

REPORT OF THE COMMITTEE ON NATIONAL LEGISLATION.

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At the time when it is necessary to prepare this report, Congress has not yet adjourned, nor has it thus far enacted a single bill of importance to this Association.

However, matters of great moment have transpired, and we shall attempt to briefly describe them in the following:

THE RICHARDSON BILL.

This bill was prepared at the suggestion of the President of the United States and in compliance with a demand from the general public for amendments to the Food and Drugs Act that would strengthen that Act in certain ways.

The chief objects sought were to prevent fraudulent or misleading statements in regard to the remedial properties of medicines, whether made in connection with the packages thereof, or through advertisements; to place under the control of the Act all mechanical and other appliances advertised and sold as possessing remedial powers, and to further restrict the sale of habit-forming drugs.

Of the several forms of the bill introduced all were involved, and contained provisions that were considered unnecessarily radical. However, it was generally understood early in the year that the Interstate Committee of the House would report the bill without granting any hearings thereon, and there seems to be no doubt that such would have been the case had it not been for protests from the various divisions of the drug trade.

LEGISLATIVE CONFERENCE.

At a time when it was still thought improbable that there would be any hearings on the Richardson bill, the Executive Committee of the N. A. R. D. had extended, through resolution, an invitation to this Association to join it in a legislative conference for the consideration of law-making matters in general. Before a date for such conference had been selected, the House Committee having the Richardson bill in charge announced hearings thereon, selecting a date hardly more than a week ahead.

After much wiring by the officials and committeemen of both associations, there were gathered in Washington on April 27, for conference to prepare for a special hearing on April 29, a majority of the members of the Legislative Committee of the N. A. R. D. and all of the members of the Legislative Committee of this Association except Professor Eberle, who, very naturally, found it impossible to journey from Texas to Washington on such short notice. Additionally, there were present Professor F. C. Nixon of Leominster, Mass., representing the State Pharmaceutical Association. Professor Nixon acted as secretary of the conference and rendered very great service. After arduous labor covering the greater part of two days, the conclusions of the conferees were presented to the Interstate

Committee of the House of Representatives, Special Attorney Frank H. Freericks of the N. A. R. D., acting as spokesman.

Mr. Freericks presented to the congressmen a clear outline of such a bill as the conferees felt that they could pledge the support of the members of their respective associations.

THE APPROVED BILL.

The conferees approved the sections concerning the proposed prohibition of false or misleading advertising, with some minor changes of phraseology.

They advocated a single pharmacopoeial standard for drugs and medicines, with certain restricted allowances when the labels clearly show that the drug is intended for technical purposes only.

The conferees disagreed with the suggestions of the original bill in regard to the list of drugs that should be considered as habit-forming, and be mentioned on the label, and suggested a much more restricted list.

The conferees also declined to approve certain tentative provisions looking to the control of the sales of morphine, opium, etc., believing that these provisions were of such nature as should be embodied in bills having for their purpose the procurement of legislation dealing exclusively with habit-forming drugs.

Contrary to expectations, up to the present time, no bill to amend the Food and Drugs Act has been reported. That amendments will be made ere long seems assured, for the need of them is something to which the consuming public as well as the pharmaceutical world is fully awake.

FUTURE LEGISLATIVE CONFERENCES.

It is indeed pleasant to record the harmonious result of this conference between the Legislative Committees of the two great associations, and to hope that like effectiveness may be had in future times. Never as during the year just closed has legislation loomed so large in pharmaceutical affairs, and as the importance of it grows, legislative committees must increase their labors and effectiveness. With this increase must naturally come a growth in cooperation between the various National associations. However, the very existence of the several associations proves the severality of their purposes. These purposes legislatively are such as to nourish cooperation so long as it does not tend to absorption. The membership qualifications of this association are so peculiar, so all-embracing, and yet primarily so professional, as to make it difficult for it to choose a restricted field for legislative initiative. And yet, expediency and effectiveness, and in the end, interassociation harmony may best be found by just such restricted initiative.

It seems to us that each National association should strengthen its Legislative Committee; that the personnel of each National Legislative Committee should be distinct from all the others; that each committee should take the initiative in legislative matters coming peculiarly within the sphere formed by its membership qualifications or constitutional purposes, and that legislative conferences, so far as they may be, should be for the purpose of finding a way to consistently add the moral support of one association to the active labor of another. More than this, we believe, may lead to lack of concentration, wasted effort, weakness, and ineffectiveness.

CONTROL OF HABIT-FORMING DRUGS.

The habit-forming drugs evil received much greater attention outside of than in the Richardson bill. Early in the year the Bureau of Chemistry, Department of Agriculture, formulated what was generally known as "The Tentative Ruling."

Through this it was sought to accomplish through an executive department something greatly resembling what had been attempted in legislation in what had been known as "the Foster bill" of the Sixty-first Congress.

The proposed plan included a system of recording, reporting and otherwise detailing transactions in habit-forming drugs. In this proposition the trade interests not only found many of the objectionable features of the Foster bill, but, additionally, it was declared that the tentative regulation represented an attempted usurpation of legislative power by an executive department; it was asserted that the proposed action was unconstitutional.

This tentative regulation was placed before the Secretaries of Agriculture, Treasury, and Commerce and Labor, as demanded by the law. It was by them returned to the officials of the bureau of chemistry for further information; again placed before the Secretaries, and at this writing it is still in their hands, with nothing to indicate what their ultimate action upon it may be.

THE WRIGHT-HARRISON BILLS.

In the latter part of the session Representative Harrison introduced three bills that had been prepared by Opium Commissioner Hamilton Wright, who was also author of and sponsor for the Foster bill. Later on, amended forms of two of the bills were introduced.

These are revenue measures under which all importers, manufacturers, wholesalers and retailers would be licensed and held to a certain system of stamping the goods and recording transactions therein. These bills are less objectionable than the Foster bill in so far as they eliminate from their detail working, compounds containing very small portions of the drugs with which they deal.

However, there are some who criticise these bills as lacking in definiteness in some particulars and as placing unnecessary hardships upon the trade.

The conditions surrounding habit-drug legislation are not by any means creditable to the trade and profession. The social demands of the public and the ethical demands of pharmacy are clear, but as to means of meeting these demands, the divergence of opinion grows greater instead of less. Meanwhile, the evil grows in national terror; it comes more and more into public thought and public print; brings greater undeserved contumely upon the retail pharmacist, and with the various interests most closely concerned as far from practical initiative as ever.

PARCELS-POST.

Although the postoffice appropriation bill has not at this writing become a law, it has been reported in such form as to show decisive progress in parcels-post legislation.

During the year the forces both for and against parcels-post drew their lines of battle closer together than ever before. The mercenary monopolistic influences still insist upon a flat rate, which, in effect, would have used the Government's revenues from other sources to wipe the small towns from the map of the country.

Happily, we had in our legislative and executive branches of government men who not only faced the problem absolutely without class bias, but with the technique of experts who had devoted years of study to it. They brought forth as the product of experience and common sense a system under which a distance charge would be made; the zone system.

An understanding of this system brought to the more intelligent small dealers a realization that in its chief features all their contentions were granted at least in part. It was at least a fair compromise, and, accepting the inevitability of some form of parcels-post, we should welcome the zone rate system and use our best efforts to make it constantly improve in impartial effectiveness.

PUBLIC HEALTH BILLS.

The Owen bill for a Department of Public Health was reported by the Senate Committee on Public Health and Quarantine. Other bills for similar purposes, to be effected in like manner or through enlarging the Marine Hospital Service, are in committees in both Senate and House. The report of the Owen bill brought forth some critical statements in the Senate itself, it being said that Senator Owen alone made the report.

While we believe that the health activities of the Government should, and inevitably will increase; while we are not opposed to the seeming purposes of the bill as reported, the matter has become one of so much public discussion of a disagreeable nature, so many school, creed and class passions have been awakened by it, that we feel justified in making no further recommendation at this time than that this Association remain neutral to avoid entanglements that might carry it beyond its constitutional province.

As none of the bills thus far presented give any recognition to pharmacy, we certainly cannot allay ourselves with any particular one of them.

PATENT LAWS REVISION.

After the sweeping decision of the Supreme Court, upholding the monopolistic rights of the patentee, there was much rumor of radical legislation immediately to come.

At this writing not a bill has been reported. It has been stated that one bill to limit the monopolistic power of the patentee over unpatented supplies to be used on patented apparatus, will be reported. However, this will be a mild measure and its passage at this session is questionable.

The much-discussed tentative change of laws regarding foreign-owned drug patents does not seem to be a matter for action at this time. All drug and pharmaceutical interests are united in demanding some form of lawful protection for profits. We are not in favor of unlimited competition in any line. We therefore cannot consistently recommend a loosening of the patent protective lines on one class of drug merchandise, and the tightening of the same nature of lines on other classes.

TARIFF.

As is generally known, the tariff work of the session has been controlled purely by partisan politics. We very greatly doubt that the bills introduced and passed

by the house would have ever seen the light of day if one party had been in control at both ends of the Capitol. However, had they been introduced by a party in full control, we doubt that they would have been treated in either Senate or White House as they were.

We are inclined to believe that tariffs are things that the retail pharmacist should not be expected to have technical mastery of. Such measures are peculiarly the affair of the importers, manufacturers, and wholesalers who are members of this Association.

ENLARGED OR ADDED COMMITTEES.

This matter of tariffs reminds us that a proper handling of legislative matters for so varied a membership should either have a much larger Legislative Committee, with representatives of all interests thereon, or there should be sub-committees to care for different sorts of legislation; as we now have a special committee for the matter of pharmacists in the government service.

LIQUOR LEGISLATION.

It may seem that the question of liquor control is less of a factor, in so far as a political party deals with it. However, as a broad economic issue it must be acknowledged that it is rapidly gaining in importance. State sovereignty as seemingly opposed by the interstate protection of liquor in transit presents a grave problem, and one that has, through expressions elicited by the Webb, Kenyon and other bills in the present Congress, indicated that it may awaken serious class, sectional and race antagonisms.

Until the matter grows into one of clearer National division this Association can hardly adopt any definite policy in connection therewith.

In so far as these bills bear upon the sale of alcohol for legitimate medicinal purposes, we believe that the fears expressed are groundless and that no bill will become a national law without having that feature properly handled.

THE SHERMAN LAW.

A bill to amend the Sherman law, and by so doing secure fair profit protection for the small dealers in all lines, was prepared by Mr. Frank H. Freericks, and introduced in the Senate by Senator Clapp of Minnesota.

For information in regard to this and other legislative matters that seem to come within the province of the N. A. R. D., we refer our members to the reports and literature of that association.

Your committee is appreciative of the interest shown in legislation by the membership in general; it is grateful for the intracommittee harmony that has prevailed, and it sincerely hopes that aside from the fruit of its own efforts, if such there may be, that it may have planted seed that will bear bountifully under the cultivation of its successors.