THE AMERICAN PHARMACEUTICAL ASSOCIATION AS A FACTOR IN AMERICAN FOOD AND DRUG LEGISLATION.

BY J. H. BEAL.*

In 1848 the Federal Congress enacted what was commonly referred to as the "Drug Law," designed to control the quality of drugs imported from foreign countries. Drug Inspectors were appointed for the several ports of entry, but it is recorded that the government failed to provide books, apparatus, reagents or other equipment through which the inspectors might determine the authenticity or quality of the drugs they were required to pass upon.

Differences of opinion soon arose between the importers of foreign drugs and the drug inspector at the Port of New York, both as to the interpretation of the law and as to the propriety of the standards adopted, and these were quite naturally brought to the attention of the faculty of the College of Pharmacy of the City of New York.

In order to obtain a consensus of authoritative opinion upon the various questions presented to it and to promote uniformity in interpretation of the law at different ports, the New York College addressed a communication to the Colleges of Pharmacy in Philadelphia, Boston, Baltimore and Cincinnati, inviting them to send representatives to a meeting to be held in New York on Oct. 15, 1851. On the date named nine delegates assembled at the rooms of the College at 511 Broadway, New York, three each from the New York, Massachusetts and Philadelphia Colleges.

Dr. C. B. Guthrie of the New York College of Pharmacy, was elected temporary president, and on taking the chair announced the object of the meeting to be:

"The adoption of a series of standards for the use of the Drug Inspectors at our different ports, whereby their action might be rendered more uniform and satisfactory; as well as the proposal of any measures that might be calculated to elevate the profession, and promote their interests throughout the country."

Communications from the New York College of Pharmacy, from the Maryland College of Pharmacy, from Wm. Procter, Jr., of Philadelphia and from the drug inspector of Boston were presented, and after discussion were referred to a committee of three instructed to report at the next session.

At the second session of the Convention the committee reported a series of resolutions which, after amendment, were adopted in the following form:

"1st. All drugs and chemicals employed in manufacturing chemical preparations used in medicine, may be admitted of less than standard purity, upon sufficient bonds being given that such articles are solely to be devoted to said uses.

"2d. Opium should not contain less than eight per cent of pure morphia, unless intended for manufacturing, as above stated.

"3d. Two varieties of Scammony should be admitted—"Aleppo Cake Scammony," that contains not less than forty per cent of "true Scammony Resin;" and the so-called "Virgin Scammony," that contains not less than sixty-five per cent of the same resinous principle.

"4th. All Elaterium not containing twenty-five per cent of Elatin should be rejected.

"5th. Iodine, unless intended expressly for manufacturing, should not contain more than three per cent of water, and should be free from all other impurities.

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* Fort Walton, Florida.

"6th. Gum resins used solely in medicine, as Assafœtida, Ammoniac, etc., should be rejected when they contain more than fifteen per cent of extraneous matter, whether accidental or designed.

"7th. Barks derived from the Cinchonas growing in the northern provinces of South America, and which contain Cinchonia with or without "Quinia." should be admitted; all other barks, sold as Cinchona barks, should be rejected.

"8th. As there is no good reason for the introduction of European Rhubarb into this country, owing to its inferior strength, we recommend that all Rhubarb of European origin be excluded.

"9th. The uninjured portion of partially damaged drugs, etc., may be admitted, provided the importer will, under the superintendence of the Inspector, cause all the damaged parts to be removed; and drugs otherwise good, if loosely admixed with extraneous substances to such an extent that in the proper construction of the law, they would be rejected, may be passed if the importer will remove all such extraneous parts under the direction of the Examiner.

"10th. It is recommended that the Examiner collect and deposit in his office a cabinet of specimens of drugs, chemicals and permanent medicinal preparations, as complete as practicable, to be used for comparison in the course of inspection.

"11th. and finally. This Convention respectfully and earnestly recommends, as the useful working of the law, after all, depends mainly on the integrity and ability of the Examiners, that the greatest carefulness should be exercised by the appointing power in the selection of these officers, in furtherance of which the Colleges of Pharmacy would cheerfully render their assistance if solicited."

Dr. Samuel R. Philbrick, of Boston, presented the following resolution, which was also adopted:

> "WHEREAS, To secure the full benefits of the prohibition of sophisticated drugs and chemicals from abroad, it is necessary to prevent home adulteration,—
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> "*Resolved*, that this Convention recommend to the several Colleges to adopt such measures as in their respective States may be best calculated to secure that object."

In consequence of a call issued by instruction of this first Convention, a second Convention assembled at the Hall of the Philadelphia College of Pharmacy on Oct. 6, 1852, at which time credentials were presented by delegates from the Massachusetts College of Pharmacy, the College of Pharmacy of the City of New York, the Cincinnati College of Pharmacy, the Philadelphia College of Pharmacy, the Maryland College of Pharmacy and the Richmond Pharmaceutical Society. At this meeting, which may be regarded as an adjourned session of the meeting in New York, the AMERICAN PHARMACEUTICAL ASSOCIATION was formally organized, and from this period this society dates its existence.

The principal business of the Philadelphia Convention consisted in the consideration of a report from Dr. M. J. Bailey, Drug Examiner of the Port of New York, which showed that within the space of four years entry had been refused to more than 610,000 pounds of spurious and adulterated drugs. A similar report from Edward Hamilton, Drug Examiner for Boston and Charleston, related the rejection of nearly 13,000 pounds of spurious and adulterated drugs at the latter port.

Thus it will be seen that at its very inception the declared primary objective of the A. PH. A. was the creation and enforcement of appropriate legal standards for drugs and medicines.

At the sixth annual meeting, held at Philadelphia in 1857, there was presented the first of the many admirable Reports on the Progress of Pharmacy, by Wm. Procter, Jr., in which was summarized the qualities of drugs and medicines in America and foreign commerce, occupying 29 pages of the printed proceedings.

Other reports and papers under various titles, related in the main to the improvement in quality of drugs and medicinal compounds.

Nor did the ASSOCIATION confine itself to a merely academic discussion of drug standards. From the very beginning of its existence it actively advocated State and Federal legislation to make these standards legally effective. It regularly reported and discussed drug legislation in foreign countries, and constantly urged the members of the ASSOCIATION to labor for the enactment of similar laws in the United States.

By the time of the seventh annual meeting, held in Washington, D. C., in September 1858, the printed PROCEEDINGS had grown to be an imposing volume of nearly 500 pages, most of which was devoted to the improvement of the quality of drugs and medicines. In this volume also appears a direct appeal to Congress in the form of a petition to the House of Representatives for amendments to the Federal Drug Law of 1848, relating to the standard of drugs imported into the U. S.

Sentiment in favor of anti-adulteration legislation grew rapidly in the last quarter of the last Century and by 1900 many, perhaps a majority, of the states were provided with more or less efficient food and drug laws. In some cases the laws relating to foods and those relating to drugs were embraced in separate statutes, the enforcement of the drug laws usually being entrusted to the Boards of Pharmacy of their respective States. This method of administration was natural owing to the fact that the Boards of Pharmacy were usually the most active proponents of such laws.

With the growth of general public sentiment in favor of legislation regulating the quality of food and drugs, and following the enactment of such laws in the various states, an increasing number of food and drug chemists were employed in the enforcement of the state laws, and such chemists very generally became members of the A. PH. A.

These various state laws had a highly beneficial effect upon the qualities of foods and drugs offered for sale, but owing to our dual form of government many difficulties arose in their effective execution. For example, a druggist charged with selling a sub-standard drug would claim that it was obtained from a wholesaler or manufacturer in another state, and that he had purchased it innocently believing it to be pure. Thus the state authorities were confronted with the necessity either of prosecuting dealers who might be innocent of evil intent, or of permitting drugs shipped across state lines to escape proper supervision.

An early proposal for the curing of these and other apparent defects in the state laws was that the United States Congress should enact blanket legislation which should operate as a police measure in all of the states and be enforced by Federal authorities, the late Prof. Oscar Oldberg, Dean of the Illinois College of Pharmacy, being one of the most urgent proponents of this plan.

When it was made clear that under our form of government only state laws can be operative within state limits, it was next proposed that a Federal Law based upon the unquestioned power of Congress to regulate inter-state commerce should provide the standards which must be met by foods and drugs when shipped across state and territorial boundaries or when imported from foreign countries.

Dr. Harvey W. Wiley, a prominent member of the A. PH. A., if not the first to suggest this plan was certainly most assiduous in putting it in execution, and in co-

operation with Prof. J. P. Remington and others of like mind promoted what eventually came to be known as The National Food and Drugs Congress, a loosely organized group without fixed rules of procedure or membership dues. It was in fact a popular convention, meeting each year in Washington shortly after the annual convening of the United States Congress, and frankly designed to advocate Federal legislation regulating the qualities of foods and drugs when transported in interstate commerce. It was due largely to the activities of the group of enthusiasts assembled in this special organization that the Federal Food and Drugs Act of June 30, 1906 was enacted.

Among the A. PH. A. members whom I remember meeting most frequently and as most active in this new organization and in the work of its committees were Prof. Joseph P. Remington, Mahlon N. Kline and Dr. Geo. D. Rosengarten, of Philadelphia; Dr. Robert G. Eccles, of Brooklyn; Charles E. Dohme and Prof. Charles Caspari, Jr., of Baltimore; Enno Sander and Dr. J. M. Good, of St. Louis; George J. Seabury and George M. Beringer, of New Jersey; Albert E. Ebert, Wilhelm Bodemann, George P. Engelhard and Thos. V. Jamieson, of Chicago; Dr. John N. Hurty, of Indianapolis; S. A. D. Sheppard, of Boston; William O. Allison and Thos. P. Cook, of New York; and Leo Eliel, of South Bend, Indiana; though numerous other A. PH. A. members attended the meetings for the purpose of interviewing their respective United States Senators and Members of the House of Representatives.

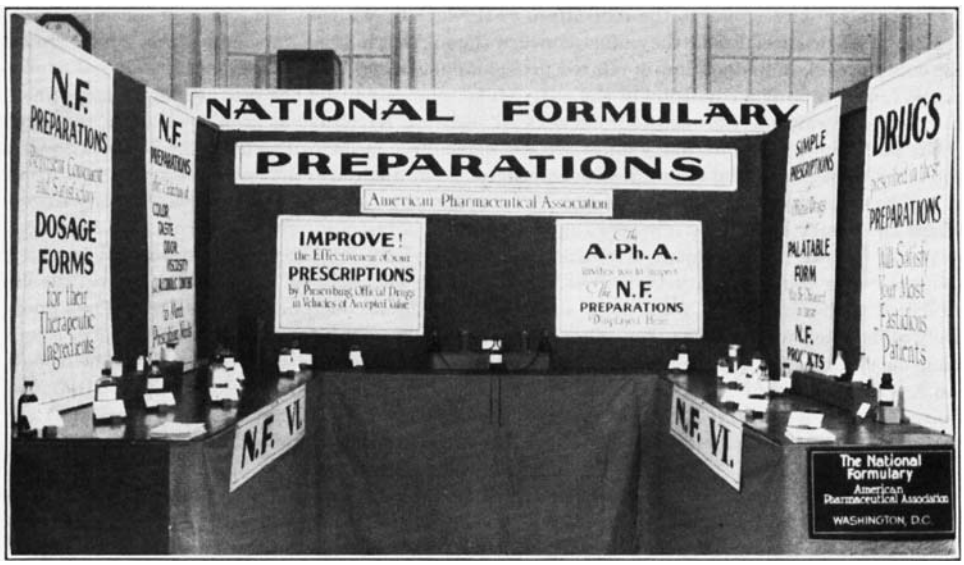
The A. PH. A. members of the Food and Drug Congress were exclusively responsible for the inclusion in the Food and Drugs Act of the U. S. P. and N. F. as the standards for medicinal drugs, and also for the introduction of the so-called variation clause which is necessary in order to permit the inter-state shipment of drugs of commercial quality for industrial and commercial uses. Only state laws can regulate the quality of drugs sold within state limits; only Federal laws can regulate the quality of drugs shipped across state boundaries. Both are necessary to a system of complete drug control.

In the collection, analysis and correlation of data, including the development of efficient methods of assay, the AMERICAN PHARMACEUTICAL ASSOCIATION has accumulated in the more than 60,000 pages of its printed PROCEEDINGS, YEAR BOOK, Bulletin and JOURNAL a greater volume of the kind of information upon which drug standards are based than can be found in any other body of literature covering the same period of years.

The A. PH. A. has been equally active in other phases of drug legislation. It was the first organized group in the United States to advocate the legal regulation of the sale of poisons. Through its committees it prepared models of such laws and urged their enactment. Every poison label law now on the statute books of the various states is based upon these A. PH. A. models. The same is also true of the various state laws regulating the practice of pharmacy, all of which are based on A. PH. A. models.

Similarly the A. PH. A. was a pioneer in the promotion of legislation designed to restrict and regulate the distribution of habit-forming narcotic drugs, and every such law now in existence, including the Federal or so-called Harrison Act, is based upon A. PH. A. model forms, and their enactment into laws has also been due largely to the activities of the ASSOCIATION and of its members and committees.

The declared purpose of the first or preliminary meeting of the ASSOCIATION in the rooms of the New York College of Pharmacy Oct. 15, 1851 was to advocate the improvement and to aid in the enforcement of the then existing drug law, and the promotion of similar or related legislation has been among its leading activities throughout the 86 years since that date. Within this field no other American society or institution has rendered services of equal extent or value.



The National Formulary Exhibit, reproduction of the Display of the American Medical Association at Atlantic City.

NATIONAL FORMULARY PREPARATIONS DISPLAYED AT AMERICAN MEDICAL ASSOCIATION CONVENTION, ATLANTIC CITY.

BY MARVIN J. ANDREWS.

Among the Scientific Exhibits of the American Medical Association at the Atlantic City convention hall during the week of June 7, 1937, was a booth under the auspices of the AMERICAN PHARMACEUTICAL ASSOCIATION. This exhibit consisted of N. F. Preparations of interest to prescribing physicians. Examples of preparations of therapeutic importance representing convenient and satisfactory dosage forms and vehicles designed to aid the physician in prescribing attractive and palatable prescriptions were on display.

The exhibit was designed to attract attention to the newer N. F. preparations and to give actual illustrations of how these preparations may be prescribed. The display attracted the attention of hundreds of physicians, many devoting long periods of their time to a careful scrutiny of the display material and a discussion of their personal problems. Over 500 members of the Association from all parts of the United States and Canada registered at the National Formulary Booth. Approximately 2000 pamphlets entitled, "Notes for the Physician from the National Formulary Sixth Edition," were distributed.

The Convention was the most successful in the history of the Association, approximately 10,000 physicians registered at the meeting.