

in store experience, with long vacations devoted also to store experience, is the ideal way for gaining practical experience, and this arrangement entirely eliminates the grounds for demanding practical training before the school course begins.

THE NEED FOR ENFORCING EXISTING LAWS.

BY M. I. WILBERT, PH. D.

If one were to be influenced solely by the evidence presented in the printed proceedings of the state pharmaceutical associations and in the pages of trade-journals one would be justified in the conclusion that the great American mania for law-making is more frequently evidenced in the followers of our craft than in the votaries of any other occupation.

There are, of course, good and sufficient reasons for the periodic interest on the part of members of the drug trade in legislative matters, not the least important of which is the fact, that the drug business offers such a variety of possibilities for the activities of well-meaning but usually poorly-informed reformers; which from a very early period has offered a fruitful field for so-called reform legislation, with all of the inconsistencies and inconveniences that are usually entailed.

It should be remembered though, that many of the existing laws, had their origin with well-meaning, though not always far-seeing members, of the pharmaceutical craft, who were really desirous of accomplishing something of value for the purpose of protecting the interests of the public, and that we of to-day are loath to have their work undone. These early advocates of statutory laws and we, their followers, frequently fail in our legislative program because we lose sight of the essential truth that, without strong public opinion to insist on their enforcement, statute laws are of necessity in-operative.

General arguments, however, are not always convincing and for the purpose in hand it may perhaps be best to restrict the discussion to specific instances.

The Pharmacopœia itself is now so thoroughly well established as an essential feature of the statutes relating to the drug trade, that no argument would appear to be necessary to convince members of our craft that the requirements of the pharmacopœia are *in fact* law and should be lived up to by all members of the trade entrusted with the important duty of controlling the nature and purity of drugs dispensed to the consumer.

In recent years, we have heard many and at times apparently reasonable arguments, in favor of the elimination of that feature of Section 7. of the Food and Drugs Act, which permits of variations from pharmacopœial strength, providing the variation be plainly stated upon the bottle, box or other container. The need for, or even the desirability of, such a change is open to question, when one considers that food and drugs laws are now generally well-recognized as being measures to compel commercial honesty and, strictly and impartially enforced along the lines suggested in recent court decisions, these laws will go

far toward accomplishing even more good than was expected of them by their original promoters. The enforcement of these laws, however, must be consistent and include the practices in all branches of the trade.

The futility of amending Section 7., referred to above, at the present time, without first adequately safeguarding the very foundation of the drug business, *the final distribution to the consumer*, will be apparent when one considers the reports of officials entrusted with the enforcement of pure drugs laws and of laws designed to regulate weights and measures.

The reports from the former sources are fairly well reflected in recent numbers of Hygienic Laboratory Bulletins containing the compilations entitled, "Digest of Comments on the Pharmacopœia and National Formulary." A recent compilation of some of this data (Public Health Reports, 1914, v. 29, p. 1137) shows that of 10,524 samples of twenty-six official articles reported on, no less than 3,288 or thirty-one and two-tenths per cent. were not in compliance with the official requirements.

The one important factor in the non-compliance of these articles, is carelessness, criminal carelessness, on the part of persons entrusted by law to dispense medicines to the consumer.

How fundamentally careless retail druggists really are becomes evident when we learn that in a comparatively recent report from the State of Kansas, it was stated that nearly one-half of the prescription weights examined were condemned and that of 718 prescription scales examined, 195 were found to be unfit for use.

In an address before the National Conference on Weights and Measures, held at Washington, in 1914, F. P. Downing, the Chief Inspector of Weights and Measures, asserted that the coin-weights used in the delicate weighing-apparatus in drug stores, were often found to be ten to thirty per cent. light, and that, in a recent inspection in the city of Milwaukee, twenty-two and one-tenth per cent. of dispensing scales and forty-three and six-tenths per cent. of the dispensing weights in use were found in error.

An even more serious arraignment of dispensing store practices, is contained in a report by George B. Taylor to the Louisiana Board of Health. A prescription calling for two grains of boric acid and two ounces of distilled water was filled by sixty-eight New Orleans druggists. Of these only twenty-two, or thirty-two and three-tenths per cent. were correct both as to distilled water and to weight; considerable allowance being given in weight. Seventeen, or twenty-five per cent., were correct as to weight, but not as to the use of distilled water; fourteen, or twenty-six and six-tenths per cent. were correct as to the use of distilled water but incorrect in weight and fifteen, or twenty-two and one-tenth per cent. were incorrect both as to the use of distilled water and as to weight.

These instances could, of course, be duplicated many times over, but enough has been said to emphasize the point I desire to make, that a very marked improvement, in the nature of the control exercised in the distribution of drugs to the consumer, should be made, and must be made, if the pharmacopœia is to be continued as a recognized book of standards. It goes without saying that, quite regardless of the purity or kind of drugs purchased or sold by the manufacturer, unless they are adequately controlled and accurately dispensed, the consumer cannot possibly derive any benefit from the laws designed to compel

commercial honesty so far as drug products are concerned. The second point I wish to make, is the need for enforcing existing laws designed to restrict the sale and use of poisons. This need is being emphasized in connection with corrosive mercuric chloride, particularly the tablets of this substance which have had more than their share of attention during the past year. For a period of nearly a year, persons in touch with newspaper work took it upon themselves to institute an altogether unwarranted agitation for legislation to prevent something that in reality did not exist.

In not a few instances, even pharmacists were carried away with the newspaper clatter for specific legislation to control the sale of so-called "antiseptic tablets," apparently quite oblivious of the fact that they, themselves, were constantly violating existing statute laws that, in themselves, would be quite sufficient to control the traffic if *honestly* enforced. Practically, all of the existing poison-laws, either directly or by inference, require that the seller satisfy himself above all, that the article is to be used for a legitimate purpose. It is generally recognized, that a very large proportion of the so-called "antiseptic tablets" sold in this country, are not used and are not designed to be used, for legitimate purposes and to this extent the drug trade of the country has been negligent of its duty in safeguarding the best interests of the public. Apart, however, from this particular phase of the subject, it is interesting to learn that the agitation for safeguarding the sale of tablets of corrosive mercuric chloride, because of possible accidental poisoning was, and still is, absolutely unwarranted. Unfortunately, reliable statistics recording cases of poisoning in this country are not readily available, so that the figures are not as startling as they would be were more complete reports available.

For six months, from October, 1913, to March, 1914, I made an effort to compile, from newspaper-clippings, all of the reported cases of corrosive mercuric chloride poisoning in the city of Washington. This compilation of newspaper-clippings, aggregating several hundred, some of them long and harrowing accounts of meaningless details, when analyzed, show a total of twenty-one cases, five males and sixteen females. Of the five males, two fatal cases were acknowledged suicides, one non-fatal case was uncertain and two children, both under two years of age, were found playing with tablets of corrosive mercuric chloride but had probably not taken any of the drug, certainly not a sufficient amount to injure them in any way. Of the sixteen females, four cases were fatal and were undoubtedly cases of suicide, nine were not fatal and in three cases the final outcome is unknown but the patients probably recovered. Summing up the intent, as evidenced by the newspaper reports, we find that the six fatal cases of poisoning were intentional or deliberate suicide; ten of the remaining cases had evidently taken the poison with suicidal intent and in three cases, including the two cases of supposed poisoning in children, the ingestion, if ingestion there was, was due to rank carelessness on the part of some other person and in two additional cases the intent was not apparent, or, as seemed more probable, the cases themselves were "faked" either by the patients or the newspaper reporters.

Somewhat more illuminating data can be obtained from a comparative study of the annual report of the Registrar-General for England and Wales. This

report for 1911 was for a total of 36,070,492 people and the specific cases of poisoning from corrosive mercuric chloride in that year, included five suicides and two cases of accidental poisoning. The report for 1912, just published, includes ten suicides and three cases of accidental poisoning.

The comparative effect of newspaper notoriety on the use of a substance for suicidal purposes, is well shown by a compilation from the annual reports by the coroner of the city of St. Louis, secured by Mr. Francis Hemm, who has kindly furnished the figures. The annual report covers the period from April 1st to March 31st, 1913-1914, which includes practically the time during which much of the unwarranted publicity was given to cases of poisoning by corrosive mercuric chloride in the newspapers of this country. Taking the figures for five years we find that the number of cases of accidental poisoning from the use of corrosive mercuric chloride in St. Louis, a city of 687,027 people in 1910, were three, viz.:— 1910, 0; 1911, 1; 1912, 1; 1913, 1; 1914, 0. The number of suicides from the use of corrosive mercuric chloride during the same period was twenty-one, viz.:— 1910, 1; 1911, 1; 1912, 4; 1913, 3; 1914, 12. It will be seen that the marked increase during the years 1913-1914, is out of all proportion to what might have been expected normally, and plainly shows the suggestive effect of newspaper publicity. Compared with the population of England and Wales, the rate reported in St. Louis would aggregate a total of more than 600 cases of poisoning from corrosive mercuric chloride alone.

In connection with the corrosive sublimate agitation, we, as pharmacists, are doubly to blame, first, in not living up to existing laws or in not compelling our competitors to comply with the law, and, secondly, in not directing the attention of newspapers, in language sufficiently convincing, to the fact that suggestive material in the way of details regarding the use of a poison or of any other agency for the destruction of human life, is unwarranted publicity, and, at best, offers an unnecessary incentive to the morbidly inclined to use the suggested method of self-destruction.

Finally, a word on narcotic legislation and the tremendous misuse and abuse of drugs of this kind. Practically every State in the Union at the present time has on its statute books a reasonably efficient anti-narcotic law which if it were not such an absolutely dead-letter would serve to effectually control the sale and use of drugs of this kind.

As members of the drug trade, we cannot effectually hide behind the frequently made statement, that the distribution of drugs of this type to the consumer, is by peddlers or irresponsible dealers. While this may be true to a considerable extent, so far as the final distribution is concerned, it is safe to say that, at some one stage, all of the material sold in this country for use by *habitues* is obtained and obtainable from otherwise respectable and responsible members of the trade who are just not sufficiently alive, morally, to be strictly law-abiding.

The recently enacted Harrison anti-narcotic measure, should serve to furnish the information necessary to make existing statutes operative, and will, at all events, serve to place us, as members of the drug trade, on record as we have never been placed on record before, as to how far we are really in earnest in our efforts to restrict the sale and use of narcotic drugs.

I think I have said enough to show that existing laws, relating to the practice of pharmacy in its wider scope, are not being enforced as they should be, and that we as pharmacists owe it to ourselves, and to the communities that have entrusted us with certain responsibilities to eliminate many of the existing abuses.

We must, above all, realize that existing pharmacy laws place all who are registered in accordance with their provisions, on an equal footing, so that we, individually and collectively, must share any discredit to our occupation from the illegal practices of registered pharmacists. The people at large, rightfully look to the law for protection and if we, as beneficiaries under a law, allow others to impose on and to take advantage of persons who rightfully look to us for protection, we are in fact responsible, quite regardless of whether we ourselves are the transgressors or allow our competitors to continue their illegal practices unchallenged.

In conclusion I beg to make the one plea that we, individually and collectively, make an honest and an earnest effort to disabuse our own minds and also the minds of our fellow citizens, of the notion that all existing wrongs can be corrected by the enactment of suitable laws. Let us develop the necessary courage to call attention unflinchingly, to existing abuses and let us insist that, whenever possible, the laws now on our statute books be enforced; that such as cannot be enforced be repealed, and that, in all future-agitations for new legislation, the best interests of the people at large only be considered as the governing incentive.

ENFORCEMENT OF DRUG LAWS.

BY FRANK R. ELDRED.



The effect of a law is altogether dependent upon its enforcement and the construction placed upon it. It is a matter of common observation that the objects of the law maker may be partially or entirely defeated by the method of administration. While there has been a very general discussion in regard to drug laws, the discussion of their enforcement has been confined largely to the officials to whom this work is entrusted. The enforcement of these laws, since the enactment of the Food and Drugs Act of 1906, has resulted in great benefit to the public; no class has profited more than honest drug manufacturers and dealers, and the entire drug trade has been placed upon a sounder foundation. As in every new undertaking, mistakes have been made and it has been necessary to learn by experience; the result has been a rapid improvement in the manner of enforcing the laws. The good accomplished has justified the methods which have been employed, but we have now advanced so far and conditions are so satisfactory, that it is time to enquire thoroughly into the possibilities of further improvement, for while it is important that drug laws should be standardized, it is no less important that the methods used in their enforcement should be standardized. In order to obtain a clear view of the situation, which is necessary before such improvements can be effected, it is necessary to approach the subject