

# HOUSE . . . . No. 901

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By Mr. Alfred M. Bessette of New Bedford, petition of Alfred M. Bessette for further legislation relative to sale of certain patent and proprietary medicines. Public Health.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Thirty-Five.

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An Act further regulating the Sale of Certain Patent and Proprietary Medicines.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section thirty-five of chapter one hundred and  
2 twelve of the General Laws, as amended by section  
3 five of chapter three hundred and twenty-eight of the  
4 acts of nineteen hundred and thirty-four, is hereby  
5 further amended by inserting after the word "medi-  
6 cines" in the tenth line the words: — other than those  
7 intended for internal use and containing barbituric  
8 acid, — so as to read as follows: — *Section 35.* Sec-  
9 tions thirty and thirty-seven to forty-one, inclusive, of  
10 this chapter, sections twenty-nine to thirty G, inclu-  
11 sive, of chapter one hundred and thirty-eight and  
12 section two of chapter two hundred and seventy shall  
13 not apply to physicians who put up their own pre-  
14 scriptions or dispense medicines to their patients; nor  
15 to the sale of drugs, medicines, chemicals or poisons  
16 by wholesale dealers or manufacturing chemists to

17 retail dealers; nor to the manufacture or sale of  
18 patent and proprietary medicines other than those  
19 intended for internal use and containing barbituric  
20 acid; nor to the sale by merchants at retail of the  
21 following drugs and chemicals used in the arts, or as  
22 household remedies: alum, ammonia, bicarbonate of  
23 soda, borax, camphor, castor oil, chlorinated lime,  
24 citric acid, cod liver oil, copperas, cotton seed oil,  
25 cream of tartar, dyestuffs, Epsom salt, flaxseed, flax-  
26 seed meal, gelatine, ginger, Glauber's salt, glycerine,  
27 gum arabic, gum tragacanth, hops, hyposulphite of  
28 soda, licorice, lime water, linseed oil, litharge, mag-  
29 nesia, olive oil, peroxide of hydrogen, petrolatum,  
30 phosphate of soda, rhubarb, Rochelle salt, rosin, sal  
31 ammoniac, salt-peter, senna, slippery elm bark, spices  
32 for seasoning, sugar of milk, sulphate of copper, sul-  
33 phur, tartaric acid, turpentine, extract of witch hazel  
34 and zinc oxide; nor to the sale in the original packages  
35 of the following, if put up by registered pharmacists,  
36 manufacturers or wholesale dealers in conformity with  
37 law: flavoring essences or extracts, essence of Jamaica  
38 ginger, insecticides, rat exterminators, aromatic spirits  
39 of ammonia, spirits of camphor, sweet spirits of niter,  
40 syrup of rhubarb, tincture of arnica and tincture of  
41 rhubarb; nor to the sale of the following poisons used  
42 in the arts, if properly labelled and recorded as pro-  
43 vided by section two of chapter two hundred and  
44 seventy: muriatic acid, oxalic acid, nitric acid, sul-  
45 phuric acid, arsenic, cyanide of potassium, mercury,  
46 phosphorus and sulphate of zinc.