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COMMITTEE REPORTS

REPORT OF THE COMMITTEE ON PATENTS AND TRADEMARKS.*

BY F. E. STEWART, CHAIRMAN.

The special object of this report is to call attention to the proceedings of the American Therapeutic Society and the Pennsylvania Pharmaceutical Association working in coöperation with the chairman of your committee for correcting certain abuses of the patent and trademark laws and the effects of this abuse upon the practice of pharmacy and medicine.

The American Therapeutic Society was organized in 1900, during the meeting of the Pharmacopœial Convention at Washington, to promote progress in therapeutics and stem the rapidly growing therapeutic nihilism in regard to drugs as remedies for disease. Among the causes of this loss of faith in drugs it was discovered that the growth of surgical specialties is gradually forcing the teaching of therapeutics out of the medical schools and colleges. Accordingly, at the last annual meeting, May 1-2, 1922, held in Washington, the report of a committee outlining a typical curriculum for the restoration of therapeutic teaching was adopted for the use of these institutions. It was also found that the introduction of alleged new remedies by misleading advertising in the medical journals is an important factor in the loss of faith in drugs; also that the patent and trademark laws are misinterpreted and misapplied for the protection of this objectionable "new remedy" business. The following resolutions were adopted by the American Therapeutic Society to aid in correcting these abuses and approved by the Pennsylvania Pharmaceutical Association at its recent annual meeting held at Buena Vista Springs, June 20-22, 1922.

This report should be read in connection with a paper contributed to the Scientific Section entitled "Pharmaceutical Institutions," appearing on page 129 of this number of the JOURNAL OF THE AMERICAN PHARMACEUTICAL ASSOCIATION.

Preamble and Resolutions Adopted by the American Therapeutic Society, May 1, 1922.

WHEREAS, the exact therapeutic value of new and even old drugs cannot be demonstrated owing to (1) the variety of names under which they are marketed; (2) the variation in their character, quality and strength due to different processes of manufacture; (3) the opprobrium of publishing in medical journals laudatory articles advertising commercially controlled drugs; (4) the fact that medical journals are unwilling to publish articles repudiating the therapeutic value of drugs, the advertisements of which are carried by them in their advertising columns,

WHEREAS, the large majority of practitioners of medicine and surgery find it impossible to remember or to take time to write long chemical names of drugs which have short, easily remembered names claimed as trademarks by their manufacturers,

WHEREAS, the constant use of a commercial name by physicians in prescribing and pharmacists in ordering supplies creates unfair monopolies in the sale of such drugs, to the discouragement of other manufacturers of the same products under their chemical names and hence, by destroying competition, removes the incentive to excel in the production of preparations of superior quality, therefore be it

1. *Resolved*, that the American Therapeutic Society herewith records its complete disapproval of all methods now in vogue for obtaining monopolies in drugs, vaccines and serums by product patents and the registration of so-called commercial names as trademarks; be it also

2. *Resolved*, that the American Therapeutic Society herewith records its approval of, and that it will support, measures that aim toward the patenting of processes and apparatus for the manufacture of medicinal drugs, chemicals and preparations of the same when such products are in fact new and useful inventions, provided that a complete description of their chemical composition, method of preparation and standardization and tests for purity are made known in

* Presented at Cleveland meeting, A. Ph. A., 1922. Referred to the Committee on Research.

the application for patent in such clear and concise language that any chemical or pharmaceutical firm may manufacture and market said drugs; and

3. *Resolved*, that the American Therapeutic Society approves the patenting of new drugs under agreement whereby educational, research and eleemosynary institutions are licensed by the patentees or their agents or assigns to produce such patented products without royalty; and be it

4. *Resolved*, that the American Therapeutic Society also approves measures whereby the owners of such patents shall license the production of such patented products to competing manufacturers on a royalty basis; and

5. *Resolved*, that the American Therapeutic Society urges the coöperation of the medical profession, pharmacists, pharmaceutical firms, manufacturers of drugs, and editors of medical and pharmaceutical journals toward the end of appointing committees with power to promote such legislation as is needed to abolish the obnoxious and unscientific production, marketing and medicinal use of drugs patented under the present laws; be it also

6. *Resolved*, that a copy of these resolutions be sent to the secretary of each national medical pharmaceutical association and to the *Journal of the American Medical Association*.

ISOTONIC SOLUTIONS.

The ordinary solutions used as eye-drops often cause much pain, even a 2 per cent. solution of cocaine hydrochloride being painful at first until the anesthetic effect is produced. This pain may be greatly reduced or entirely eliminated if the solutions are made isotonic with the tears, *i. e.*, equivalent in osmotic effect to a 1.4 per cent. solution of sodium chloride, which has a freezing point about -0.85° C. Where sodium chloride is incompatible, the isotonic equivalent of other salts should be used, *e. g.*, sodium sulphate with zinc sulphate and potassium nitrate with silver nitrate. The calculations necessary, using de Vries' isotonic coefficients, are shown in the following example:

To make a liter of 0.2 per cent solution of zinc sulphate (collyr. zinc. sulph. B. P. C.) isotonic with the tears:

Zinc sulphate (287.5) is to sodium chloride (58.5) as 2 is to 3.

Therefore 3×287.5 Gm. zinc sulphate = 2×58.5 Gm. sodium chloride.

And 2 Gm. zinc sulphate =

$\frac{2 \times 58.5}{3} = 39.0$ Gm. sodium chloride.

$3 \times 287.5 = 862.5$ Gm. sodium chloride.

Therefore the equivalent of 14 (1.4 per cent. in 1000 cc) — 0.27 (*i. e.* 13.73) Gm. sodium chloride is required.

Sodium sulphate (322) is to sodium chloride (58.5) as 4 is to 3.

Therefore 4×58.5 Gm. sodium chloride = 3×322 Gm. sodium sulphate.

And 13.73 Gm. sodium chloride

$\frac{3 \times 322 \times 13.73}{4 \times 58.5}$ Gm. sodium sulphate

or 56.68 Gm. sodium sulphate.

Now, dissolve 2 Gm. of zinc sulphate and 56.68 Gm. of sodium sulphate in enough water

to make a liter. A one per cent solution of cocaine hydrochloride is equivalent in osmotic effect to a 0.2 per cent solution of common salt; hence if one multiplies the percentage of the alkaloidal solution by 0.2 and subtracts the result from 1.4 the required percentage of sodium chloride is obtained. This method will be found approximately correct for other medicaments used in eye work, such as atropine, pilocarpine, protargol, etc. The pain caused by hypodermic injections and the very acute pain of intra-dermic injections is almost completely eliminated if the solutions are made up to the osmotic strength of a 0.9 per cent. solution of sodium chloride (freezing point, -0.55° C.).—William A. Knight in *Chemist & Druggist*, January 13, p. 59.

PENNSYLVANIA IS PLANNING FOR A SINGLE HEAD FOR VARIOUS STATE BOARDS.

The main feature of a bill being prepared by Hon. Albert M. Johnston, legal adviser to the Department of Public Instruction, Pennsylvania, contemplates a general council to consist of one member each of the regular or old school of medicine, the homeopathic, eclectic, osteopathic, and of dentistry, pharmacy, veterinary medicine and the Board for Registration of Nurses.

Each of these divisions of the healing art has a separate board but no common governing head.

Under the proposed bill they will be made answerable to the Council of Education in the Department of Public Instruction.

Separate examining boards in each will be retained. The Council of Education will, however, pass ultimately on their findings.

Provision is to be made in the Johnston bill to have incorporated in it at any time cults which may hereafter be established, as well as chiropractic, neuropathy, etc.