

THE DEPARTMENT OF THE NATIONAL ASSOCIATION OF BOARDS OF PHARMACY

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SKILL ONLY REASON FOR SALES RESTRICTION.

In reviewing the Minnesota Supreme Court Aspirin decision,¹ Editor Clayton of the Rocky Mountain Druggist, who is Secretary of the Colorado Board of Pharmacy as well as the Colorado State Association, makes some very timely and pertinent comments. He calls to attention the fact that although the court stated in its decision that no special skill is required to *sell* aspirin, the inference is that the pharmacist due to his training is able to *select* and *procure* a good quality. Thus, the public is protected by limiting the sale to persons who can discriminate as to quality. Only such a reason could warrant restriction of sales to pharmacists.

Quoting Mr. Clayton, "Not long since, the writer was arguing along this line with an opponent of the then pending pharmacy amendments in the Colorado legislature, and in the course of the argument, cited an instance in which he had seen in a general store a display of castor oil, syrup of ipecac, spirit of nitrous ether and other similar articles in a south window, unprotected from the blazing sun. He was somewhat taken aback, however, when his antagonist in turn cited conditions in some drug stores, referring particularly to the storage of volatile oils on a balcony directly over a radiator, where they were subjected to the deteriorating action of the heat. And the writer himself has seen efflorescent salts, such as copperas and blue vitriol, stacked up on a hot radiator, Epsom salts and similar articles in open boxes, exposed to dust, flax seed in damp places where the growth of mould occurred, and many other such abuses."

"Now, if pharmacists are to continue to be entrusted with the exclusive handling of drugs," continues Mr. Clayton, "they must be deserving of the privilege."

¹ See N. A. B. P. Department A. PH. A. JOURNAL, August 1927.

PERSONAL AND OTHER NEWS.

A picture of the **Alabama Board** "in session" published in the December *Southern Pharmaceutical Journal* shows the members in outing togs with thirteen great big fish draped gracefully around them. Thirteen seems to be their lucky number. Who made the catch is a secret, but as Hal Duncan has the fishing rod and the other members hold the fish, we leave it to your imagination to guess.

The **Michigan Board of Pharmacy** has recently published a compilation of the pharmacy and drug laws of that State, with rules and regulations for their enforcement. The booklet is comprehensively indexed, making the information very accessible. One chapter gives all the State and federal laws pertaining to prohibition; another, Supreme Court decisions relative to the constitutionality of the pharmacy laws; the third, Attorney General's department's opinions. With this pamphlet in the hands of every pharmacist in the State, there is no excuse for ignorance of the law. The effectiveness of any board's work can be greatly increased by following this excellent example.

The board's annual report is included in the booklet and shows thirty pharmacists accepted by reciprocity during the year and twenty-eight leaving the State in the same manner, during that period. There are 2375 licensed drug stores in the State. The inspections for the year numbered 2517; 41 convictions were obtained on 44 violation warrants issued. Out of 968 candidates taking examination during the year, 495 passed.

Our own genial Treasurer **J. W. Gayle** surprised the N. A. B. P. office with a visit on Armistice Day. From our office windows, he watched paper streamers and adding machine tape gyrating through the air, confetti clouds descending and waste paper falling to the streets. Chicago was celebrating. To add a solemn note to the occasion, taps was sounded by ex-soldiers from the elevated platform in plain view of the office windows.

After a pleasant visit with a daughter who recently returned to Chicago from Russia, Mr. Gayle left for his home in Frankfort, Ky.

The Attorney-General of the State of Georgia recently issued a ruling to the effect that under the pharmacy law passed by the Georgia Legislature in August 1927, any person having three years of practical experience previous to passage of said act, irrespective of age or educational qualifications, shall be entitled to take examination before the Georgia Board of Pharmacy for license as pharmacist.

From the time of the act becoming in force, applicants for examination as registered pharmacist must be not less than 21 years of age and shall have at least a high school education and not less than three years of drug-store experience; provided, however, a graduate from a recognized school or college of pharmacy may, in lieu of experience, be entitled to take such examination.

This new law apparently nullifies the ruling of the Georgia Board of Pharmacy, which became effective July 1, 1927, requiring college graduation for entrance to examination for registered pharmacist.

The provisions of the new law put Georgia entirely out of line with other States in that the candidates who register in that State under the requirements of the law cannot qualify for reciprocal registration in any State which requires four years of practical experience for entrance to examination, or which requires graduation from a recognized school or college of pharmacy, crediting time spent in college on the four years of required experience.

It is exceedingly unfortunate for Georgia and Georgia pharmacists that a law so obviously out of harmony with the laws of other States in its requirements for registration as pharmacist has been enacted by that State.

Alexander Reid of Detroit, a member of the Michigan Board, is Secretary-Treasurer of the Reid-Houser Drug Co., a new organization which operates six high class stores and is expecting to open the seventh soon. The N. A. B. P. wishes Mr. Reid success in his new venture.

John Culley champions the metric system. In a speech made before the Kiwanis Club

of Ogden, Utah, he advocated its adoption and said that by doing so, the equivalent of one entire year of school work would be eliminated for students. He added that fifty-five out of fifty-seven civilized countries now use the metric system—England and the United States being the exceptions. "The avoirdupois and troy systems," Mr. Culley said, "are like Topsy, they 'just grew,' while the metric system was born after years of scientific investigation and research."

"An English king said 'An inch shall be the length of my thumb joint,' and the length of his thumb joint is still an inch," the speaker continued. "Before that it was as wide as three grains of corn side by side. A foot was the length of a certain king's foot, a furlong was the distance an ox could pull a plow through a field without becoming tired and a mile was the distance a Roman soldier could cover in 1000 double paces."

Mr. Culley then elaborated on the simplicity of the metric system and closed with the statement that it is high time for the United States to be numbered among the metric measuring nations.

E. H. Riske, Secretary of the Missouri Board of Pharmacy, recently took over the interest of his partner in the Riske-Tilgner drug store at Independence, and is now the sole owner.

STATE BOARD NEWS ITEMS.

Alabama.—Beginning January 1, 1928, W. S. Hunt, a druggist of seventeen years' experience, will be State drug store and narcotic inspector. This position was made possible by act of the last legislature. "It is a big step forward for pharmacy in Alabama," says Secretary Bingham.

Arizona.—Twenty-two of the fifty-five candidates writing the November examination were successful in passing and have been granted licenses as registered pharmacists.

Secretary Hulett reports that about ten new drug stores have been opened in Arizona during 1927.

Delaware.—At the October examination of this Board, six candidates were examined for pharmacist and six for assistant, three being successful and receiving the pharmacist license and four the assistant license.

The following officers were reelected: *President*, Thomas H. Cappeau; *Vice-President*, R. M. Kaufman; *Secretary-Treasurer*, John O. Bosley.

Georgia.—The Board examined eighty-nine applicants during the December examinations. Of this number, thirty-two passed, six receiving the apothecary license and twenty-six receiving the druggist license. The next meeting will be held in Atlanta on May 16 and 17, 1928.

Indiana.—The Board announces that drug store permits for 1928 should now be renewed.

Reciprocal registration was granted on December 14th to John Elmer Feighner, of Michigan.

Iowa.—Of the twenty-eight candidates who wrote the examination held on November 9th and 10th, six were successful in passing.

Kansas.—Nine out of the sixteen taking the November full registered examination and seventeen out of twenty taking the assistant examination were successful in passing. The percentage of those passing is higher than usual and the Board members praised the work of the class.

The next meeting will be held in Wichita, Kansas, the first Wednesday and Thursday in February.

Louisiana.—The Secretary of the Louisiana Department of Public Welfare recently explained that under the new uniform licensure law of that State, the following can no longer be sold by unlicensed persons in Louisiana: Aspirin, boric acid, bay rum, castor oil, spirit of camphor, epsom salt, glycerin, hydrogen peroxide, sodium bicarbonate, zinc stearate. The uniform licensure law defines drugs and medicines as including all substances and preparations for internal and external use recognized in the U. S. P. or N. F., and the Secretary therefore interprets the law to mean that the foregoing items can be handled only by registered pharmacists.

Massachusetts.—The State Board of Pharmacy has again taken steps to have a college prerequisite law enacted in Massachusetts. The Board believes that if the law is passed, the public will be benefited by receiving improved service and the pharmacist by the reduction of the number of drug stores.

Michigan.—J. C. Dykema was recently elected President of the Board. This is the second time that Mr. Dykema has served the Board as presiding officer. He is the proprietor of a Grand Rapids professional pharmacy—over ninety per cent of his business consists of prescriptions.

Minnesota.—The Board has been very busy enforcing the recent aspirin ruling. Letters were sent out to the various associations—grocers, tobacco dealers, hardware, etc.,—calling attention to the Supreme Court decision that aspirin can only be sold by registered pharmacists. Ten convictions have been obtained under the ruling.

Montana.—As a result of the October examination, the names of seven pharmacists have been added to the records.

Leslie F. Gabert of South Dakota, Eugene F. Sullivan of Nevada, Harry A. Ames of Minnesota and Seth A. Welch of North Dakota were registered by reciprocity.

North Carolina.—Secretary Hancock reports that thirteen applicants passed the Board examination held at Chapel Hill November 22nd–23rd and have received licenses as pharmacist.

He adds that since the close of the fiscal year June 1, 1927, twenty-three registrants have been accepted by reciprocity.

Pennsylvania.—L. L. Walton, of the Pennsylvania Board of Pharmacy, writes of the second important Court victory relative to the Pennsylvania Ownership Law. The Liggett Company filed an injunction to restrain the Board of Pharmacy from enforcing the law on the ground that it is unconstitutional; the federal court in Philadelphia upheld the constitutionality of the act.

“Briefly, the Court said that to declare the law unconstitutional, it would need to find the act not in the public interest. On that ground only could it refuse to sustain it. It did not so find, and placed the costs on the Liggett Company. This should settle all questions of constitutionality which may be raised in other suits brought under this law.”

Rhode Island.—Fourteen of the twenty-three applicants taking the December examination passed and have been granted licenses.

South Dakota.—The Supreme Court of South Dakota recently decided that the sale of patent medicines could not be restricted to registered pharmacists, although the Court held that the regulation of the practice of pharmacy is a legitimate exercise of police power. The court adds regarding patent medicines, however, “Nothing is gained by the restriction of such sale to pharmacists if they are in no way required to exercise any knowledge or skill or to protect the public in any way by refusing to sell where harm will result.”

Tennessee.—A bill to raise the requirements for operating pharmacies will be introduced at the next session of the legislature, according to the plans of the Board. An endeavor will be made to make Tennessee's requirements equivalent to those of other prerequisite States.

Texas.—The Texas Board of Pharmacy will meet in the St. Anthony Hotel in San Antonio January 17, 1928. The midwinter meeting of the board has been held in San Antonio for many years. Several meetings of N. A. B. P. District No. 6 have in the past been held jointly with Board meetings at San Antonio where palms wave and flowers bloom all winter. The Texas Board is always glad when District 6 selects San Antonio for its meeting place.

On the second night of the meeting, January 18th, the annual banquet of the San Antonio Retail Druggists' Association will be held. This is a gala occasion given by the largest local druggists' association in the State. George Keene, veteran entertainment chairman, will have charge of the banquet and dinner dance. The January meeting of the Board has come to be a reunion between the members of the Board and the druggists of San Antonio.

Indications now are that from 125 to 150 applicants will take the examination. Among the applications now on file are a number from graduate pharmacists of Old Mexico, and these will be handled by Ed S. Russell of Laredo who speaks and writes the language of Latin America like a native.

Utah.—Twenty candidates took the October examinations in Salt Lake City and ten of this number were successful in passing.

Wisconsin.—The Attorney General's office recently gave G. V. Kradwell, President of the Board of Pharmacy, the opinion that department and general stores are not permitted, under the Wisconsin law, to sell U. S. P. or N. F. preparations unless a registered pharmacist is in charge. The opinion particularly affects the sale of aspirin. Merchants whose stores are three or more miles distant from a registered pharmacist are exempted, and such stores will be granted a permit by the State Board of Pharmacy allowing them to make such sales.