, a legislative conference be established under its auspices, where, possibly, the differences of the drug trade may be harmonized and where the true and vital interests of all may be conserved; a clearing house for legislative problems and a "backer" for all good legislative paper. This is a serious proposition, seriously presented. Something *must* be done so that even one little man, representing this great Association, shall have much more force, worlds more force than an authenticated individual. Otherwise, the American Pharmaceutical Association must lose prestige as holding legislative influence.

Undoubtedly, the impracticable organization of the Association for present usefulness may be rendered, to a degree, less hurtful by the formation of the suggested legislative conference, a conference sensibly more representative of American pharmacy.

This Association is quite competent to organize and hold together such a conference, which should be made up of, say, five conferees from each national association and one from each of the several state associations, with the Chairman and Secretary of the Section on Education and Legislation, acting as such for the conference. The size of the conference could not be objectionable, since the representatives *present* would constitute a quorum and the absence of representation from any quarter could not be blamed upon the scheme, but must, neces-

sarily, be a fault of the body not represented. Under such arrangements, there could be no just disagreement with the action of the acting conferees.

It is well known that there is not sufficient time offered, during the meetings of the Association, to make it possible to discuss the details of pending and proposed legislation and, for this reason, especially, is it desirable to form some such conference, which could meet at a more central location and take ample time to properly handle all important matter of national legislation. Oldberg truly says, "Only experienced pharmacists, who have given this subject serious and thorough study, can be safely trusted to construct wise, just and effective pharmacy laws." Abundant evidence may be produced to show the failure of those outside of pharmacy to properly meet the requirements of the situation, in this regard. As has been so often and so variously said, "If pharmacists do not present proper and necessary legislation to control and regulate pharmacy, then others, less competent, will offer and promote such legislation."

Let there be no delay in the permanent formation of "The Legislative Conference of the American Pharmaceutical Association." Let it be as large, as active and as effective as its wonderful and sublime possibilities demand. Awaiting its wise treatment and disposal are many important subjects. Among many others are the following pending bills:

First. The amendment of the Pure Food and Drugs Act, whereby better regulation of the vicious nostrum is to be secured. This certainly merits careful consideration and earnest support.

Second. The bill to place control of narcotics in the hands of the Commissioner of Internal Revenue. Certainly, this is a most important and far-reaching piece of legislation, that needs the very best treatment it can have by those so directly interested, from many points of view. Chairman Richardson makes valuable suggestions, when he favors that order of things, which would make the Retail Liquor Dealers License include all charges for handling narcotics by pharmacists. He also thinks a personal bond, by the pharmacist or small dealer, sufficient and that compounds containing but small quantities of alcohol should be exempt from the operations of the proposed law.

Third. The bills to provide a Department of Public Health. In connection with this measure, pharmacy, in certain quarters, has discredited itself in the eyes of wise and benevolent people. This Association should make no such mistake and should openly and earnestly advocate the passage of the bill, not only in the interest of the public weal, but in the interest of pharmacy as well.

Fourth. Patent and trade marks. Though of far less importance, this is still an unfinished subject of legislation, to which our "Legislative Conference" might give many hours of painstaking deliberation.

Fifth. Parcels Post. It may be safely considered whether or not pharmacy, in part or as a whole, should separate itself from all those interests and the great mass of intelligent people, who are so strongly and so generously advocating its introduction. "The lion in the path of progress," is a very unattractive beast and we should not be happy in his company."

No matter how we may feel toward any of these subjects, which, in various forms, are persistently knocking at the doors of Congress, they are national in scope and are therefore, large in importance, claiming serious and careful consideration from this Association and its members. They so vitally concern pharmacy and its votaries as to make it imperative that *the very best means we can command or create* should be used in their happy settlement.

H. P. HYNSON, Chairman.