

PROCEEDINGS OF THE LOCAL BRANCHES

"All papers presented to the Association and Branches shall become the property of the Association with the understanding that they are not to be published in any other publication prior to their publication in those of the Association, except with the consent of the Council." —Part of Chapter VI, Article VI of the By-Laws.

ARTICLE III of Chapter VII reads: "The objects and aims of local branches of this Association shall be the same as set forth in ARTICLE I of the Constitution of this body, *and the acts of local branches shall in no way commut or bind this Association, and can only serve as recommendations to it.* And no local branch shall enact any article of Constitution or By-Law to conflict with the Constitution or By-Laws of this Association."

ARTICLE IV of Chapter VII reads: "Each local branch having not less than 50 dues-paid members of the Association, holding not less than six meetings annually with an attendance of not less than 9 members at each meeting, and the proceedings of which shall have been submitted to the JOURNAL for publication, may elect one representative to the House of Delegates."

Reports of the meeting of the Local Branches shall be mailed to the Editor on the day following the meeting, if possible. Minutes should be typewritten with wide spaces between the lines. Care should be taken to give proper names correctly and manuscript should be signed by the reporter.

BALTIMORE.

The Baltimore Branch of the AMERICAN PHARMACEUTICAL ASSOCIATION held its regular meeting at the Emerson Hotel, January 24, 1933. The meeting was called to order by President Thompson. The speaker of the evening was Dr. E. F. Kelly, who had for his subject, "The Final Reports of the Committee on the Cost of Medical Care."

The speaker discussed the make-up of the Committee on the Cost of Medical Care briefly and told how the work had been carried out. He touched on the various clinical medical phases of the report and discussed at great length the pharmacists' part in the recommended new order of medical service. He discussed the recommendations of the Committee concerning the pharmacist's responsibilities to the public and the importance of proper pharmaceutical education.

Since the report of the committee was discussed in great detail in a recent editorial of the JOURNAL A. PH. A., no further comment is necessary here.

Dr. Kelly's excellent paper was actively discussed by Messrs. Aquilla Jackson, C. L. Meyer and Simon Solomon. The discussion was entered into by the members present and it was generally agreed that the reports of the Committee on Medical Care are worthy of study by all retail pharmacists.

The meeting was attended by about 30 members and their friends. Following the discussion the annual election of officers was held. The Nominating Committee, appointed by President Thompson, presented the follow-

ing names: For *President*, Simon Solomon; for *Vice-President*, W. F. Reindollar; and for *Secretary-Treasurer*, C. Jelleff Carr. Upon vote these members were unanimously elected.
C. JELLEFF CARR, *Secretary-Treasurer*.

DETROIT.

The December meeting of the Detroit Branch of the AMERICAN PHARMACEUTICAL ASSOCIATION was held December 16, 1932. The meeting was preceded by a dinner, and the members were greeted by Professor Joseph L. Dorian and the students of the College of Pharmacy of the Detroit Institute of Technology who in the spirit of the season erected a beautifully decorated Christmas tree, loaded with gifts for those attending.

The meeting was called to order by President Robert Fleisher, of the Branch. The minutes of the previous meeting were read and approved.

Dean R. T. Lakey was asked to lead in the discussion on pharmacy laws in Michigan. He covered the need of some of the changes, necessary to keep Michigan abreast of the times. He said Michigan is the only state in District 3 that does not require a finished course in pharmacy to take the State Board examination. He pointed out that at present the law simply requires two years of college while the recognized colleges of pharmacy in Michigan require four years for graduation; the pharmacy law has not kept abreast with the advance in pharmaceutical education.

Besides Michigan the district consists of Wisconsin, Indiana, Illinois, Ohio, Pennsylvania and Kentucky.

Removal of the assistant would eliminate another problem in Michigan. The status and rights of the assistant has always been a debatable one.

Dean Lakey suggested the entire Michigan pharmacy law be rewritten.

So many amendments have been made to the law since its adoption in 1886, that many contradictions are to be found. He also suggested that State Board members should be college graduates or at least required to have the same type of training as those to be examined.

The many barriers to bring about better conditions in pharmacy were explained by using the Capper-Kelly Bill for illustration. The N. A. R. D. has been working on this Fair Trade measure for 30 years and only now the Bill is gaining favor and the prospects for the passage of this Bill seem very bright.

A number of the students entered into the discussion, expressing their ideas on the need of pharmacy legislation. Wilbur L. Scoville entered into the discussion and said the type of drug store that can be operated successfully depended entirely on the location.

A rising vote of thanks was given to Dean Lakey for his interesting discussion.

Professor Dorian with the assistance of his students distributed useful gifts to all. He, too, was given a rising vote of thanks for his efforts.

The Branch is indebted to Dr. Geo. Dikeman, of the Mutual Drug Co., and to Frederick Stearns & Co. for helping to supply the many gifts.

BERNARD A. BIALK, *Secretary*.

NEW YORK.

The January meeting of the New York Branch of the AMERICAN PHARMACEUTICAL ASSOCIATION was held January 9th, at the College of Pharmacy, Columbia University. President Fischelis was in the chair. There were over seventy members present.

The secretary rendered his report which was accepted. Chairman Mayer, of the Audit Committee, reported that he had approved all bills submitted to him. The report of Treasurer Turner F. Currens was read and accepted.

Chairman Lehman, of the Committee on Education and Legislation, reported as follows:

"The action taken by the legislative committee of the N. Y. State Pharmaceutical Association in their meeting of the 9th inst., decided to re-introduce the 'Poisonous, De-

leterious and Habit-Forming Drug Bill,' providing that the sale of all medicinal preparations, be they official, proprietary or household be under the supervision of the N. Y. State Board of Pharmacy, and therefore sale is limited to stores registered by this board.

"The second bill to be introduced will be the Fair Trade or Junior Capper-Kelly Bill, same as now in force in California.

"Third bill is the discrimination bill, which forbids price discrimination of certain kinds.

"The Legislative Committee approves in principle the bills providing for a uniform State Narcotic Law, and the Counterfeit Label Bill, the latter having been introduced in the U. S. Senate this session.

"It is reported that senate bill S. 97, Capper-Kelly, is to come up for vote in the Senate this week.

"The appeal on the Pratter Case is still before the Court of Appeals in Albany, and decision is expected in a few days. (The appeal was decided against the N. Y. State Board of Pharmacy on January 10th.)"

Mr. Lehman's report was discussed by Messrs. Dworkin, Schaefer and Seeley. Dr. Fischelis advised members of legislative committees to watch a Federal Bill in which it is proposed to make an undesired classification of an apothecary in addition to that of a pharmacist.

The president next called attention to the publication of the new Pharmaceutical Syllabus for the Four-Year Course in Pharmacy, copies of which can be obtained from Chairman J. G. Beard of North Carolina.

Dr. Fischelis then commented on a letter in the January 7th issue of the *Journal of the American Medical Association*, in which a Chicago physician, because of three recent deaths in a New York hospital and six similar accidents in a Chicago hospital in 1927, advocated that, "all containers of solutions of boric acid in hospitals be distinctly labeled POISON." President Fischelis felt that it would be a better practice for the pharmacists to handle the boric acid solutions rather than to have them labeled POISON.

The secretary reported that he had received a communication from Chairman Cook stating that the December report of the Branch Committee on the Progress of Pharmacy would be included in the Revision Circulars. It was also reported that Bernard Henkin had become a member of the parent organization.

Dr. Schaefer, in a very appropriate speech,

congratulated Dr. Fischelis on his recent election to the vice-presidency of the parent organization.

Chairman Mayer, of the Committee on Nominations, reported as follows: For *President*, Ernst A. Bilhuber; for *Vice-President*, Charles W. Ballard; for *Secretary*, Rudolf O. Hauck; for *Treasurer*, Turner F. Currans.

COMMITTEE CHAIRMEN.

Education and Legislation, Robert S. Lehman; *Audit*, Joseph L. Mayer; *Progress of Pharmacy*, Charles E. Heimerzheim; *Professional Relations*, James H. Kidder; *Membership*, Herbert C. Kassner; *Secretary, Remington Medal Committee, Delegate to House of Delegates*, Hugo H. Schaefer.

In due order the nominees were elected. The president congratulated the Committee on its work, and expressed his regret on the retirement of Dr. Herbert C. Kassner as *Secretary*. The president felt that the zeal with which Dr. Kassner had conducted his office merited the sincere thanks of the Branch, and he asked that a rising vote of thanks be tendered the retiring secretary. Dr. Fischelis concluded his remarks by expressing his thanks to the members for the support they had given him at all times during his term of office.

President Fischelis introduced Charles Wesley Dunn as the speaker of the evening. The subject of his address was "Legislation to Outlaw Unfair Price Competition and Unfair Price Discrimination from Commerce."

An abstract of his address follows:

The speaker, in his capacity as Counsel to many pharmaceutical and grocery manufacturers, has come in contact with, as he states, "One of our most important legal and economic problems—price control."

Mr. Dunn began his address by pointing out that conditions to-day are the worst we have yet experienced as regards price cutting. He feels that we are in a new stage in merchandising in this country and, as a consequence, we face severe price competition indefinitely, due to economic conditions. Fifteen or twenty years ago resale prices were fairly well standardized, but since then manufacturers have measurably lost control over the resale price of their products. On top of this has come the greatest depression in all history. In the mad scramble for business, prices have been cut still lower, so that to-day many items are sold below their actual cost. Since business exists for the sake of the profit which

can be earned, it is easy to see that uneconomic price cutting must be stopped. What will happen to our social and economic order if we allow such price cutting to proceed unchecked? What will happen to the small business man? What will happen to our cherished principal of equal opportunity for all? These are questions which vitally concern the welfare of us all.

The speaker confined himself principally to a discussion of price competition from the standpoint of its abuse. This can be stopped by:

1. Economic remedy or business remedy, and
2. Legal remedy.

As regards a legal remedy the courses of action open are:

1. Price fixing by coöperation among dealers. This must be rejected at once as contrary to our social and economic order.
2. Laws of the type of the Capper-Kelly Bill, which permit a manufacturer to make a contract with a dealer to fix the resale price.
3. Outlaw unfair price competition and unfair price discrimination.

Mr. Dunn is convinced that the Capper-Kelly Bill, if enacted into law, will never be successful unless some law is passed to outlaw unfair price competition and discrimination. As he put it, "There would be no teeth in the law; we must somehow reach the unfair price cutter who will not make such a contract." Under the Capper-Kelly Bill a dealer is not obligated to make a contract with the manufacturer. The dealer would still be able to obtain merchandise by bootleg channels.

Commenting on the law which he suggests, and which is included in this report, Mr. Dunn points out that in no state is there a law on the statute books which outlaws broadly unfair price discrimination and competition. He feels that the law he proposes is the broadest possible under our Constitution. Since a Federal law would apply only to Interstate Commerce, it would be necessary for the same or similar law to appear on the statute books in every state.

MODEL STATE LAW TO OUTLAW UNFAIR PRICE PRACTICES.

An Act to Protect Commerce against Unfair Price Discrimination and Unfair Price Competition.

Be it enacted (insert enacting clause for the State):

Section 1. As used in this act:

(a) The term "unfair price discrimination" means any direct or indirect price discrimination between purchasers of a commodity, in the course of commerce in this State, which, after making due allowance for any difference in the grade or quality of the commodity or in the cost of its transportation, is effective or has a dangerous tendency either (1) to unduly lessen competition or (2) to create a monopoly, in any line or part of such commerce;

(b) The term "unfair price competition" means any direct or indirect price representation or price cutting in the sale or offer for sale of a commodity, in the course of commerce in this State, which deceives or misleads the purchaser or which is effective or has a dangerous tendency either (1) to unduly lessen competition or (2) to create a monopoly, in any line or part of such commerce;

(c) The term "person" means any individual, corporation, copartnership or association;

(d) The term "penalty" means a fine not exceeding (insert), for the first offense, and a fine not exceeding (insert), or both, for each subsequent offense.

Section 2. Unfair price discrimination is hereby declared unlawful. Any person who offers or makes or who solicits or accepts an unfair price discrimination shall, upon conviction thereof, suffer the penalty prescribed by this act.

Section 3. Unfair price competition is hereby declared unlawful. Any person who engages in unfair price competition shall, upon conviction thereof, suffer the penalty prescribed by this act.

Section 4. Any person who is injured by unfair price discrimination or unfair price competition outlawed by this act may sue therefor in any state court of competent jurisdiction and shall be entitled to have injunctive relief from such injury and/or to recover threefold the damages sustained, and the cost of suit.

In conclusion, Mr. Dunn urged every one to remember that no law will prevent all price cutting, but that this law to outlaw unfair price competition and discrimination would gradually and progressively remedy it. Precedent would be established slowly as cases arose in the courts, and Mr. Dunn felt that the courts would be inclined to a liberal interpretation of the law.

In the lively discussion which followed Messrs. Seeley, Means, Gesoalde, Monel,

Miller, Nichols and others took part. It was brought out that the law, in its application to unfair price competition, would principally be effective where an item was sold below purchase cost.

Mr. Lehman proposed a rising vote of thanks to the speaker and following this the meeting was adjourned.

RUDOLF O. HAUCK, *Secretary*.

PHILADELPHIA.

The January meeting of the Philadelphia Branch of the AMERICAN PHARMACEUTICAL ASSOCIATION was held at the Philadelphia College of Pharmacy and Science on January 10, 1933.

The meeting was called to order at 8:15 o'clock by President Stoneback and at this time Douglas Krebs and George A. Tushim were proposed for membership, subject to approval.

The largest audience of the present season was on hand to hear Mr. H. J. Anslinger, United States Commissioner of Narcotics, deliver his lecture on the growth, preparation, use and abuse of narcotic drugs.

Mr. Anslinger first projected a moving picture entitled "Dream Flowers," which depicted the growth of the opium poppy and the collection of opium. Another reel followed showing conditions and actual cases of drug addiction in Egypt. A series of lantern slides then accompanied the lecture, showing various methods of smuggling practised in bringing narcotic drugs into this country, cases of addiction especially occurring around San Francisco, and pictures of addicts before and after treatment in various institutions.

Mr. Anslinger estimated that we have about 100,000 drug addicts in this country, and made a plea for adequate state control to assist the work of the Federal Narcotic Bureau, as very few states are accomplishing the control of traffic in narcotic drugs. He also related some of his experiences at the Geneva conference on opium.

At the close of the lecture an interesting discussion began, covering phases pertaining to the dispensing of narcotic drugs. A rising vote of thanks was tendered the speaker.

E. H. MACLAUGHLIN, *Secretary*.

Dr. J. Fred Wolle, for many years a leading interpreter of the music of John Sebastian Bach, who died January 12th at his home in Bethlehem, Pa., was a drug clerk in his earlier years.