

THE DEPARTMENT OF THE NATIONAL ASSOCIATION OF BOARDS OF PHARMACY

SALE OF ASPIRIN RESTRICTED TO DRUG STORES.

The ruling by the Attorney General of Iowa relating to the sale of aspirin is of more than passing interest to pharmacists in all states. We therefore quote the opinion verbatim: (H. C. C., Editor)

“Des Moines, Iowa, Feb. 19, 1926.

“The following is the ruling of the Attorney General of Iowa as to the sale of Aspirin:

“Section 2580, Code of Iowa, 1924 reads as follows;

“‘For the purposes of this chapter, drugs and medicines shall include all substances and preparations for internal or external use recognized in the United States Pharmacopœia or National Formulary, and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either man or animals.’

“Section 2578 designates what persons shall be considered as engaged in the practice of pharmacy. Said section reads as follows:

“‘For the purpose of this title the following classes of persons shall be deemed to be engaged in the practice of pharmacy:

“‘1. Persons who engage in the business of selling, or offering or exposing for sale, drugs and medicines at retail.

“‘2. Persons who compound or dispense drugs and medicines or fill the prescriptions of licensed physicians and surgeons, dentists, or veterinarians.’

“You will note that under Section 2578 a person who dispenses or exposes for sale or sells drugs and medicines at retail is considered as engaged in the practice of pharmacy. The term ‘drugs and medicines’ has been defined by Section 2580 to include all substances and preparations for internal or external use recognized in the United States Pharmacopœia.

“We have made an examination of the last edition of the United States Pharmacopœia, being the Tenth Decennial Revision, becoming the official Pharmacopœia on the date of January 1, 1926 and we find listed therein at page 13 the following: Acidum Acetylsalicylicum, or what is more commonly known and recognized under the trade name of ‘Aspirin.’ In other words, under the new Pharmacopœia for this year, aspirin has come to be recognized as a drug and is listed therein. This being true, under the provisions of Section 2580, aspirin is now clearly a drug or medicine as recognized by this section, and any person dispensing same would be required to secure a license to practice pharmacy or to be a registered pharmacist as provided by Section 2578. You will note that Section 2582 provides that an unlicensed person is not to dispense drugs and, therefore, a person not a licensed pharmacist could not, in

our opinion, sell aspirin unless he came within the provisions of Section 2579 which recognizes certain exceptions where dispensing of drugs and medicines may be made by a person not a registered pharmacist.

"Under these exceptions we believe that aspirin could be dispensed by persons employed and under the supervision of a licensed pharmacist and by doctors and dentists as incident to their profession as well as by licensed pharmacists. However, we are of the opinion that the same can no longer be sold in pool halls and cigar stores unless the owner thereof who is dispensing the drug has a license as a registered pharmacist or is a doctor or dentist.

"In further support of our opinion, we respectfully call your attention to the letters of numerous physicians of this state, which you have submitted with your request, in which they state that aspirin is a drug and should be administered subject to the restrictions of all other drugs and medicines. We also call your attention to the opinion of the Attorney General of the state of Minnesota holding that aspirin is a drug and that same is to be treated as other drugs and medicines as regards its sale and dispensation.

"In conclusion I call attention to the fact that this department rendered you an opinion on the 28th day of November 1922 upon a similar question to the one which you have submitted herein at which time it was held that aspirin could be sold by others than registered pharmacists. At the time of the rendering of this opinion, Acidum Acetylsalicylicum was not included in the U. S. Pharmacopœia and, therefore, clearly would not come within the provisions of Section 2580 defining drugs and medicines. However, aspirin is now included in the Pharmacopœia issued for the year 1926 and, therefore, we believe that due to this change, the opinion of this department issued in 1922 is no longer applicable.

Yours very truly,

(Signed) S. S. FAVILLE,
Assistant Attorney General."

STATE BOARDS OF PHARMACY NEWS ITEMS.

Colorado.—A meeting recently was called in Denver by E. J. Howard, Chairman of the State Legislative Committee, for the purpose of agreeing on the essential features of a new Pharmacy Bill. As the Committee is composed of representatives from all sections of the state, it is hoped that a measure satisfactory to all will result. This tentative bill is then to be presented at the meeting of the State Pharmaceutical Association at Boulder, in order to reconcile any slight differences of opinion that may be found in the draft, so that the bill may have the solid backing of all the pharmacists of Colorado.

Illinois.—Mr. W. S. Denton, Member and President of the Illinois Board of Pharmacy Examiners, sold his business in Beardstown recently, where he has resided for the past 19 years. Mr. Denton has reestablished himself in the drug business by purchasing the Robert A. Clarkson Drug Store in Springfield, Ill.

Indiana.—Mr. B. M. Keene, President of the Indiana Board of Pharmacy, attended the American Druggists' Fire Insurance Convention at Cincinnati, O.

Mr. John A. J. Funk and family of Galveston (Ind.), member of the Indiana Board of Pharmacy, are spending some time in Culver City, California.

Next regular meeting and examination of the Board of Pharmacy will be held April 12, 13, 14, 1926.

Maine.—Roy M. Hescocock, of Monson, Me., has been elected President of the Maine State Commissioners of Pharmacy to succeed the late L. M. Chandler of Camden. Edgar F. Carswell is Secretary of the Commission and the third member is George O. Tuttle, of Portland, whom Gov. Brewster appointed to fill the vacancy caused by Mr. Chandler's death.

Massachusetts.—The Massachusetts State Pharmaceutical Association recently went on record as opposing a bill which has been introduced in the Legislature proposing to change the Pharmacy Law so that a member of the Board of Pharmacy must be the owner of a drug store in order to be eligible for membership on the Board and that he may not be eligible to succeed himself.

Oregon.—The Board has adopted a resolution which provides for two examinations each year for registered pharmacists and two for registered assistants, instead of joint examinations, which have been held three times a year heretofore. Another ruling which was adopted requires that all unregistered men employed for three years in a Prescription Department must present themselves for at least assistant's examination at the end of that time or resign their positions.

Virginia.—A bill is now pending in the Legislature which proposes to eliminate registration of Assistant Pharmacists and to allow such persons as now hold Registered Assistants' licenses to take the Registered Pharmacists' examination. It does not affect the status of those registered as Assistant Pharmacists, allowing them to continue to practice as such if they do not, subsequent to the time of the amendment becoming effective, become registered as pharmacists.

Of interest to pharmacists generally is a bill introduced in the Legislature which, if enacted, will require acids, alkalis, caustics, and like dangerous chemicals to bear a distinctive label, and prescribing a penalty for failure to so label. As this bill is a health protective measure, it is not being opposed and will work no particular hardship on pharmacists as they are already largely complying with its provisions.

The Cosmetic Tax Bill, after being unfavorably reported out by a committee, was killed on the floor of the House.

PREPARATIONS ARE BEING MADE FOR THE REVISION OF THE BRITISH PHARMACOPŒIA.

A conference of the members of the Revision Committee of the British Pharmacopœia was held February 23, at which the following were present:

Sir Donald MacAlister, Bt., M.D., (chairman), Sir Robert Bolam, Sir Humphry Rolleston, Bt., M.D., Sir Nestor Tirard, M.D., Sir Holburt Waring, M.S., Dr. R. B. Wild, Dr. J. A. Adams, Dr. Ashley W. Mackintosh, Dr. Norman Walker, M.D., Dr. Leonard Kidd, Dr. Edward Magennis, Sir John Moore, M.D., Dr. P. Hamill (secretary), and representatives of certain medical, scientific and pharmaceutical societies, *viz.*:—Mr. J. S. Whitaker, M.R.C.S., and Dr. A. W. Adams (Ministry of Health); Mr. H. H. Dale, B.C., and Lt. Col. Sir David Prain (Royal Society); Sir W. Hale-White and Mr. A. J. Clark, M.B. (Royal Society of Medicine); Dr. T. R. Elliott and Sir Walter Fletcher, M.D. (Medical Research Council);

Mr. E. Lewis Lilley, M.R.C.S., and Mr. J. W. Bone, M.B. (British Medical Association); Mr. Philip F. Rowsell and Mr. Edmund White (Pharmaceutical Society); Mr. A. R. Cushny, F.R.S., and Mr. W. E. Dixon, M.B. (Physiological Society); Mr. F. G. Donnan, F.R.S. (Chemical Society); Dr. A. B. Rendle and Lt. Col. A. T. Gage, M.B. (Linnean Society); Mr. H. Todd and Mr. W. J. Hardy (Northern Ireland Pharmaceutical Society); Mr. G. A. McLean Lee and Mr. J. Smith (Pharmaceutical Society of Ireland); Mr. A. C. Chapman, F.R.S., and Mr. E. Hinks, B.Sc. (Society of Public Analysts).

The President outlined the history of past editions of the British Pharmacopœia and made a number of suggestions relative to its revision. He mentioned that Canada had asked for fuller consideration relative to its needs, and the same was also true of other possessions. At the conclusion of the conference it was stated that the proposals and suggestions made by the Dominions would have careful consideration.