

AMERICAN COLLEGE OF APOTHECARIES

The second annual meeting of the American College of Apothecaries was held in the Shirley-Savoy Hotel, Denver, Colorado, August 17 and 18, 1942, in conjunction with the annual meeting of the AMERICAN PHARMACEUTICAL ASSOCIATION.

FIRST SESSION

In the absence of President Max N. Lemberger the first meeting was called to order at 9:30 a. m. by Vice-President J. K. Attwood. The program was as follows:

ADDRESS OF WELCOME.—Paul G. Stodghill gave the address of welcome.

ADDRESS OF PRESIDENT OF AMERICAN PHARMACEUTICAL ASSOCIATION.—Dr. B. V. Christensen gave an address on "Trends in Pharmacy."

Addresses were given by Dr. Robert L. Swain and Dr. J. Leon Lascoff.

PRESENTATION OF PAPERS.—The following papers were presented:

"The Physician and His Professional Pharmacist," A. L. Malmo.

"Telling the Physician," L. D. Bracken.

"How to Get On with the Doctor," K. B. Bowerman.

The Meeting was then adjourned.

SECOND SESSION

The Second Session on Monday afternoon was opened at 1:30 p. m. with Vice-President Attwood presiding.

PRESENTATION OF PAPERS.—The following papers were presented:

"A Discussion of the Theories of Sulfa Drug Action," Charles H. Rogers.

"A Review of the Florida Program of Professional Relations," P. A. Foote.

"Are We Practicing Our Profession?" James F. Robinson.

"Advantages of Manufacturing Your Own Preparations," William Parr.

"Promoting Professional Business by Proper Display," James S. Hill.

"The Professional Pharmacy in a Small Town," G. L. Nutter.

"The Psychology of Professional Appearance," J. W. Snowden.

"The Manufacturer and the Professional Pharmacy," D. S. Lyman.

The meeting was then adjourned.

THIRD SESSION

The Third Session was called to order at 9:30 a. m. by President-Elect F. D. Lascoff.

PRESENTATION OF PAPERS.—Papers were presented as follows:

"Professional Pharmacy and Its Return," C. R. Bundt.

"The Issuing of Credit by the Apothecary and Its Problems," G. H. Holscher.

"Recent Professional Preparations for Our Physicians," Milo A. Chehak.

"A Professional Pharmacy in Operation," L. A. Weidle.

"Is the American College of Apothecaries Just Another Organization?" F. D. Lascoff.

Recess

Upon reconvening, only members of the College were in attendance.

COMMITTEE ON NOMINATIONS AND ELECTIONS.—The following were recommended: *President Elect*, J. K. Attwood; *Vice-President*, L. D. Bracken; *Regional Director for Region No. 2*, James S. Hill; *Regional Director for Region No. 5*, Milo A. Chehak.

There being no nominations from the floor, the Secretary cast an unanimous ballot for the election of those men for office in 1942-1943.

COMMITTEE ON RESOLUTIONS.—Two resolutions were presented.

WHEREAS, Almighty God has in his infinite mercy called to rest the beloved wife of our President, Max N. Lemberger,

Be it therefore resolved that the Secretary be instructed to express our most sincere sympathy to him and his family in this their hour of bereavement. A copy of this resolution to be sent them and spread upon the minutes of this meeting.

WHEREAS, Divine Providence has seen fit to remove from our midst Fellow V. E. Lawrence, Sr.,

Be it therefore resolved that the Secretary be instructed to extend to his family our sincere sympathy in their sad loss. A copy of this resolution shall be sent to his family and spread upon the minutes of this meeting.

There being no further business, the "Apothecaries Prayer" by the Secretary was read.

"O' God in these days of trying circumstances, grant unto us courage, wisdom and strength. Guide our thought, our hands, our footsteps in the proper places, that we may carry on, that we may merit the confidence men place in us. Help us always to see the principles for which we labor, to see the real

things and help others to see with us for the betterment of our profession and our fellow men. These things we ask not so much for ourselves, but grant our conduct, our efforts shall be such, they may be inspiration to some of those among us and to those

who may come after, that when our day is done, it may be said, we gave of ourselves to make things better for those who remain." Amen.

The meeting was adjourned.

CONFERENCE OF PHARMACEUTICAL LAW ENFORCEMENT OFFICIALS

ABSTRACT OF PROCEEDINGS

The Fourteenth Annual Meeting of the Conference of Pharmaceutical Law Enforcement Officials was convened by Chairman R. P. Fischelis at 11:30 a. m., in the Lincoln Room, immediately following the morning session of the National Association Boards of Pharmacy.

ADDRESS OF PROFESSOR ARTHUR.—Chairman Fischelis introduced Professor William R. Arthur, Professor of Law, University of Colorado, who addressed the Conference and the members of the National Association Boards of Pharmacy on the subject entitled "Rights and Liabilities of the State Board of Pharmacy as Construed by Our Courts." Professor Arthur spoke as follows:

"Mr. Chairman and Law Enforcement Officials: It is a privilege to have this opportunity of addressing you at the Fourteenth Annual Meeting of the Conference of Pharmaceutical Law Enforcement Officials. My subject is 'Rights and Liabilities of the State Board of Pharmacy as Construed by Our Courts.'

In attempting to listen to me this morning please realize that I have not written a paper to read to you, but instead shall speak from notes containing digests of cases, comments and a few quotations, the result of my labors in culling through the many court decisions contained in our state and Federal reports bearing directly on my subject.

Also let me explain my boldness in being willing to appear before a trained and experienced body of officials when I am not a pharmacist, but merely a law lecturer on real property and allied subjects at the University of Colorado. However, more than twenty-five years ago Colonel H. C. Washburn, Dean of the College of Pharmacy at the University, invited me to give a short course of lectures on some phase of drug laws to his senior class. In preparing material for these lectures, I was surprised to discover that there is a great deal of law on the subject, that much of it is quite conflicting, and that it is very poorly classified and arranged in the regular law books. As a result of these facts, Dean Washburn and I commenced to select and arrange suitable material for our use in pharmacy classes. Later, this material was made available for use in other schools.

In time I became interested more in the liability of the practicing pharmacist, than in the law enforcement side, and my prior addresses have been for the most part along this line. It has taken some readjustment of notes, and additional reflection to view the problems from the angle of enforcement officers.

As suggested by the topic assigned me, the sources of my information are the decisions of our American courts, both state and Federal, and I have been fortunate in having access to all American cases involving State Boards in any way, either civilly or criminally. In classifying and arranging the many cases it was easy to discover that the law relative to State Boards of Pharmacy has developed in a well-defined period of time in America. These laws were enacted in a more or less crude form between the years of 1880 and 1890. As these acts were a departure in the field of legislation, some mistakes were made in passing them, and as the purpose of them was to regulate the drug business, they naturally interfered with and restricted some persons in their manner of doing business. As a consequence, from about 1890 to 1900 the constitutionality of this legislation was vigorously assailed from many angles. The unconstitutional provisions were weeded out during this period of litigation. Then in the third stage of growth, from about 1900 to 1910, the litigation centered around the interpretation, construction and application of the many valid provisions. With the enactment of the Federal Food and Drugs Act of 1906, a new factor entered into the legal situation. The statute has had an interesting history, and has been much litigated.

At the present time about one-half of the litigation concerning drugs and druggists is in the Federal Courts and in relation to U. S. Statutes. In a little less than half of the remaining cases, State Boards are involved. We are not exaggerating the picture then in stating that today there are a very large number of cases involving State Boards, and that some of these cases concern important issues.

Many of the problems I shall try to discuss today have been suggested to me by board members, and especially those recently placed in the responsible