

# JOINT SESSION OF THE SECTION ON EDUCATION AND LEGISLATION, A. PH. A., CONFERENCE OF PHARMACEUTICAL LAW ENFORCEMENT OFFICIALS AND CONFERENCE OF PHARMACEUTICAL ASSOCIATION SECRETARIES

ABSTRACT OF THE MINUTES HELD IN WASHINGTON, D. C., MAY 10, 1934.

The meeting of the Section on Education and Legislation, A. PH. A., Conference of Pharmaceutical Law Enforcement Officials, and Conference of Pharmaceutical Association Secretaries, convened May 10th, at 8:00 P.M. The meeting was called to order by Chairman George C. Schicks.

The chairman stated that no regular program had been prepared, so it will be in order to bring up matters relating to work being done and contemplated in the different states.

A. L. I. Winne was of the opinion that this was an opportune time to bring up matters along the line suggested for discussion.

J. Lester Hayman said the West Virginia Legislature had been in session for nearly a year. He referred to the sale of medicinal liquors in West Virginia, that now these could only be obtained on a physician's prescription.

As far as he was informed West Virginia is the only state having a law which demands that the sales tax be passed on to the consumer. Sales under five cents are exempted; up to fifty cents, a one cent tax obtains, and to one dollar, 2 cents. The law went into effect April 1st, and indications are that the tax amounts to from 2<sup>1</sup>/<sub>2</sub> to 4 per cent on the gross sales.

Questions were asked relative to the collection of the tax. Mr. Hayman replied, that the tax is considered a 2 per cent tax, that in making sales the money for the tax is dropped in a box for the purpose; a monthly report must be made.

Mr. Winne inquired whether there was evasion and whether many merchants did not base their reports on a 2 per cent tax.

Such possibilities were admitted by Mr. Hayman.

Various other means of evasion were brought out by Messrs. Adams, Winne and Costello and the question was asked whether a person could make a small purchase and later, make another and have the lower sales tax apply to the combined sales. Mr. Hayman replied that this would not be legal. He said that customers at first objected to the tax, but now, seemingly, they do not.

J. M. Plaxco said that South Carolina had a General Sales Tax which was amended to tax certain items by affixing a stamp tax—this applies among other things to soda, cigars, etc.

W. H. Rivard reported on legislation in Rhode Island especially relating to the registration of assistant pharmacists. The law now requires four years of collegiate work and graduation. Provisions were made for assistants to take the Board examination until July 1936. An effort was then made to register all assistants. This was defeated and Rhode Island's law requires four-year prerequisite. This law was fought during the next session and the opposition appealed to the Governor. As chairman, Mr. Rivard and his committee secured petitions to the Governor and also the backing of the medical profession was obtained, the Board of Health was contacted and within three days it was possible to get the Governor's approval. The efforts to defeat the law are being continued and require alertness of pharmacists.

The speaker referred to the Rhode Island law permitting druggists on payment of \$100.00 to sell liquors. The ASSOCIATION is strongly opposing the measure.

P. R. Loveland referred to experiences in counteracting sales tax legislation and, especially, the coöperative efforts. The number of retailers representing every branch of business was so large that instead of the meeting being held in the Assembly Chamber it was necessary to adjourn to an auditorium. As a result, the passage of a sales tax has been held up.

C. Leonard O'Connell stated that an effort was made to tax prescriptions under a Pennsylvania mercantile act; this has been amended excluding pharmaceuticals and prescriptions from the tax.

He stated that Pennsylvania pharmacists did not desire to engage in liquor business. Pennsylvania is in the liquor business, has its own stores and leases.

George C. Schicks said that in New Jersey pharmacists must pay a high license to fill liquor prescriptions.

J. B. Pilchard said that in Pennsylvania pharmacists can fill liquor prescriptions without paying a license tax.

R. C. Reese stated that in Kansas they had difficulties with drug stores having no registered pharmacist in charge, especially with stores that have changed hands. Since January this has been corrected to a certain extent.

The Kansas registration act was discussed by Messrs. Reese and Swain.

Secretary Swain inquired relative to State registration acts which give the power of granting or refusing store registration.

B. V. McCullough stated that Indiana required endorsements as to character.

A. L. I. Winne said Virginia granted permits for one year. He regarded the Virginia registration provision as one of the most useful, because there are no inspectors in the State. The permits do not carry the Board Members' signatures, they are signed by the secretary. The application is passed on by the Attorney-General's office, if deemed necessary; the information desired is, the name of the applicant, that of the pharmacist in charge, his hours of duty and the name of the one who is left in charge during the absence of the pharmacist and the hours during which the place of business is open. All the information is sworn to and the owner signifies that he will observe the pharmacy law.

In West Virginia, practically, the same form is in use.

R. L. Swain asked whether the permit registers the pharmacist. Mr. Winne replied that if the owner is not a registered pharmacist, the permit is given in the name of the pharmacist and when he ceases to be employed, the permit is canceled.

Mr. Reese inquired relative to refusal of permit, Mr. Winne replied that if the pharmacy is not notarized, the applicant is notified; in his opinion the safest way is, if the application is in due form, that the permit be issued and take it away if there is non-compliance with the law.

J. J. Gill inquired of C. T. Gilbert regarding the certificate of fitness in Connecticut. He replied that this certificate applied to those making application for State Liquor Control License.

In reply to a question as to the kind of whisky that must be dispensed, R. L. Swain stated that it depends on where the liquor is dispensed. In the District of Columbia, it must be official whisky. The interpretations recently issued by the Food and Drug Administration—when a physician writes a prescription for whisky, the official article must be dispensed, but if the physician states *not* U. S. P., then other whisky can be dispensed. The Government has issued interpretations which will guide the pharmacist in labeling and dispensing. Answering Mr. Brown (Kansas) he referred to an occurrence where a prescription was brought to a pharmacist; being asked the price the customer advised that he could buy the whisky at another store for much less. The pharmacist explained that the whisky he would give the customer was official, but the purchase was made at the other store. He did not argue relative to the quality of the whisky, but it was the duty of the pharmacist, under the law, to dispense official whisky on a prescription.

Mr. Brown inquired if an inspector demanded a pint of whisky and that of the U. S. P. is not in stock, can other liquor be dispensed?

R. L. Swain stated that this opened up a question which was the subject of the celebrated controversy between Dr. Harvey W. Wiley and Mr. Howard Taft. The Pharmacopœia defines Medicinal Whisky. When whisky is called for, he considered it was always a safe procedure to ask whether a straight or blended whisky is desired.

Mr. Swain referred to a session of the Maryland Legislature limited to emergency matters and the most important was enactment of a satisfactory liquor control act for the State of Maryland. Under it alcohol—used for medicinal, antiseptic and toilet preparations, flavoring extracts, and other preparations unfit for beverage purposes—was exempted from the State Excise Tax. Also, pharmacists are permitted to fill prescriptions for intoxicating liquors as defined in the Act without the payment of a State license.

The speaker continued by referring to legislation in Western and Pacific Northwest states relative to house peddling.

A. O. Mickelsen said he had a paper prepared by F. C. Felter. Parts of the paper follow:

## CAN HOUSE-TO-HOUSE SELLING BE STOPPED?

BY F. C. FELTER.

The writer welcomes the opportunity to present such information as has developed and is available at this time, concerning the control, through local ordinances, of the evil of house-to-house selling.

It is a fact beyond dispute and well known to your members, that retail druggists and merchants lose thousands upon thousands of dollars in business annually to the house-to-house canvasser. Among the items vended are many which should be sold by the retail druggist; they are deprived of business which should go to them as rent and tax payers and employers of labor in the community. The same is true, of course, of other lines of trade.

Many attempts have been made by municipalities to control this evil practice, most of them being through the license system. In other words, house-to-house canvassing is permitted upon the payment of certain license fees. While this has been partially effective the fact remains that in most localities house-to-house selling and soliciting continues more or less unabated. Some of the larger firms who practice this system of selling pay the licenses and then proceed to take business from the retail merchants. The city treasury is benefited while the retail merchants are deprived of business which they should have. In many other cases the itinerant house-to-house canvasser slips into town, does his canvassing quickly and is gone again. He evades the payment of a license and he takes away revenue which should have remained in the city and been spent with its local merchants.

It has remained for the towns of Rock Springs and Green River, Wyoming, to solve the problem; at least this appears to be the case at the present time. An attorney in Rock Springs is the author of the legislation which has been adopted in both these and other Wyoming cities and which seems to have every promise of withstanding all court attacks as to its constitutionality.

The Green River ordinance was first brought to the attention of the *Pacific Drug Review* late in 1933. The writer, recognizing the new point of approach to the problem, as represented by this ordinance, addressed a letter to the mayor of that city. The letter was turned over to the attorney who had originated the ordinance, Mr. Thomas Seddon Taliaferro, Jr., who promptly wrote, giving not only a copy of the ordinance but details of the court tests by which the ordinance has been thus far upheld as constitutional.

For the purposes of this article it is referred to hereafter as the Green River ordinance. It follows:

*"Be It Ordained* by the Town Council of the Town of Green River, Wyoming:

"Section 1. The practice of going in and upon private residences in the town of Green River, Wyoming, by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise not having been requested or invited so to do by the owner or owners, occupant or occupants of said private residence, for the purpose of soliciting orders for the sale of goods, wares and merchandise, and/or for the purpose of disposing of and/or peddling or hawking the same, is hereby declared to be a nuisance, and punishable as such nuisance as a misdemeanor.

"Section 2. The town marshal and police force of the town of Green River are hereby required and directed to suppress the same, and to abate any such nuisance as is described in the first section of this ordinance.

"Section 3. Any person convicted of perpetrating a nuisance as described and prohibited in the first section of this ordinance, upon conviction thereof shall be fined a sum of not less than twenty-five (25) dollars, or not more than one hundred (100) dollars, together with costs of proceedings, which said fine may be satisfied, if not paid in cash, by execution against the person of any one convicted of committing the misdemeanor herein prohibited.

"Section 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

"Section 5. It being deemed by the town council of the town of Green River that an emergency exists, this ordinance shall be in force and effect from and after its passage and approval.

"(Note: In Rock Springs, Wyo., the ordinance also specifically prohibits solicitors for building and loan, insurance, newspapers, books, pictures and periodicals.)"

The writer determined to try to interest retail druggists throughout the Pacific slope field in the passage of similar ordinances in their cities. It was, and still is, held by the writer that retail druggists in almost every city could, if they would interest themselves in this legislation, secure its passage by interesting retailers in other lines and, through the local Chamber of Commerce or women's organizations or both, secure its adoption.

Your attention is directed to the fact that the Green River ordinance declares "the practice of going in and upon private residences in the town of Green River, Wyoming, by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, *not having been requested or invited* so to do by the owner or owners, occupant or occupants of said private residence, for the purpose of soliciting orders for the sale of goods, wares and merchandise, and/or for the purpose of disposing of and/or peddling or hawking the same, is hereby declared to be a nuisance."

And a nuisance it is. Housewives will tell you so.

Not only is the practice of ringing doorbells at all hours of the day a nuisance to the housewife but the entrance of itinerant vendors, hawkers, peddlers, etc., upon private property often leads to some sort of crime. The solicitor, vendor or peddler may, through artifice or otherwise, gain entrance to the residence for the purpose of securing certain information which would later lead to robbery. He may, through his persuasiveness or force of salesmanship, dupe the housewife into trading off valuable securities for worthless stocks or merchandise. He frequently sells the housewife something that she does not need or want or secures a contract for some long payment scheme which becomes a burden upon the head of the house. He always takes revenue from that particular town or city which should be spent with its local merchants.

Declaration of the "uninvited" entrance upon private property by these vendors as "a nuisance" is wholly within the police powers of any municipality. This has been affirmed by the United States Circuit Court of Appeals, Tenth Circuit, where the Green River ordinance was upheld as constitutional. The Fuller Brush Company attacked the Green River ordinance and won its case in the District Court. The town of Green River appealed the case to the United States Circuit Court of Appeals. The case was decided May 11, 1933, and is reported in the 65th Federal, 2nd Edition, page 112. The Appeals Court reversed the District Court and sustained the ordinance as being constitutional and within the police power of said town.

Among other things the court also said: "The frequent ringing of doorbells or private residences by itinerant vendors and solicitors is, in fact, a nuisance to the occupants," and quoted from a decision of the United States Supreme Court as follows:

"This court has frequently affirmed that the local authorities intrusted with the regulation of such matters, and not the courts, are primarily the judges of the necessities of local situations calling for such legislation, and the courts may only interfere with laws or ordinances passed in pursuance of the police power where they are so arbitrary as to be palpably and unmistakably in excess of any reasonable exercise of the authority conferred."

The writer is informed by Mr. Taliaferro that the time limit for appealing this case to the United States Supreme Court has long passed.

It would appear, therefore, that the Green River ordinance, declaring certain practices as a nuisance, is constitutional and will stand in the courts of most states. The Corporation Counsel of Seattle, Washington, declares this as his belief. A prominent firm of attorneys in Portland, to whom the writer submitted the ordinance, said: "It is our opinion that to abate a nuisance is strictly within the police powers of any legislative body, whether state or city."

A law student, writing in the *Rocky Mountain Law Review* of the University of Colorado, who had made a particular study of this ordinance, said: "This Green River case may well be in later years looked upon as a landmark in this type of legislation."

So much for the facts as to the law itself and the courts' decisions and legal opinions.

Now, just a word in conclusion. As a result of the writer's efforts a number of cities in the Pacific slope field have started movements to have this legislation enacted. Santa Rosa, Cali-

fornia, Prineville, Oregon, Yoncalla, Oregon and Lovell, Wyo., have already adopted the ordinance through the efforts of the retail druggists of those cities. Probably fifty other cities of varying sizes in the Pacific slope field have initiated movements to have it placed on the statute books.

It is the writer's belief that if the retail druggists in any town or city will band themselves together and work with the other retailers, this legislation can be passed. It should be a simple matter to get women's organizations behind it as well as the local Chamber of Commerce, and the pressure of these bodies upon the city fathers would secure the desired results.

J. J. Gill stated that an effort had been made in Providence to pass such an ordinance, but unsuccessfully.

On motion duly seconded it was voted to accept the paper for publication.

R. L. Swain spoke of methods employed by the vendors. He stated that the prices charged by these vendors were considerably higher than those of the average drug store. Some of the vendors make the statement that they represent an organization and in that way secure a hearing.

A. O. Mickelsen referred to the City Ordinance of Savannah, Ga., which had not been tested in courts, but, in part, has been considered unconstitutional. Mr. Elkins, of Georgia, stated that the city attorney of Savannah held that the ordinance was in conflict with the state law. The Georgia law permits the sale of patent and home remedies by General Merchants. The Attorney-General ruled that the names of the home remedies would have to be enumerated. The Georgia law defines patent and proprietary as meaning the same. General Merchants cannot sell pharmaceuticals.

R. L. Swain inquired of Mr. Elkins whether the Attorney-General had ruled that the law enforcement officer shall construe the general terms.

Mr. Elkins replied that the Attorney-General held there was no one else to enumerate them. Mr. Swain discussed various opinions relative to the terms "patent medicines, home remedies," etc. He suggested that when questions came up regarding court decisions, that members address Secretary M. N. Ford. He referred to the opinion of the Attorney-General (Hon. Carey D. Landis) of Florida, which states that the Pharmacy Act (13757, 1929) restricts in every sense of the word the sale of all medicinals to registered pharmacists.

James H. Beal said he had been asked for his opinion of that of the Attorney-General. His reply was that if it can be sustained Florida has the best pharmacy law in the United States and as long as the Attorney-General is willing to defend it, let it stand.

He also approved of the enforcement by the State Board of Health. The defendant's Attorney cannot say the druggists are trying to monopolize—the State Board of Health enforces that part of the act. Some have been desirous to strike out the provision which assesses registered pharmacists ten dollars annually for the support of the State Board of Health. He advised that it was the cheapest law enforcement they could have. Dr. Beal referred to several stores which were compelled to take down the signs advertising "family medicines" and "domestic medicines." He was inclined to believe the supreme court would uphold the Attorney-General.

F. W. Meissner inquired relative to the meaning of a store being "in immediate charge of a registered pharmacist." Dr. Beal replied that if an inspector took up a specimen and no registered pharmacist was in charge, it would be construed as no registered pharmacist in charge.

Mr. Elkins referred to the Savannah ordinance having been introduced by the Board of Health as helpful.

Dr. Beal said restriction of the sales of medicine was for public safety, public welfare. His recollection is that physicians, under the Florida law, are given reasonable liberty in handling chemicals, biologicals, etc.

R. L. Swain stated that about 1918 Dr. E. F. Kelly conceived the idea expressed by Dr. Beal, that perhaps pharmacists were wrong; they were rendering a Public Health service and should not pay for the enforcement of the Act any more than a grocer should pay for police protection. The first step was to place a pharmacist on the State Board of Health of Maryland. In 1922 the Food and Drugs Act was so amended.

Dr. Swain said, they asked the Governor if he would finance the enforcement of the Pharmacy laws and he replied that he could not, as he had made a pledge to simplify state government, but if a place could be found in the existing state government where the activities would fit in he would finance them, and so the Food and Drugs Act was amended. Instead of the pharmacists of

the state of Maryland paying \$10.00 per year the Governor sees to it that \$15,000.00 is made available for enforcing the pharmacy acts.

The speaker stated that if the enforcement program of the state and the legislative program can be tied up with the general health program a great deal of criticism is disarmed. Instead of being purely a Board of Pharmacy program it is a part of the health program of the state; the same as vaccination laws and the like.

Dr. Swain presented two Attorney-General's opinions, one of them deals with Mr. Meissner's question, namely, when is a registered pharmacist in charge? The Maryland Act demands that a registered pharmacist must be in charge of a store.

He said further, that in Maryland they had some difficulty with the supervision of the registration of poison sales. He once heard Dr. Beal make the statement that an enlightened pharmacist would be diligent in his observations of the poison laws; this he referred to, chiefly, because no other dealer is going to do that. He is not going to the trouble that a pharmacist will in handling poisons. He presented a number of experiences. Several applied to various phases of the subject presented by Dr. Swain.

C. T. Gilbert spoke on the limitations of opening new stores in Connecticut, especially the conversion of perfume shops into drug stores. A recent law requires registration of a new store and for this \$200.00 is charged. Only about five stores have been registered since its passage, before that the number was from twenty to seventy-five each year.

R. C. Wilson stated that in Georgia they were considering compulsory registration laws and he asked Walter D. Adams to explain the Texas law. Mr. Adams stated that this had been presented last year and published in the JOURNAL. The question, however, relative to the constitutionality of Section 14 of the Pharmacy Law; this had been declared unconstitutional by the Attorney-General. The ASSOCIATION has brought a friendly suit against the Board of Pharmacy for the money which the Board has collected. It is assumed that the money does not belong to the state and if it does not go to the ASSOCIATION then it will remain with the Board of Pharmacy. It is proposed to take the case to the Supreme Court, if necessary. Mr. Adams also advised that the bill providing for a sales tax was defeated in Texas.

R. P. Fischelis referred to three bills that had been introduced in the New Jersey Legislature, one of them provides for the revocation of licenses of registered pharmacists for crimes involving the violation of the narcotic and liquor law and for non-compliance with the Pharmacy Act. The case came up a year or more ago when a pharmacist who had served time for violation because of the sale of wood alcohol for beverage purposes had served that term and applied to the Board for reinstatement, that is, renewal of his registration. The Board felt that he was not a proper person to be registered and the question was brought to the attention of the Attorney-General who found that the Pharmacy Law did not provide for revocation of licenses for crimes involving moral turpitude. Three years after the first occurrence this same pharmacist was convicted of forging narcotic prescriptions and again committed to jail and the Judge rather severely criticized the Board of Pharmacy for permitting that type of individual to continue the practice of pharmacy. Then it was pointed out to the Judge that the Attorney-General had ruled that the law did not provide for revocation in such cases. A strong letter was sent to the Legislature, but up to this time has not been passed.

A second bill was introduced which passed both houses and was signed by the Governor, providing for the annual registration of the pharmacies. Whenever this bill came up it included a definition for the terms "drug store" and "pharmacy" and found objectors and so it was decided not to define the terms "pharmacy" and "drug store." That was made possible by the fact that an Act was passed in 1932 limiting the use of terms "pharmacy" and "drug store" and "apothecary shop" to establishments operated under the supervision of a pharmacist.

The third piece legislation provided for a grant of power to the Board of Pharmacy to appeal to the Court of Chancery for injunctions to prevent the continuous violation of the law. The Board is more interested in law enforcement and the proper conduct of pharmacists than in collecting penalties. This legislation has not been passed. There was also introduced, without any intervention from pharmacists, a general resolution asking for investigation of cut-rate cosmetics shops and chain drug stores. The joint resolution provided for the establishment of a commission consisting of two members of the Senate, two members of the Assembly and two members of the State Board of Pharmacy; this has passed the house and is now pending in the Senate.

L. L. Walton inquired whether Dr. Swain had discussed with the Attorney-General the character of the evidence that would be required in order to convict for conducting a pharmacy without having a registered pharmacist in charge. He replied, that in Baltimore there is a working agreement with the State's Attorney for the City and he has requested that cases be brought to the magistrate courts. This prevents cluttering up the State docket, but if there are difficulties then the case comes back to the Attorney-General. The magistrates have invariably said, that if cases are brought before them that there should be real evidence. The decision has only come a few days ago and no effort has been made, so far, to put it into effect, but the Act states, that at no time should a pharmacist be left in charge, who is not registered.

Mr. Walton said that in Pennsylvania the State Board has been operating under the decision, for the last five to seven years, which holds that the pharmacist does not lose charge of the pharmacy by going out to meals or by being absent for one-half day. It has also been held that in order to prosecute there must be a sale.

Dr. Swain quoted from the Act which states no pharmacy shall at any time be left in charge of a person who is not a registered pharmacist. It is based upon the selling of drugs or medicines or compounding and is simply a blanket statement.

Mr. Walton stated that the Pennsylvania law was effective along that line.

Dr. Swain was of the opinion that a short absence from the store would not be sufficient to convict. He referred to a case in Baltimore when a pharmacist left the store and gave explicit instructions that he was going out. He had also left a man in charge with the instruction not to fill any prescriptions or sell poisons during his absence. The case came before Judge Owens and he said that the advice given was all right for the individuals concerned but did not take into consideration the many people of the city of Baltimore.

Dr. Swain explained that in Maryland and Missouri a jury is the judge of both the law and the facts. In most states a court instructs a jury in the interpretation of the law in a criminal case, but in Maryland this is not so. The court may refuse to give instructions or, when requested, to give them. The instructions must be given in this way, "Gentlemen of the Jury, in response to your counsel's request, your counsel requested that I interpret this act to you, but bear in mind, under the constitution of the state of Maryland you are the judge of the law and the facts and you are in no sense obliged to follow it and you may disregard it." So that applies to the case referred to. It depends on the decision reached by the jury.

Mr. Walton stated that in Pennsylvania a great many pharmacies are conducted by one registered pharmacist only and the Board has hesitated to penalize the pharmacist who leaves his store for a brief period.

M. N. Ford referred to a case in Ohio. It was an appeal case. The case came to trial and the defendant stated that he was in full and actual charge as the law provided, that he was in daily charge of the store either by telephone, telegraph or by letter. The case went against him and the Board was sustained by the Court of Appeals.

W. B. Philip stated that the decision from the Attorney-General of Maryland is legally correct, but he would be surprised if a lower court would convict and he spoke from experience, but considered the decision from the Attorney-General a very interesting one. He felt that the decision was a useful one, even if it could not be carried into effect in every instance.

R. P. Fischelis referred to a case in New Jersey where the pharmacist was frequently absent and his wife was left in charge. She would not sell anything that conflicted with the law, but a sign was displayed and this was called to the attention of the Attorney-General; he suggested that photographs be taken at various intervals during which the store was not in charge of the pharmacist. The Board went to court with that evidence and a conviction was given. There were four days in which no pharmacist was in charge of the store. In the case of persistent violations the proceedings should be taken down and the judge of the lower court will give careful consideration before rendering his decision.

A. L. I. Winne stated that he had an experience when the Virginia Assembly met and there were several measures under consideration that affected pharmacists and merchants. They were interested in issuing retail licenses and wholesale licenses and quite a number of different activities were concerned, so he found himself drawn into a formed organization representing about 26 groups. These worked together in the interest of a tax by which the Governor was endeavoring to raise a million dollars for schools. To a certain extent they were successful, but the interesting thing was the possibility of such a line-up for working together for legislation.

J. Lester Hayman stated that they had a bill before the Legislature which was sponsored by hotel and restaurant people. In it was a section which evidently was overlooked; it provided that where medicines were prepared and sold this department must be separated from the rest of the establishment by sound-proof partitions from the ceiling to the floor and this concerned many pharmacists.

M. N. Ford referred to the filling of prescriptions for whisky involving a question before the Supreme Court at this time. A liquor control act was passed a few months ago and in order to take care of the business until an organization was made effective the control was wished upon the Board of Pharmacy. These permits were issued to about one-half of the druggists of the state and the question was raised as to what was whisky. The druggists had to stop selling whisky and take out permits to fill prescriptions only.

Recently an individual tax payer of the state filed suit against the State Liquor Control Board for selling or contemplating to sell blended whisky. This is now before the Supreme Court.

W. Bruce Philip referred to House Bill 3758 changing the designation "Retail Liquor Dealer Tax" to "Medicinal Tax." It is now before the Senate Finance Committee of which Senator King is the chairman. The meeting was then adjourned.

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*The British Pharmaceutical Codex.* Published by direction of the Council of the Pharmaceutical Society of Great Britain. The Pharmaceutical Press, 23 Bloomsbury Square, W. C. 1, London, England. Price 35 shillings, foreign postage extra; the price does not include duty.

Various supplements antedating the Codex have appeared in England since early in the last century, the purpose being to provide recognized formulas for medicines which were not official in the British Empire, Gray's Supplement was first published in 1818 and was subsequently edited by Professor Redwood; other publications followed which met with more or less favor according to standing of the author or compiler, but without recognition beyond that.

The need for a work issued under the authority of some statutory body was expressed by resolution in 1904 and responsive thereto a committee was organized by the British Pharmaceutical Society for carrying the purpose declared in the resolution into effect. The chairman of the committee was Michael Carteighe; the sub-committee in charge of the collection of data and information was made up of members well and favorably known to pharmacy, among them Dr. W. E. Dixon, Prof. H. G. Greenish (deceased). The research work required for the solution of problems was performed partly in the Laboratory of the British Pharmaceutical Society, in the teaching institutions and of individual members of the Society.

The scope of the work was defined by describing it as "an Imperial Dispensatory for the use of medical practitioners and pharmacists,"

and named—"The British Pharmaceutical Codex."

The general plan has been followed, with revisions and additions, in the contents and arrangement and keeping step with the progress in pharmacy and changes in materia medica.

Two of the more important changes in the revision of the edition of 1907 were the additions of brief descriptive notes on the preparations of each drug and chemical at the end of the respective monographs and the inclusion of a pharmacological and therapeutic index.

Other parts of the book in its several editions have been prompted by revisions of pharmacopœias and official formularies and developments in materia medica and therapeutics, and improvements and suggestions which have given greater value to the Codex.

About one thousand substances have been given consideration in monographs; in addition, matters relating to chemical and physical properties or botanical characters, action and uses and summary of preparations, new remedies, sources of proprietary preparations, information relative to vaccines, vitamins, etc. In general, it may be said that the plan of the Codex does not differ greatly from American dispensatories. A comprehensive index is included and the subjects are considered in four general divisions: Part I, General Monographs on Chemicals, Crude Drugs, etc. Part II, Surgical Dressings. Part III, Formulary. Part IV, Appendices—tables, general tests, reagents, methods of sterilization, pharmacological index, trade names, proprietary substances, etc.