

COMMITTEE REPORTS

REPORT OF THE COMMITTEE ON LEGISLATION.*

The work done in legislation on pharmacy must be considered especially good this year due to three reasons: first—the several interests and associations concerned cooperated better than ever before; second—as a result they received more serious and effective consideration by legislative bodies; third—legislation in narcotic, alcohol and so-called reform legislation has about reached its peak and spent its force and influence and a more sane consideration of the problems is shown by legislative bodies brought about largely by a growing sentiment among the people against legislating morals.

In the Bill on peyote and cannabis indica to check the use of peyote by the Indians, cannabis was dropped from the Bill when the difference between the drugs was made clear to the House Committee.

Senator King's Bill to require statement on label of quantity and proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta-eucaine, chloroform, cannabis, chloral, arsenic, anesthesin, antipyrine, belladonna, bromine, cantharides, henbane, iodine, nux vomica, phenacetin, phenol, strychnine, thyroids or veronal contained in same, showed the tendency to control all potent drugs—the Bill was withdrawn after argument showing the uselessness of such legislation was made clear.

Alcohol legislation developed—the Treasury Regulation No. 3335 containing the 25% forfeiture bond which was withdrawn after a general protest; it was followed by No. 3398 containing the same 25% forfeiture bond. This time a stronger protest was made and on November 22, 1922, No. 3310 was issued permitting filing of three alternate bond forms from all of which the 25% liquidated damage clause is eliminated.

Next came the famous Prohibition Mimeographs, especially Mimeograph No. 282 issued by Prohibition Commissioner without approval of Secretary of Treasury or the Commissioner of Internal Revenue and requiring the most intricate records to be kept of all uses of alcohol and based upon Treasury Decision No. 3410 requiring permittees to keep such records of alcohol used as Federal Prohibition Commissioner might require. The latter, however, went too far and a universal protest arose, based upon impracticability, ineffectiveness and burdensomeness of same. The protest was effective, the Mimeograph No. 282 withdrawn and the agreement reached that Secretary of Treasury and Commissioner of Internal Revenue must pass all "Mims." before their issuance. The outcome was the issuance of Treasury Decision No. 3396 which is possible and not burdensome.

Next came Representative Wood of Indiana's Bill to create a Bureau of Prohibition, which provided that the Commissioner of Prohibition be the enforcer of Prohibition and Harrison Acts. This would have created a prohibition autocracy amenable only to President of the United States and, possibly, ruined the pharmaceutical industry. On February 19, 1923, the Committee of Judiciary of the House had hearings on Wood's Bill and strong arguments were used to oppose it with the result that it was never reported out of the Committee. It may be introduced again at next Congress but until then users of legitimate alcohol can rest easy. Since then the Prohibition Unit has prepared revised form of Regulations No. 60 which are now in force. On March 21st Commissioner of Internal Revenue appointed an Advisory Committee on alcohol problems, made up of representative members of the leading alcohol-using industries. It is a fine committee; this committee met at the Commissioner of Internal Revenue's office on Friday, June 1st, and organized. The Committee is known as the Trade Alcohol Advisory Committee. Commissioner of Internal Revenue Blair opened the meeting and stated that the purpose of the Committee was to furnish information and advice to the authorities administering the prohibition laws, so far as the drug, chemical and other legitimate industries were concerned. The Committee consists of W. A. Sailer, *President*, H. E. Howe, *Secretary*, W. J. Schieffelin, Martin J. Ittner, Frank A. Blair, M. C. Whitaker, R. H. Bond, C. L. Reese, R. M. Cain, S. C. Henry, James H. Beal. Some very plain truths were told Mr. Haynes by Messrs. Sailer, Schieffelin, Ittner, Whitaker

* Report read in abstract; resolutions approved, Asheville meeting, A. Ph. A. See p. 910, October JOUR. A. PH. A.

and Bond. It developed that Mr. Blair was not in accord with Mr. Haynes and in consequence these gentlemen told Mr. Haynes very plainly where he was wrong and where the real trouble lies. It is understood that no alcohol regulations affecting the legitimate users thereof will be issued by Mr. Haynes without consulting with and obtaining the approval of the above Committee. One of the consequences of the existence of this Committee may be the creation of a separate division of the Commissioner of Internal Revenue Department on a par with the Prohibition Unit, probably under a separate deputy commissioner. One of the gratifying consequences of the above meeting, next to the conviction that Mr. Blair has taken a definite stand to treat legitimate users of alcohol fairly and see that they are not hampered and annoyed by police and more or less picayune methods, is the issuance on May 31st of T. D. 3483 by the Bureau of Internal Revenue permitting the purchase of 10 gallons or less of alcohol without confirmation. This amends T. D. 3449 which was a very drastic and restrictive regulation. If this right to purchase without registration and confirmation is extended to small amounts of whisky by the retail drug trade, then much of the trouble of the trade will be eliminated. The above results probably followed the speech delivered by Judge Britt, Chief Counsel of the Prohibition Unit, before the annual meeting of the American Drug Manufacturers' Association at the Biltmore on April 17th last when he insisted that every legitimate user of alcohol or distilled spirits fight and continue to fight for his legal rights under the law and that he was with them in this fight as long as they observed that law.

Narcotic Legislation. In Narcotic Legislation we have not been as successful and both our importing and exporting business in narcotics and drugs has suffered as the result of the enactment in May 1922 of "An Act to Prohibit the Importation and Use of Opium for Other than Medicinal Purposes," being an amendment of the Act approved February 9, 1909. This Act appointed a Federal Narcotics Control Board composed of Secretaries of State, Treasury and Commerce. Importation of any narcotic drugs except crude opium and coca leaves is prohibited and only such amounts of these as the above board find necessary to provide for the legitimate medicinal uses in the United States. It only allows export of narcotics to countries that have ratified the International Opium Convention of 1912. This has reduced the export pharmaceutical business very materially. Fortunately Congress adjourned without making any appropriation for carrying on the work of this Board and its duties were hence transferred to the Narcotic Division of the Prohibition Unit. A meeting of those interested was called this Spring by the Federal Narcotics Control Board at which the legitimate needs for 1923 were determined and the Board lifted the embargo, thus permitting legitimate importers and manufacturers to again resume operations. In the meantime there is a shortage of opium and coca leaves; at best it is almost impossible to determine the amount of legitimately used opium and coca leaves in advance.

Narcotic Legislation has become anti-dope legislation just as alcohol legislation has become prohibition legislation. Publicity does not help the situation very much.

It is proposed that the Commissioner of Internal Revenue appoint a Federal Narcotic Commissioner who would have sole charge of the enforcement of the Federal narcotic laws subject to the supervision of the Commissioner of Internal Revenue and the Secretary of Treasury. The present Narcotic Division of the Prohibition Unit would become a separate unit of the Treasury Department under the direct supervision of the Federal Narcotic Commissioner. It is the opinion of your Committee that such a move should be endorsed by the A. Ph. A. Then we might be able to make our burdens of narcotic transactions lighter and get away from the tiresome report and record keeping.

It is to be noted that a movement is on foot to eliminate completely the exemption features of the Harrison Act and, also, another to absolutely prohibit the manufacture and sale of heroin. Both of these movements are objectionable and undesirable and some action opposing them should be taken. The former increases our burdens and the other eliminates a very desirable and efficient drug.

The Model State Narcotic Bill has been drafted and has given general satisfaction and will meet a long-felt need in that it was drafted with the purpose of eliminating conflict between Federal and State Narcotic Laws—the American Pharmaceutical Association should endorse it.

State Legislation. Numerous bills covering narcotic legislation and alcohol legislation and the prohibition of sale of certain synthetic medicinals principally phenol derivatives have

been brought before the legislatures of 44 States. As usual most of them were drafted by persons ignorant of the meaning and bearing of their contents. Practically all of them have been amended or killed so that but little disastrous or objectionable legislation has passed into law. We are over-legislated in this country. If the existing laws would be studied and codified so that duplications and overlapping statutes would be eliminated and a simple much reduced code of laws produced in its place, then legislation would become more rational and less strenuous in amount. Your committee recommends:

- 1—Adoption of a resolution approving the Model State Narcotic Bill.
- 2—Adoption of a resolution commending appointment of Advisory Alcohol Committee.
- 3—Adoption of a resolution recommending appointment of Industrial Alcohol Commissioner.
- 4—Adoption of a resolution recommending appointment of Federal Narcotic Commissioner.
- 5—Adoption of a resolution opposing removing Prohibition Commissioner from the supervision and control of Commissioner of Internal Revenue and Secretary of Treasury.
- 6—Adoption of a resolution opposing any movement to eliminate exemption clauses of the Harrison Act.
- 7—Adoption of a resolution opposing any movement to prohibit manufacture and sale of heroin.

Very respectfully submitted,
A. R. L. DOHME, *Chairman*.

ASSOCIATION BUSINESS

AD INTERIM BUSINESS OF THE BOARD OF DIRECTORS.

Office of the Secretary, 192 Roseville Ave., Newark, N. J.

LETTER NO. 10.

They are as follows:

January 8, 1924.

To the Members of the Board of Directors:

47. *Publicity for Board Transactions:* Motion No. 8 (see item 33, page 20, Letter No. 6) has been carried. The Secretary of the Board will be guided accordingly. A summary of actions taken by the Board at its recent meeting in Washington has been sent to the pharmaceutical journals.

48. *Selection of Headquarters Hotel:* Motion No. 11 (see item 44, page 34, Letter No. 8) has been carried. The Statler Hotel, Buffalo, will therefore be headquarters for the next meeting. The Secretary of the Board has notified Local Secretary Gregory of the A. Ph. A., Secretary Cooper of the A. C. P. F. and Secretary Christensen of the N. A. B. P. of this action.

49. *Election of New Members:* Motion No. 12 (see item 45, page 34, Letter No. 12) has been carried. The Secretary of the Board has notified the new members of their election.

50. *Changes in Membership Committee:* Secretary Day writes as follows:

"Since I wrote you last in regard to the membership committee, I have discovered that several others of those listed for appointment are no longer members of the Association.

- District No. 4—La.—William August Worner, New Orleans. Texas—J. M. Duggan, San Antonio.
District No. 6—Utah—W. H. Dayton, Salt Lake City.
District No. 7—Idaho—H. H. Whittlesey, Pocatello. Washington—G. Elmer Brown, Spokane.

"I suggest no action regarding these other than that they be cut off the committee before its publication in the JOURNAL with the exception that a successor should be appointed in place of Mr. Whittlesey as chairman of the Idaho membership committee. I suggest that Roy M. Spargur of Twin Falls be appointed chairman.

"I am sending a copy of this letter to Editor Eberle assuming that my recommendation will be accepted by the Board of Directors and thinking that he may already have set up the list of committees for publication in the next number of the JOURNAL."

If there is no objection within ten days, the suggested changes will be considered as approved and the necessary changes will be made.

51. *Proposed Budget for Appropriations for the Year 1924:* The Finance Committee through Chairman LaWall submits the follow-