

## LEGAL AND LEGISLATIVE.

## STATE LEGISLATION.

Arizona House has passed Bill 95, which prohibits the use of the name drug store or related terms for places in which a registered pharmacist is not employed.

The Colorado Pharmacy Bill has been signed by the Governor. The law becomes effective five years hence.

North Carolina Senate Bill 364 provides for the licensing of mouth hygienists by the board of dental examiners to teach and practice mouth hygiene in the public schools of the state. Senate Bill 476 makes it unlawful for any person firm or corporation to sell at retail any spectacles, eye glasses or lenses unless a duly licensed physician or a duly qualified optometrist is in charge of and in personal attendance at the place where such articles are sold.

Idaho and West Virginia, and other states, are fighting tax bills; Kansas has been successful in killing a measure providing for taxes on tobacco and cosmetics.

Iowa Senate and House have passed House Bill No. 96, which provides for the suspension of licenses of physicians and pharmacists, who have been convicted by liquor law and narcotic laws.

Maryland is considering several laws that apply in one way or another to pharmacy but none of them have been brought to enactment.

New Jersey pharmacists attended a public hearing on Assembly Bill No. 116, which would permit wider sales of medicines by general merchants. The latest report from Secretary Fischelis is to the effect that the Bill would not be favorably reported.

Pennsylvania Senate Bill 505 prohibits the compounding, dispensing and preparation of drugs, medicines or poisons except by a duly registered pharmacist or assistant pharmacist and charges the state board of pharmacy with the duty of enforcing the law.

The Pennsylvania Board of Pharmacy has voted to extend the present requirement of a three-year course in pharmacy for Pennsylvania to four years. The decision was made at a meeting of the Board with the pharmacy schools of the state.

Texas Senate and House have passed the Pharmacy Bill which includes the prerequisite of College of Pharmacy graduation.

South Dakota Senate Bill 77 amends the law relating to the State board of pharmacy by defining "pharmacopœia" as the latest edition of

the Pharmacopœia of the United States and "National Formulary" as the latest edition of that work published by the AMERICAN PHARMACEUTICAL ASSOCIATION.

A Washington State Bill providing for limitation of the hours of service by employees of drug stores has been killed.

## CAPPER-KELLY FAIR TRADE BILL.

The Committee on Interstate and Foreign Commerce of the House of Representatives today voted to receive the favorable report of its sub-committee on the Capper-Kelly Fair Trade Bill and, under a gentlemen's agreement of its members, to list the Bill for action immediately the Committee shall be organized in the new Congress.

Such an agreement was made possible by the fact that, with the exception of two minority Representatives, the membership of the Committee will be unchanged.

Contemporaneously, Senator Capper proposes to press the bill, in the Senate, at the coming Spring session to begin in April.

In the meantime, the complete report of the Federal Trade Commission's fact finding inquiry on the subject will be available and should furnish a basis and reason for expeditious action.

## JONES PENALTY BILL.

"On February 19 the Senate passed the Jones Bill, S. 2901, amending the National Prohibition Act so as to provide that wherever a penalty or penalties are prescribed in criminal prosecution for the illegal manufacture, sale, transportation, importation or exportation of intoxicating liquor, the penalty imposed for each such offense shall be a fine not to exceed \$10,000 or imprisonment not to exceed five years, or both: Provided, that it is the intent of Congress that the court, in imposing sentence hereunder, should discriminate between casual or slight violations and habitual sales of intoxicating liquor, or attempts to commercialize violations of the law. The Act shall not repeal nor eliminate any minimum penalty for the first or any subsequent offense now provided by the National Prohibition Act. The points made against the Jones-Stalker penalty bills by the administrative legal representatives of the N. A. R. D. were recognized and concessions were made before the passage of the Jones bill. *Brokmeyer Bulletin*, Feb. 23, 1929.

### LEGAL IMPORTS OF NARCOTICS ORDERED DECREASED IN 1929.

The Federal Narcotic Board, consisting of the Secretaries of State, Treasury and Commerce, at a meeting March 8th, announced orally that the amount of narcotics that may be legally imported into the United States during the calendar year 1929 had been decreased.

Imports of opium were fixed at 135,790 pounds, or 8 per cent less than in 1928, while receipts of coca leaves will be limited to 176,000 pounds, or 25 per cent less than last year, it was stated by the secretary of the Board, L. G. Nutt.

### NARCOTIC COMPROMISES.

Section 3229 of the Revised Statutes provides that: "The Commissioner of Internal Revenues with the advice and consent of the Secretary of the Treasury, may compromise any civil or criminal case arising under the internal revenue laws instead of commencing suit thereon; and, with the advice and consent of the said Secretary and the recommendation of the Attorney-General, he may compromise any such case after a suit thereon has been commenced."

### THE CALIFORNIA SUPREME COURT DECISION IN THE "GROCERS" CASE.

Secretary W. Bruce Philip states that "Some of the newspaper reports on the above named decision were not entirely correct, inasmuch as the newspapers stated that hereafter no patent medicines could be sold except by registered pharmacists. The sale of patent medicines was not at issue. The question was 'Can retail grocers or general dealers located within three (3) miles of a drug store sell the list of household preparations, drugs, and chemicals allowed by our State law to be sold by grocers or general dealers having a permit from the California State Board of Pharmacy and by location being three (3) miles or more from a drug store?' This list is found in Section No. 16 of the Pharmacy Act and is as follows: Tincture of arnica, spirit of camphor, almond oil, distilled extract witch-hazel, syrup of ipecac, syrup of rhubarb, hive syrup, sweet spirits of nitre, tincture of iron, Epsom salts, Rochelle salts, senna leaves, carbonate of magnesia, Seidlitz powders, quinine, cathartic pills, chamomile flowers, caraway seed, chlorate of potash, moth balls, plasters, salves, ointments, peroxide of hydrogen, gum camphor, blue ointment, asa-fetida, saffron, anise seed and saltpeter.

"The attorneys for the grocers did endeavor

to classify these medicines with patent medicines and trade-marked preparations and in this way obtain the advantage of the Supreme Court decisions that have uniformly held that trade-marked patent medicines—those not containing narcotics or poisonous drugs—can be sold by any dealer without danger to the public. They also endeavored to prove that the restriction allowing some grocers, on account of location, to sell these drugs and other grocers, on account of location, not to sell these drugs was an unfair distinction and favored a portion of a class and therefore was unconstitutional. The Supreme Court decided the case strictly on the articles at issue, namely, the sale of the list of drugs previously mentioned and held that the three (3) mile limit was reasonable and within police power to regulate the sale of medicines."

### HIGHER DUTY ON INEDIBLE BLACK- STRAP MOLASSES OPPOSED.

Because blackstrap molasses is a very important source of industrial alcohol, the National Wholesale Druggists' Association and American Manufacturers of Toilet Articles have presented a strong protest against higher duty thereon. Mr. Crouse closes the protest as follows:

"Specifically, the drug and toilet goods industries have for their foundation industrial alcohol, both pure and denatured. A vast amount of research has been devoted to reducing the amount of alcohol present in the products of these important branches of industry, but the irreducible minimum has been reached and any increase in the cost of this essential material will be nothing less than a calamity, both to manufacturer and consumer.

"It is our earnest hope that your committee in its wisdom will unhesitatingly reject the demand for any increase in the present duty on inedible blackstrap molasses. A higher duty would impose a heavy burden upon the entire population of the country and would be of no substantial aid to the agricultural interests in whose behalf it is urged."

### FOR NARCOTIC ADDICTS.

A bill authorizing preliminary steps toward the establishment of two Federal narcotic farms for the treatment of prisoners who are drug addicts has been passed by Congress. Its purpose is to relieve congestion in Federal penitentiaries, separate addicted prisoners from those who are not, and provide a means of treating addicts with a view to breaking the drug habit.