

Now, I really think this is an important subject, so much so that I am going to make the following suggestion, and you can do what ever you think best about it.

I would suggest that a committee of five druggists, members of the Kentucky Pharmaceutical Association, be appointed by this Association, and to be known as the Committee on Advertisements, and whose duty it shall be to appoint one or more druggists in each county of Kentucky to act with them in reporting to the main committee such advertisements as they consider as being unfair, libelous, indecent, vulgar or misleading in any way, that may be published in their community.

It should be the duty of such committee, if appointed, to notify any firm, person or corporation responsible for such advertisement, that the same is objectionable to the druggists of Kentucky, and that in case such advertisements be not withdrawn or modified in such manner as to be unobjectionable to the Pharmaceutical profession and to the public, the druggists of Kentucky will be requested to refuse to handle the goods of the offending firm, until such firm complies with the demands of the committee.

Furthermore, it should be the duty of the committee on advertisements to request all newspapers, journals, magazines, etc., circulating in Kentucky, to refuse to publish such objectionable advertisements.

Furthermore, it should be the duty of the committee to use all good and proper means in their power in securing the early passage of a model law, prohibiting any advertisement of a medicine, or appliance, for the relief, cure or mitigation of such diseases as Female Diseases, Venereal Diseases, Lost Manhood, Kidney and Bladder troubles, Constipation, Piles, etc.

Such a committee and law could do a great work in removing the stigma of such unjust insinuations as have been mentioned in this paper, also to purify the newspapers from the vulgar advertisements that many of them carry from day to day, and which has reached such an acute state that many of them are hardly fit to be seen in our homes.

BUYING SYNTHETIC REMEDIES.*

WILLIAM C. ALPERS, NEW YORK, N. Y.

A flurry of excitement went lately through the pharmaceutical circles of New York, when it became known that a number of employers and employes had been summoned before a city magistrate in an action brought by the manufacturers of synthetic remedies for violating the trade-mark laws. I have since received many inquiries, by word and letter, as to the legal status of this matter, some of my correspondents referring to a paper read by me before the Manhattan Pharmaceutical Association some years ago touching on this subject. As

*Translated from the *Apotheker Zeitung*.

these inquiries are quite numerous and as the matter at issue is of considerable importance to every druggist, I hereby give my views and understanding of it to the pharmaceutical press.

That our trade-mark laws are antiquated and iniquitous is admitted by every one who takes the trouble of studying them in all their bearings. They were formulated at a time when trade conditions were entirely different from what they are now. Their prime object was to protect the inventor and manufacturer against fraudulent imitators. As there were at that time no foreign possessors of United States trade marks, or only very few insignificant ones, no distinction was made between domestic and foreign goods, inventions and rights. The laws, therefore, are drafted unreasonably sweeping in one direction and unreasonably narrow in another. That some foreign manufacturers have made use of these conditions to their own advantage and the exclusion of domestic competition, is well known—but this is not the matter under discussion at present. The fact is that these laws exist and that every citizen of the United States is bound to obey them. To show disapproval of an antiquated or bad law by violating it is a risky procedure and doubtful remedy. Relief can better be brought about by strictly enforcing it and showing the public its iniquity. Lately an addition was passed by the Legislature, making the violation of a trade-mark law a felony punishable by fine or imprisonment, or both.

The action of the manufacturer was based on this new law and a number of druggists were summoned before the magistrate for violating it, the charge being that they had sold certain goods that were not trade marked, when articles like Aspirin, Pyramidon and others were called for. No charge of chemical or therapeutical substitution was made. The magistrate put the defendants under bail and the cases went to the District Attorney, where they are at present pending. In order to understand the matter thoroughly and answer the many inquiries put to me, I requested a number of my correspondents to send me samples of these so-called spurious goods, original packages and tablets, all of which had been bought from irresponsible dealers under the assertion that they were genuine. An examination of some of these revealed the following facts: Most of the packages seemed to be original and genuine as far as ocular examination could reveal, which evidently led many druggists to buy them as genuine. The price paid was from 10% to 20% below the market price. The weight of the contents of all these packages was short. A package labeled Pyramidon contained only 397 grains instead of 437½ grains. Packages labeled Aspirin varied from 375 to 400 grains. Admitting now that the contents were genuine, the unlucky buyer saved nothing by the lower price and risked the reputation of his whole life for an imaginary saving—in reality for being deceived. Examination of the tablets gave a more astonishing result. Their weight was generally between 5 and 6 grains; but none of them contained more than 2 grains of Aspirin, some much less. A sample of spurious Protargol showed 4% of silver and contained more than 60% of insoluble matter, while the genuine, according to the manufacturer's claims, contain 8.3% of silver and is entirely soluble in water. What now did the druggist who bought this stuff gain by paying a lower price? If he wished to sell so-called 5-grain tablets that contained only 1 or 2 grains of active medicament, he could mix the drug with milk

sugar and have them stamped out by almost any manufacturing pharmaceutical house at a much lower price than he paid for them. He paid much too dear for his whistle. He was cheated himself and undesignedly deceived his physicians and the public by selling these goods. He cannot hold the seller responsible and must take the consequence of his error of judgment himself. His credulity may cost him more than he possibly could save. He certainly did not intend to deceive and cheat, yet he did so unintentionally. For I speak here of those druggists who thoughtlessly are led into such practices, without any intention of doing wrong. I have nothing to do with those who knowingly deceive.

No matter what we think of the motives of the manufacturers, there are two lessons in this affair that stand out strongly and boldly, and should be heeded by every self-respecting druggist:

First: Buy goods of this nature only from responsible wholesale dealers who are willing to protect you and stand by the genuineness of what they sell.

Second: Join your state and the national association and by your membership—if you will not help actively—contribute your mite to the fight against these iniquitous laws. Urge your association to put every other matter aside, until our trade-mark and patent laws are altered in such a way that all parties concerned—manufacturer, wholesaler, retailer, physician and public—are fairly and equally protected. If every druggist in the country would heed these two lessons, many things about which we daily complain would be better.

When reform of the antiquated laws that lie at the bottom of these undesirable conditions is urged, the majority of pharmacists and many associations think that such reform means in the first place a fight to the bitter end with the manufacturers. This belief is a fundamental error and the main reason why so little has been accomplished. Nor will the abuse ever be remedied on these lines. There exists a certain correlation and a common field of interest between all and this field should be cultivated. Not fight, but cooperation will bring results. If once the existing mistrust and prejudice is removed and all—inventor, manufacturer, wholesaler, retailer and physician—join hands, each one admitting that the others have just claims and rights, there will be no doubt of success and no legislature or Congress will resist the harmonious demands of all parties concerned.