

# EDITORIAL

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## OUR STAND ON FEDERAL DRUG LEGISLATION.

BY ROBERT P. FISCHER.\*

LAST year, due to lack of knowledge of the facts or misinformation, the profession of pharmacy was classified in the minds of many laymen and members of other professions as an opponent of new legislation to strengthen the Federal food and drug law. Out of the maze of propaganda for and against the enactment of more stringent regulations to govern the manufacture, distribution and advertising of food, drug and cosmetic products, we emerged, in the eyes of the public, as weak proponents of obviously necessary reforms and as strong opponents of regulatory measures containing the necessary "teeth" to enforce the reforms which we really favored. It is unfortunate that the AMERICAN PHARMACEUTICAL ASSOCIATION, which has prided itself since its organization in 1851, upon being a champion of legislation to suppress the distribution of inferior, adulterated and deteriorated drugs, should have been placed in this position. Year after year, the ASSOCIATION has placed itself on record against fraudulent practices in the manufacture, sale and advertising of drugs and cosmetics. It is also on record in favor of at least partial formula disclosure of so-called patent medicines and other secret remedies.

In all of the publicity attending the various hearings on proposed drug and cosmetic legislation last year, the voice of the AMERICAN PHARMACEUTICAL ASSOCIATION was not heard because it was submerged in the unified opposition offered by the "drug trade" to certain features of the legislation proposed by the Government to stamp out evils which have crept into the food, drug and cosmetic industries and with which the Government is unable to cope under existing law.

We can very well be proud of the efforts made by the AMERICAN PHARMACEUTICAL ASSOCIATION in its attempt to present pharmacal opinion in unified form through the National Drug Trade Conference which the ASSOCIATION called into being. However, when interests represented in the Conference indulge in the type of propaganda which was used last year to defeat proposed food, drug and cosmetic legislation, we must take steps to make our position clear and let it be understood in no uncertain terms that we are not a party to such a program.

The new Congress will undoubtedly give attention to food, drug and cosmetic legislation. The AMERICAN PHARMACEUTICAL ASSOCIATION is convinced of the necessity for constructive and, in some respects, drastic revision of existing food and drug laws. As the acknowledged representative of professional pharmacy in the United States, it will endeavor to lend the full weight of its influence toward the enactment of reasonable, effective and enforceable legislation which will protect the consuming public against fraud of all kinds in the drug and cosmetic industry.

It is recognized that laws which do not provide for adequate enforcement machinery had better not be written into the statute books. The law-abiding citizen must put up with many irksome restrictions of his liberties in order to make it possible to apprehend the enemies of society. The food, drug and cosmetic industries cannot expect the Government to protect the public against exploitation by the unscrupulous, with its incident protection of the honest manufacturer and distributor, unless sufficient power is granted to make law enforcement a fact and not a farce.

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\* President, AMERICAN PHARMACEUTICAL ASSOCIATION.

## AN IMPORTANT MESSAGE.

A prominent American pharmaceutical manufacturing firm, which has contributed on several occasions to the Headquarters Building Fund in increasing amounts, has recently made without any restriction as to its use, the largest single contribution so far received by the ASSOCIATION and has paid it in full.

In their letter of transmittal this firm made certain observations and statements with respect to present conditions in the practice of pharmacy, the changes that are necessary to enable the profession to render the public health service expected of it, the urgency of dealing effectively with the present situation and the part that the ASSOCIATION is prepared and should be equipped to take in this important work, which are so clear and forceful that permission has been obtained to quote them, as follows:

"We know of no organization that can, provided that it is adequately financed, contribute more to build up the reputation and prestige of pharmacy, and improve the service of pharmacy in the public health field than the AMERICAN PHARMACEUTICAL ASSOCIATION. Our confidence is justified by the past achievements and efforts of the ASSOCIATION: these have ever been sincere, helpful and altruistic. Unfortunately, however, they were limited through lack of proper quarters for the ASSOCIATION and sufficient financial support. Now at last one of these handicaps has been removed through the ASSOCIATION'S occupancy of its beautiful new structure.

"There remains the urgent need to provide a maintenance fund so that the AMERICAN PHARMACEUTICAL ASSOCIATION may achieve its objectives of service to the profession of pharmacy and to the public.

"We deemed it a duty and privilege to contribute to the New Building Fund of the ASSOCIATION, and now we desire to give support to the ASSOCIATION'S activities. Accordingly, we enclose our check for fifty thousand dollars for such use as your Council may decide upon.

"May we add that we do not consider this subscription a gift. Instead, we look upon it as a subsidizing of work to improve the economic side of pharmacy through building up its prestige and improving its service. This is work which we, as an individual concern or in coöperation with a group of manufacturers, are unable to carry on. Unless the work is conducted effectively, we fear that the present confusion in pharmacy may culminate in the death of pharmacy. We feel, therefore, that in subsidizing the work of the ASSOCIATION we are aiding the profession of pharmacy and the public, and, moreover, safeguarding the future of our own company, the pharmaceutical industry and the retail pharmacist.

"We earnestly hope that the efforts of your Council to raise a maintenance fund may result in quick provision of the funds you need, for we believe the situation in the field of pharmacy and the services your ASSOCIATION will render require immediate action."

This estimate of the undesirable conditions which threaten the future of pharmacy and the urgent need for correcting them, is so sound and so correctly expressed that every one interested in promoting pharmaceutical progress should have the opportunity to read it.—H. A. B. DUNNING, *Chairman, Committee on Maintenance Fund*

AN OPEN LETTER TO RETAIL PHARMACISTS ON THE  
AMERICAN INSTITUTE OF PHARMACY.

THE AMERICAN PHARMACEUTICAL ASSOCIATION does not need a million-dollar maintenance fund for the American Institute of Pharmacy immediately, and could probably fulfil its mission quite satisfactorily with half the amount mentioned, but it does require, within the very near future, approximately \$100,000.00.

The money which has been expended for the land, the building, its equipment, furnishings, planting, every expense included, amounts to \$590,000.00. All but \$76,000.00 of these costs have been met by the contributions received. This \$76,000.00 must be liquidated within the near future, and the ASSOCIATION, naturally, does not have the funds to take care of this relatively small debt, but is dependent upon those who are interested in the welfare of pharmacy and the ASSOCIATION to provide the money. In addition to this, the ASSOCIATION, if it is to carry out effectively its conservative service plan, needs \$12,000.00 to \$15,000.00 additional income a year, and this would require several hundred thousand dollars to produce the necessary income.

The service and development plan which has been formulated is one of great value to pharmacy in general, and is not only practical and conservative, but necessary.

I can assure you that the emergency fund of \$100,000.00 will be provided in one way or another, but I do hope that all who are interested in pharmacy will indicate their further approval of the work of the AMERICAN PHARMACEUTICAL ASSOCIATION by subscribing whatever may be deemed proper and equitable. A few thousands of dollars will, I am sure, not mean much to the large interests, but will mean a great deal to this most worthy cause, which is in your interest and mine. A few hundreds, or even a few dollars, from a large number of contributors would, in the aggregate, represent a considerable sum.

I want to make clear that, under my guidance, the AMERICAN PHARMACEUTICAL ASSOCIATION has not over-reached itself in the development of this project, as represented by the American Institute of Pharmacy Building. The quarters which have previously been occupied by the ASSOCIATION in Baltimore were entirely inadequate and the work has been carried out under most disadvantageous conditions and, yet, even though a special concession was made in the rent during the depressed times, the rental costs amounted to \$1200.00 a year. In the present building all operating expenses, including every cost, are less than \$4500.00. This is due to the fact that the building is provided with automatic equipment of every kind, including heating, lighting, telephone, sprinkling system, etc., and, most particularly, that the property is tax free. You will, therefore, understand that these splendid new quarters for the A. Ph. A. at present cost only \$3300.00 more than the inadequate accommodations which they had here in Baltimore.

The National Association Boards of Pharmacy have voted to place their executive offices in the building during 1935 and will share the expenses to the extent of \$1000.00 minimum. This will reduce the difference between the old costs and the new to \$2300.00. Other non-profit organizations, such as the executive offices of the American Association of Colleges of Pharmacy, Enforcement Officers, and similar organizations, are seriously considering joining the Boards of Pharmacy organi-

zation in having their executive offices in this building and, in all probability, action will be taken within the near future. This, you will understand, will reduce the overhead costs of the A. P. H. A. and of these associated organizations to a very reasonable basis and make the costs of operating in this fine building no greater, and perhaps less, than was formerly the case.

The development of the museum and library is already progressing and will come through special contributions and donations. So we need not worry about these two departments.

The income from the membership dues of the A. P. H. A. just about pays operating expenses for the services given to the members of the ASSOCIATION. There are special endowment funds which can be used for special purposes.

The real reason for a maintenance fund is to give the opportunity to the A. P. H. A. to employ one or more outstanding pharmacists, having the crusader spirit, who will go into the building with the idea of developing educational propaganda and service features in the way of pamphlets, lectures, etc., which will aid in the regeneration of the practice of pharmacy.

The immediate object of the A. P. H. A. and the service work in the Institute is to regenerate pharmacy through the education of the pharmacists and the stimulation of the public to demand a better professional service. This can be accomplished by taking drugs out of the merchandising stores and establishing pharmacies which will sell drugs, sick-room requisites and accessories, but excluding the kind of merchandise which has no direct relationship to pharmaceutical practice. This can, will and must be accomplished, because the public will demand it when it realizes the dangers of having inexperienced men dispensing drugs which are, in a large measure, poisons, and requires special knowledge and experience. This regeneration will not happen immediately, because the public does not realize, as yet the full danger.

I am convinced that, as long as drugs are used in the practice of medicine and for the cure of disease, the practice of pharmacy will be important, and I am equally confident that the public will realize it when the bad practice of pharmacy results in serious consequences, inclusive of accidental deaths, due to carelessness and inefficiency. It is true that the pharmacist is better educated than ever before, but he has less opportunity to make use of his education; eventually he will, and that is the A. P. H. A.'s immediate job, to see that the pharmacist is provided with an opportunity to use the knowledge and information which he obtains in the schools. I know you realize, as well as I do, that it would be a great loss to manufacturing pharmacy if we were obliged to distribute through merchandising stores having no professional aspects or prestige with the public.

I have discussed the real purpose and plans of the A. P. H. A. as I see them, and can assure you that it is not attempting too large a program, not even a large program, and that it cannot fail and will not, but it can be seriously handicapped by having insufficient funds which could be so readily furnished by those who are interested in pharmacy and who would benefit greatly. I am not a dreamer or an idealist, and I have never wasted money and do not intend to do so in this instance.

Now, to explain the proposed research development. This really represents an entirely separate proposition, in a sense. An interested member has under consideration offering the first unit, of conservative size and practical value, of a build-

ing for research, immediately adjoining the present institute and in the rear of it. This unit would probably cost \$150,000.00 or more, but the plan involves the complete endowment of the undertaking, including the erection of the building, equipment, operating expenses and a fund to pay a limited number of research workers, entirely without cost to the ASSOCIATION. The offer will not be accepted on any other basis. You will understand that the research building will be no burden whatsoever on the ASSOCIATION, but will provide an opportunity for our workers on National Formulary and U. S. P. problems, in coöperation with the voluntary work of the research divisions of the large manufacturing pharmaceutical houses. I know you recognize that, although much of this investigative work is accomplished by individual voluntary workers and institutions, including the different drug institutions, it does and will require several investigators to confirm the tests, correlate the work and reach final conclusions.

You, of course, know that the Food and Drug Division is demanding more and better service from the committees on the Pharmacopœia and National Formulary. If they do not get the required standards from the present sources, they will, I fear, adopt their own standards, and this very important function of the Pharmacopœia and National Formulary may be lost to pharmacy, which would be a great catastrophe to pharmacy and the public. There is quite a lot of necessary work that can be done in this laboratory building, if it is established, and, if not, in the small laboratory in the present building, which would be of great value to pharmaceutical practice, to the Food and Drug Division and to other divisions of the government. The testing and standardizing of the vitamin content of cod liver oil and the distribution of standard samples of pharmaceutical manufacturers is a type of service that can be expected. There is no doubt in my mind that the A. PH. A. can be a great force in promoting satisfactory relationships between pharmacy, the Food and Drug Division and the various public health services which exist in Washington.

I hope that all those interested in the practice of pharmacy and its importance to all phases of pharmaceutical endeavor and the public, will visit the American Institute of Pharmacy Building and take the opportunity to confer with Dr. E. F. Kelly and others before making a final decision in regard to upholding the hands of the AMERICAN PHARMACEUTICAL ASSOCIATION by subscribing to the fund which is required to pay off the small indebtedness and establish a reasonable maintenance fund. The subscription can be whatever amount might be considered proper, and any amount would be helpful—\$25.00, \$50.00, \$100.00, \$500.00, \$1000.00. The whole amount may be paid in instalments over a period of five years. A \$25.00 subscription would represent \$5.00 a year for five years; a \$50.00 subscription would represent \$10.00 a year for five years; a \$100.00 subscription would represent \$20.00 a year for five years; a \$500.00 subscription would represent \$25.00 each quarter for five years; a \$1000.00 subscription would represent \$50.00 a quarter for five years.

Exclusive of my own donation, there has been subscribed, thus far, \$61,250.00.—  
H. A. B. DUNNING, *Chairman, Maintenance Fund Committee.*

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