

THE PHARMACIST AND THE LAW.

U. S. P. LIMITATION REMOVED FROM
T. D. 2,760.

Treasury Decision 2,760 revised, T. D. 2,576 and the paragraph which has now been amended read:

"Medicaments.—As the minimum dosage each liquid ounce of the completed preparation must carry in it approximately an average U. S. P. dose for an adult of some drug or drugs of recognized therapeutic value, either singly or in compatible combination."

"U. S. P." has been eliminated; without this modification it would have been unlawful to use any new drug which might be discovered in the manufacture of an alcoholic medicinal compound without the payment of the special tax, because such drug would not be U. S. P.

SACCHARIN STILL AN ADULTERANT.

Use of saccharin in foods still is regarded as an adulteration under the Food and Drugs Act by the Department of Agriculture. Requests for reversal, or at least reconsideration of an old ruling on this subject is denied by the department. It is held saccharin, as a substitute for sugar, reduces the food value, and persistent use of it is likely to impair digestion.

BECAUSE OF INFLUENZA PRESCRIPTIONS FOR NARCOTICS MAY BE
REFILLED.

Because of the spread of the Spanish influenza epidemic and the difficulty in obtaining immediate medical attention, the collector of internal revenue of the New York port has received notice of the modification of the narcotic laws, whereby prescriptions containing morphine, codeine or heroine may be refilled. The notice follows:—

INTERNAL REVENUE.

Refilling Narcotic Prescriptions. Modifying Article II of Regulations No. 35.
To Collectors of Internal Revenue and Others Concerned:—

Owing to the extent of the epidemic of Spanish influenza now prevailing in this country and consequent difficulty of persons in getting immediate medical attention and medicaments upon prescriptions issued by physicians, the provisions of Article II of regulations are modified as follows:—

Prescriptions calling for morphine, codeine or heroine which are written by registered

practitioners for patients suffering from Spanish influenza and any pulmonary or bronchial affections, may, until further notice, be refilled, provided that at the time of issuance by physicians instructions are noted in the body of such prescriptions, "Repeat if necessary," and the druggist filling and refilling the same shall note thereon each and every date upon which such prescription is refilled.

DANIEL C. ROPER,

Commissioner of Internal Revenue.

Approved October 22, 1918.

L. S. ROWE,

Acting Secretary of the Treasury.

COLGATE & CO. INDICTMENT DIS-
MISSED.

Holding that the indictment failed to charge any offense, either in restraint of trade and commerce under the provisions of the Sherman Anti-Trust Law or under any other law of the United States, Judge Edmund Waddill, Jr., in the Federal District Court sustained the demurrer and quashed the indictment in the case of the United States against Colgate & Co., charging violations of the Sherman Anti-Trust Law.

A. Leo Everett, counsel for N. W. D. A., has commented on the decision as follows:—

"Colgate & Co. adopted the practice of selling its goods with the information to the purchaser as to the price at which they should be resold by him. The purchaser at the same time was informed that if he failed to maintain the price Colgate & Co. would refuse to have further dealings with him. While this practice did not involve a contract, its effect upon price maintenance has been as efficacious as if a contract had been entered into. The legality of the method thus adopted has been completely sustained by Judge Waddill. The decision is all the more significant because it follows upon a series of injunctions issued by the Federal Trade Commission prohibiting the use of such methods. Of course, the statute creating the Federal Trade Commission gives it power to enjoin not only acts prohibited by law, but practices which it may consider 'unfair.' The Federal Trade Commission's rulings, however, are based, in part, at any rate, on findings that such practices are contrary to law. As to such findings, the Federal Trade Commission has been overruled, and the decision of the court is paramount. The Federal Trade Commission may, perhaps, continue to

grant such injunctions on the ground of unfairness, but its jurisdiction to do this is questionable, and it would be a doubtful policy on its part to invite a discussion of its power to transcend the law as laid down by the courts. The manufacturers of many proprietary articles have, naturally, for some time been much disturbed about the legality of their selling methods, and they are to be congratulated upon a decision which removes all doubt and permits them to sell according to principles justified by sound economics."

FORMULA DISCLOSURE CASE DECIDED IN FAVOR OF
E. FOUGERA & CO.

By a decision of the Court of Appeals of the State of New York, all judges concurring in the result, the judgment of the Appellate Divi-

sion of the Supreme Court in permanently enjoining the enforcement of the so-called "formula disclosure" ordinance, has been sustained.

The Goldwater ordinance (New York) was enacted in December 1914, and required either the disclosure of the ingredients on a package, or the filing of the names of the ingredients with the (New York) Department of Health. The ordinance was to have become effective January 1, 1916, but bills for an injunction were filed in the Supreme Court. It was then agreed to submit the points claimed by the Board of Health and by E. Fougere & Co. to the Appellate Division of the Supreme Court, which held that the ordinance was in violation of the State constitution in that it did not constitute a reasonable exercise of the police powers. The city appealed to the Court of Appeals, with the result now reported.

CHANGES OF ADDRESS.

All changes of address of members should be sent to the General Secretary promptly.

The Association will not be responsible for non-delivery of the Annual Volume or Year Book, or of the JOURNAL unless notice of the change of address is received before shipment or mailing.

Both the old and the new address should be given thus:

HENRY MILTON,
From 2342 Albion Place, St. Louis, Mo.
To 278 Dartmouth St., Boston, Mass.

Titles or degrees to be used in publications or in the official records should be given, and names should be *plainly* written, or typewritten.

(Continued from p. 930, October issue.)

- MULFORD, H. K.
From 212 Pembroke Ave., Wayne, Penna.
To Camp Devens, Mass.
- BURKETT, K. S.
From 1620 Antrim St., Pittsburgh, Pa.
To 1613 8 Ave., Altoona, Pa.
- FAULKNER, JOHN W.
From 5207 S. Warner St., Tacoma, Wash.
To 5224 S. Birmingham St., Tacoma, Wash.
- GIDLEY, W. F.
From 123 Russell St., La Fayette, Ind.
To 250 Hillside Ave., Jamaica, Long Island, N. Y.
- THURSTON, AZOR
Room 320 17th St., Columbus, Ohio.
To 2018 N. High Ave., Columbus, Ohio.
- TABER, JOSEPH M.
From Elko Co. Hosp., Elko, Nev.
To care Wilson Drug Co., Reno, Nev.
- SCHLEUTER, ROBERT E.
From 514 Metrop. Bldg., St. Louis, Mo.
To Base Hosp., Camp Hancock, Augusta, Ga.
- JOPLING, JOHN C.
From 310 N. Illinois St., Indianapolis, Ind.
To P. O. Box 613, Indianapolis, Ind.
- MCWILLIAMS, HERSCHEL B.
From 1100 Grand Ave., Washington, Ind.
To School of Ph., Corvallis, Ore.
- BLANK, H. C.
From Lexington Court, Carnegie, Pa.
To Wilson, Pa.
- GAHN, HENRY
From Pensacola Quarantine, Pensacola, Fla.
To Marine Hosp., Wilmington, N. C.
- WILLIAMS, S. A.
From Elm St., Troy, Ala.
To Box 224, Troy, Ala.
- MACKENZIE, R. H.
From 2340 Dahlia St., Denver, Colo.
To Leadville, Colo.
- STOCKING, C. H.
From 448 Bancroft Ave., Indianapolis, Ind.
To 438 Harvard St., Indianapolis, Ind.
- NORTH, SERG. HERMAN H.
From Early Treatment Station, 12 Clay St.
To Early Treatment Station 31, South Warren St., Trenton, N. J.