

A Seat At The Table:

The overlooked role of women in the fight for food and drug regulation in the United States

As Harvey Washington Wiley, the father of the pure food and drug movement in the United States, left his post at the U.S. Department of Agriculture in March of 1912, he was more than a little torn.¹ His reputation as a pioneer in the health and safety of the nation's food and drug supply was well established, and women around the country mourned his unexpected resignation. "Women Weep as Watch Dog of the Kitchen Quits After Twenty-Nine Years," blared a headline in *The Buffalo Courier*, and indeed, as he left, Wiley was thronged by teary female clerks at the Department of Agriculture.² But his lifelong struggle to preserve the purity of the nation's food supply had not entirely paid off. His most important legacy, the 1906 Pure Food and Drug Law, had been "practically rewritten by Presidents and cabinets," to the point that he feared it had become "a protection for misbranding and adulteration, and a cloak for the misbranders and adulterers."³ The law was not inconsequential: it had established the Federal Food and Drug Administration, and begun to regulate the patent medicine and food industries that until then had been unchecked in passing dangerous food and drug products into the hands and bodies of American consumers. Politics and industry pressure, however, had weakened the law in so many ways from its original intent that, as Wiley left his office, he wrote in his resignation letter: "(I) believe I can find the opportunity for better and more effective service to the work which is nearest my heart. . .as a private citizen than I could any longer in my late position."⁴

The women who mourned his loss might have celebrated, had they understood what would happen next. Within two weeks, the famous "Dr. Wiley," so beloved in the hearts of women around the country for his tireless efforts on behalf of consumers, took a position as Director of the Bureau of Foods, Sanitation and Health at *Good Housekeeping* magazine, the

women's popular journal.⁵ If his decision to take this new position was practical, it was also symbolic.⁶ The rising consumer power and mass organization of women's groups that throughout the first four decades of the 1900s shaped the history of food and drug regulation in the United States was already underway. A combination of direct organization by groups such as the General Federation of Women's Clubs, and indirect pressure from female consumers, had already begun to change the way industry and government looked at issues of purity and safety in food, drugs and cosmetics. Dr. Wiley's career change, from bureaucrat to advocate, was but one step in marking the centrality of women's efforts in the history of food and drug reform in the United States.

That central - and overlooked - role of women in the regulation of food and drugs in the United States is the purpose of this investigation. Despite women's critical and lasting legacy to American consumers, the attention of researchers and those involved in food and drug reform has focused elsewhere. As will be examined in more detail later, official government records - whether because of social convention or even bureaucratic restraint - woefully under-represent activities of women's and female-led consumer groups. Pure food historians, including James Harvey Young and Oscar E. Anderson, Jr., have documented in beautiful detail the high-profile product scandals that galvanized the push for reform, as well as the activities of the corporations, scientists and government bureaucrats overseeing the regulation dilemma and debates.⁷ These histories, however, point only occasionally to the women's groups and consumer interests involved. Historian Philip J. Hilts provides an excellent consumer-based version of the story in his *Protecting America's Health*, but the scope of his work does not allow for in-depth look at women's influence.⁸ Women's history texts generally overlook the issue entirely, preferring to focus on women's activities of the Progressive Era concerning other consumer and labor issues, such as limited working hours for women, child labor regulation and social security legislation.⁹

Further, an historical emphasis on the period leading to the passage of the 1906 Pure Food and Drugs Act has left comparably unstudied the role of women in the passage of broader-reaching reform legislation in 1938.

It is this period, then, between 1906 and 1938, that will be the focus here. This study will use as its basis the 1953 history of the General Federation of Women's Clubs written by Mildred Wells White, reports of the Food and Drug Administration as well as other government documents, writings by Dr. Wiley and other histories drafted around this period. Also included for study are advertisements and reports in the *New York Times*.¹⁰

After examining the need for food and drug regulation in the early part of the twentieth century, this paper will chronicle the rising power of women's groups and the resulting industry, government and media attempts to use women to protest or support efforts at regulation. This paper will also highlight the ways that industry began to self-regulate, especially during the Great Depression, in response to women's increasing consumer education and awareness. This study will look at the official ways that women worked with government agencies leading up to and during the Depression to influence, and finally enact, meaningful government regulation. A section on historiography will review in further detail the omission of women from the record of food and drug reform. A case study of the classic Elixir Sulfanilamide scandal of 1937, in which weak drug regulation led to the deaths of more than 100 Americans and – ultimately - the passage of the 1938 Federal Food, Drugs and Cosmetics Act, will conclude this paper.

The Problem At Hand: 1906-1919

Dr. Wiley's highly publicized departure from the FDA in 1912 came at something of a lull in the history of food and drug initiatives in the United States.¹¹ While he left amid a personal "storm center of conflict" perhaps, the nation had begun to quiet a bit about the issues

of food and drug reform.¹² Writing nearly 20 years later, then head of the FDA Walter G. Campbell noted that the 1906 law – in essence, the first real food and drug regulation the United States had ever seen - had been “carried through Congress on a wave of popular support” amid scandals that included producers trying to pass off dead horses as beef.¹³ With enforcement efforts stepped up, the nation’s attention began to wander to other areas, and by 1912, Wiley found he was losing support in his fight against food and drug misbranding and adulteration, still rampant among patent medicine and food manufacturers of all types.

Patent medicines, so called because of their “secret” and “patented” formulae, were gigantic business. Advertisements for various elixirs, potions and tonics promising to cure diseases from cancer to diabetes dominated newspapers, such that Dr. Wiley estimated the “blood money coming in from patent-medicine advertisements in newspaper and periodicals in this country at the beginning of the (20th) century” at about \$100 million annually.¹⁴ Calling it blood money was not an overstatement. Dr. Wiley, who had officially served as Chief Chemist for Department of Agriculture since 1883, had led his division in research showing the dangerous side effects of sugar products, including glucose and corn syrup, and had famously riled industry leaders with his 1902 Poison Squad research team that dealt a devastating blow to the nation’s preservatives industry.¹⁵ The “Poison Squad” research, followed vigorously and fully by reporters around the country, showed the damaging effects of various preservatives on 12 otherwise healthy young men who volunteered to include the preservatives in their diet under controlled experimental conditions.¹⁶

More than food producers, even, it was the patent medicine industry that Wiley most reviled.¹⁷ “The howls of this fraternity were long and dismal,” wrote Wiley, noting that they “were perhaps the most actively organized opponents of the pure food law.”¹⁸ Certainly, patent medicine manufacturers had much to howl about, and many friends to help them organize. At

this time, a rising popular understanding of the processes of germs and bacteria in creating illness led consumers to a near frenzy of remedy-seeking.¹⁹ At the same time, publishers were generating tremendous revenue from for-pay endorsements of various nostrums, a practice Wiley considered one of the most difficult to fight.²⁰ Newspapers were filled with advertisements for fraudulent drugs marketed as cures for diseases from cancer to consumption. These “cures” were often little more than “a mixture of cod-liver oil and poisonous drugs.” Other tonics were comprised of mostly water. Still others were made largely of alcohol, which, during the prohibition, added to their popularity. “They created appetites in the poor dupes who used them as vicious as drunkards’ craving for rum,” wrote Dr. Wiley in reflection.²¹

He summed up the situation plainly in his 1929 autobiography:

Every citizen, male or female, married or single, young or old, was a potential customer for every “cure” placed on the market, for everyone either had something the matter with him, or feared he might have, and whatever the ill might be, the nostrum was guaranteed to cure it.²²

Wiley was particularly concerned for female consumers, including the “poor mothers (who) doped their babies into insensibility at night with soothing syrups containing opium or morphine” as well as the women and girls who were addicted to “headache powders” that “depressed the heart of the victim” and actually increased pain.²³

Indeed, a review of the *New York Times* during this era shows no shortage of advertisements for dubious products. An advertisement for a “Bromo Quinine” laxative product promises to “cure a cold in one day,” while “Humphreys’ Seventy-Seven” allegedly “Breaks up Colds and Grip.”²⁴ An advertisement for “Sanatogen,” a mixture of albumen and organic phosphorus, is endorsed by 24 various senators, authors, actors and other famous individuals for a variety of transcendent properties, from “blood-building,” to increasing energy, promoting sleep, promoting digestion, curing anemia, improving circulation, improving mind power and

even promoting recovery from “extreme debility.”²⁵ It may have been the ubiquity of patent medicine advertisements that led other companies to distinguish themselves with guarantees of safety. “Nurito,” a palliative for rheumatism, sciatica and neuritis advertised itself as a “prescription not a patent medicine, while “Dr. Lyon’s Perfect Tooth Powder” stressed it “cleanses, preserves and beautifies the teeth *without injury*” (italics original).²⁶

As Wiley left the FDA in 1912, the situation still plainly to be addressed, women’s groups began stepping up their efforts in response. A powerful group known as the General Federation of Women’s Clubs came to dominate women’s involvement in the food and drug issues at the time. Federation clubs and members had long been organizing around issues of health and welfare, with initiatives that indicated at least a moderate level of education and awareness about the causes of disease. As early as 1896, a women’s group in New York City known as “The Rainy Day Club” formed to propose “sanitary methods in dress as will secure for women health and comfort,” and organized to encourage women to wear skirts 4” to 6” above the ankle – terribly short and seemingly immodest at the time – during inclement weather to prevent “the danger of spreading contagion by carrying into the homes germs of disease.”²⁷ Women’s clubs such as the Rainy Day Club were arising throughout the country, and came together in 1894 under the umbrella of the General Federation of Women’s Clubs.²⁸ The Federation since its inception had been working to promote issues of public health. This organization, which began with a membership of only 350 clubs, was by 1906 so powerful in the food and drug movement that at its 1906 annual convention, a pure food subcommittee (which fell under the auspices of the Federation’s larger “Household Economics” committee) presented its report on efforts to pass the 1906 Pure Food and Drug Act.²⁹ While details of their activities remain largely unmentioned – by Dr. Wiley and the Federation itself – this pure food subcommittee noted that Dr. Wiley “gave the federation a large share of the credit” for the

establishment of the law.³⁰ Dr. Wiley at least thought enough of the organization to include in his autobiography a picture of himself with Alice Lakey, a leader of the Federation who fought for passage of the 1906 law.³¹

From the outset, the Federation included the promotion of public welfare as an expressed part of its mission.³² As early as 1898, the Federation began pushing for a National Bureau of Health.³³ By 1903, the Board of Directors openly identified household economics as a key issue for the club, citing that “six hundred million (dollars) is wasted every year in America for want of knowledge of home economics.”³⁴ Matters of the “home” and “health” quickly became primary in the goals of the organization, and through the clubs, women nationwide promoted the pressing health issues of the time, organizing campaigns, distributing brochures and in some cases, actually pushing for specific pieces of legislation.³⁵

Such organizing would continue through the next decade as the Federation launched awareness campaigns about health issues ranging from venereal disease to the teaching of personal and sex hygiene in schools nationwide.³⁶ The women’s clubs began successfully to engage themselves with formal institutions of power and in 1910, a Federation member was appointed president of the new United States Children’s Bureau.³⁷ In 1916 and 1917, the organization co-sponsored with this new Children’s Bureau two nationwide “Baby Weeks” which encouraged the proper registration of babies upon birth, and addressed problems of infant and maternal mortality.³⁸

The organized troops of women had begun to mobilize against illness and suffering. Now, with Dr. Wiley submitting monthly columns to the thousands of female *Good Housekeeping* readers around the country, the reach of women involved grew to include those women who were not officially organized.³⁹ Other journals read regularly by women also joined the fight for tightened regulation of food and drug manufacturers. Since the early days of

Wiley's battles, *Collier's Weekly* "supported the cause fearlessly," and publisher of *The Ladies Home Journal* Edward Bok also "took up the cudgel against patent medicines" despite significant potential losses in advertising revenues.⁴⁰ Wiley himself noted that during his 17 years at *Good Housekeeping*, the division he oversaw rejected more than a million dollars worth of advertising for fraudulent, misbranded or adulterated products.⁴¹ In 1914, Dr. Wiley cooperated in the creation of that magazine's *The Pure Food Cook Book*, using the introduction to each chapter as a vehicle for explaining the benefits of pure foods and the dangers of adulterations.⁴² Everywhere women went, it must have seemed, they were faced with advertisements for patent medicines and adulterated foods, and also, warnings against their use.

Women's Role in the Debate Steps Up: The 1920s and 1930s

It was in the 1920s that these initial efforts at health reform programming began to bear fruit. During this decade, the food and drug industry began taking the smallest of steps toward self-regulation, and small governmental regulation victories were achieved in the form of specific, stricter amendments to the 1906 law.⁴³ Several factors had combined to bring women's activities in food and drug reform to a new level of visibility and force. Firstly, the advent of women's suffrage strongly influenced women's involvement in Federation activities. Secondly, the economic ramifications of the group's rising home economics movement provided a broader and more compelling context for the pure food and drug debate than had concerns of health alone. Thirdly, by the 1930s, the Great Depression's crushing effects on the population brought a new urgency to the Federation's activities, which began to incorporate the pure food and drug issue as one part of an economic recovery platform.

In looking at the issue of suffrage, it is important to recognize that the women had certainly not waited for the vote to begin influencing legislation. The Federation's foray into

officialdom had begun, as noted earlier, with lobbying for the National Bureau of Health and the Pure Food and Drug Act of 1906. Their presence in the realm of legislation was immediately palpable. In fact, the Federation's work on the passage of a compulsory school attendance law in the District of Columbia, in 1906 led a United States Senator to write that:

This is fast becoming a government of the women, for the women's clubs, and by the women's clubs. Strange that the men do the voting and elect us to these positions, while the women assume the duty of telling us afterward what they want us to do. . . Why, if the women of the country should suddenly decide that they wanted the tariff revised, or a rate bill passed, or the coal mines nationalized, we should have it before the men would wake up to know what happened. The petitions from the women's clubs would do the work. . . And they have never been known to quit.⁴⁴

Even before the passage of suffrage, membership in the Federation clubs continued to grow. But it was not until women's suffrage was awarded in 1920 that the groups fully blossomed. In 1921, under a pro-suffrage Federation president, Mrs. Alice Ames Walker, membership in the clubs doubled "almost at once."⁴⁵

The second factor to influence women's power in the food and drug movement was the Federation's burgeoning home economics program, which worked with national associations, schools and government agencies to "raise the standards of homemaking."⁴⁶ The home economics program, although a formal club activity, could be seen reflected in newspapers and magazines across the country. Magazines such as *Woman's Home Companion* and even *The Country Gentleman* reported on the activities of the Federation, while *The New York Times* was replete with advertisements for home products for women.⁴⁷ The ads reflected a consumer well educated about her purchases. A February 3, 1924 ad for Bohn Refrigerators promised reduced ice bills and a special "syphon system" (sic) "which keeps the air dry, clean, pure and cold." Ads for furniture products abounded, and the same day as Bohn Refrigerators ran its ad, the Hampton Shops furniture company pitched its products with a reminder to women that they will have passed the "test of a home or of a hostess" if their friends "notice how a shaft of sunlight rests

upon some opulent brocade upholstery” or “how subtle color harmonies give value to sombre corners.” The Chairman of the Women’s Conference of Associated Advertising Clubs of the World in that same issue appealed directly to the idea of women’s superiority in purchasing with an ad “To Manufacturers and Merchants” promising to “advise on more profitable distribution of your product,” noting that she was a “nationally known and internationally recognized advertising and merchandising woman.”⁴⁸

The rising effect of the home economics movement – an awareness that consumerism and consumer safety were important issues that affected more than just the quality of home life – had begun to penetrate into business’ thinking. A convention of the National Retail Dry Goods Association in February of 1924 revealed that retail stores, which estimated sales of \$30 billion in 1922, were concerned about their continued success against other types of businesses, such as mail order operations.⁴⁹ The Federation, represented at the convention by its Vice President, Mrs. John Dickinson Sherman, appealed to the dry goods association to “cooperate with the club women in seeing that housewives did not spend money foolishly and that the stores provide trained advisers to aid in shopping for homes.” *The New York Times* editorial board did not conceal its exalted view of the women’s role in commerce. An editorial of February 6, 1924 lauded the Federation’s appeal to promote “more intelligent buying among women.” Excerpts from the editorial told much about the growing understanding not only of female purchasing influence but of their exacting attention to consumer issues:

The results will be awaited with interest. Women buy the great majority of goods bought in this country. It has been a popular misconception, doubtless bred by popular humorists, that women are almost wholly irresponsible in their buying. . . Yet, in fact the reverse is true. . . American women have more money to spend and probably spend more than the women of any other nation. But it would be a great mistake to declare that they spend foolishly. They are the shrewdest buyers in the world. . . They are quick to detect impositions. . . But the fact that women themselves, through their Federation of Clubs, are proposing to work with the dry goods men *in order to bring buying closer to scientific perfection*, is a notable sign of the times.⁵⁰ (italics added)

Clearly, while advertisers appealed to a woman's desire for a pretty home, the home economics movement was about larger issues of economy, including household - and pocketbook - efficiency. In 1924, the Federation began its American Home Department, and undertook what Mildred White Wells, a lifetime clubwoman and author of the federation's 1953 history, called "one of the finest projects ever developed by the General Federation," namely, a "nationwide survey of homemaking facilities and equipment in city and rural homes, followed by a campaign for better equipped homes throughout the nation."⁵¹ *Good Housekeeping*, the magazine of home and consumerism, remained a force throughout these years, as Dr. Wiley continued to write articles that supported proper health and nutrition and assisted the home economics movement. In at least one instance, the magazine directly influenced food and drug regulation.⁵² By 1928, consumer education had become a key issue for the Federation, and its theme expanded from the "American Home" to the "American Community."⁵³ Matters of "home" were still central (the group elected its 1928 president largely because she campaigned as the "home woman" against a practicing lawyer also vying for the position), but, during the Great Depression, as women's groups engaged more fully in consumer and recovery programs, "economics" became nearly as important.⁵⁴

In fact, the Great Depression created an atmosphere that was not only ready for, but in fact required, women's involvement in addressing the critical economic issues facing the country. During the Depression, which was marked by under-consumption of goods, generating consumer spending was imperative. Women's groups were on board early with efforts at recovery, marked notably in the late 1920s and early 1930s by a Wise Spending Study program run in cooperation with the federal Department of Commerce that engaged women in helping businesses improve consumer relations.⁵⁵ As several key consumer events threatened to scare

women away from purchasing of food, drug and cosmetic products, reform became inevitable. By the time reform legislation, known as the “Copeland Act,” was pending before Congress in 1933, the FDA was pushing for stronger control not only of food and drugs, but finally for control of cosmetics, which was by this point a \$1 billion industry. During Senate hearings in December 1933, the FDA produced a public exhibit highlighting food, drug and cosmetic products on the market that damaged consumers’ health and wallets.⁵⁶ Quickly dubbed the “Chamber of Horrors,” this exhibit included hundreds of examples of fraudulent and unsafe products, such as Marmola, an advertised obesity “cure” with serious side-effects on the thyroid, such as “nervous and digestive disturbances, heart symptoms, headache, delirium, fever, and even collapse, coma and death,” and Koremlu, a hair depilatory with such toxic levels of thallium acetate that women were permanently debilitated and paralyzed.⁵⁷ Most graphic were the before and after photos of a woman who was blinded after using “Lash Lure,” an aniline eyelash dye on the market at the time. Ruth deForest Lamb, in her *American Chamber of Horrors*, details the case of “Mrs. Brown,” the example for Lash Lure’s devastation. Mrs. Brown was readying to receive an honor from the local Parent Teachers Association when she stopped in a salon to have her eyelashes and brows “touched up.” Within hours, the synthetic aniline dye, developed by Lash-Lure Laboratories Incorporated of Los Angeles, formed ulcers on Mrs. Brown’s eyes so severe that she suffered tremendous pain for months until she was permanently blinded.⁵⁸ Transcripts of Senate debates show that FDA Chief Walter G. Campbell used the Lash Lure case and others as evidence for the need for reform.⁵⁹ Publicity surrounded a visit by Eleanor Roosevelt to the exhibit, and those who might not have known about products like Lash Lure certainly now did.⁶⁰ After the Chamber of Horrors, consumers and manufacturers alike could no longer afford to ignore the issue.

Constituents Respond: The 1930s

The various constituents in the food and drug debate responded in kind, reaching out to women to support their side of the issue. The level of attention paid by legislators, government officials, advertisers, courts and others to women's groups and female consumers evidences how strongly the woman's vote, and dollar, mattered in determining how the pure food and drug debate would be answered.

New York Senator Royal Copeland's newly introduced food and drug reform bill had been drafted under the direction of the FDA's Professor Rexford G. Tugwell, with whom the bill would remain affiliated throughout its consideration.⁶¹ Despite public response to the Chamber of Horrors, the bill was systemically killed in Congress four times throughout the next five years under pressure from food, drug and cosmetic manufacturers who had much to lose.⁶² The bill promised radical changes for industry: it would put control of cosmetics under the auspices of the Food and Drug Administration, prohibit false advertising, require "definitively informative labeling" and stiffen penalties for repeat offenders.⁶³ One misleadingly simple element of the law became a tremendous source of contention that served to put the issue in front of consumers' eyes: the bill would also put control of food, drug and cosmetic advertising under the auspices of the Food and Drug Administration, effectively transferring it out of the hands of the Federal Trade Commission, which, to date, had done little to interfere with the fraudulent claims of manufacturers.⁶⁴

In reaction, at least three counter bills had been put forward to Congress, and by 1937, the FDA still found itself unable to punish or prevent drug and food manufacturers from selling dangerous products under wildly outrageous pretenses.⁶⁵ Congress had its own internal battles to settle. Crawford described that many Congressmen were long understood to be in the service not of their constituents, but of corporations:

Among those on the inside of the long drawn-out food and drug battle, Bennett Clark of Missouri is known as the Senator for Listerine, Josiah Bailey of North Carolina as the Senator for Vick's Vapo-Rub, Arthur Vandenberg of Michigan as Senator for Parke, Davis, James Mead of New York as the Congressional advocate for Doan's Kidney Pills and Mentholatum, and Harry Bird of Virginia as the spokesman for the let-'em-eat-spray-residue-on-their-apples-horticulturists.⁶⁶

Notably, those corporations were the very ones marketing to women. Corporations framed the debate in terms of the right of corporations to do business, while consumer advocates framed it in terms of the right of consumers to safe food and drugs. These, of course, were not small matters, and they were in fact larger than they might first appear. The fierce debate over the Copeland Bill was shrouded in large arguments about the nature of the country's economic system, and the food and drug debate is rarely discussed in any history or analysis outside the context of consumerism. Early global concerns about the spread of communism were rising, and anti-regulation lobbyists argued that the Copeland Bill, with its government regulation, would "sovietize the drug industry".⁶⁷ Tugwell noted in his 1977 study of Roosevelt's administration that the bill's relevance to the nature of the economy was significant: "There was, I afterward thought, more alienation of trust in government, more suspicion of democratic institutions, generated in this fight than in all the other more important but less spectacular issues put together."⁶⁸ Elements of the American Medical Association were at times deeply distrustful of the bill, which promised to give government extended powers over medicine.⁶⁹ The press, concerned about lost revenues if the bill required changes to how proprietary medicines could advertise themselves, sent their warnings also. From this group in particular, "the President was flooded with messages warning that (the bill) would destroy the New Deal."⁷⁰ Indeed, trade newspapers argued the bill was against the National Recovery Act, made subtle allegations about Tugwell's communist sympathies, and importantly, charged that it would take away the right to

self-medicate.⁷¹ Nearly the entirety of the capitalist industry was involved in the debate in some way, “even down to the box-makers, bottlers and lithographers” who were opposing regulation.⁷²

Thankfully for reform interests, women’s groups had already begun expanding their consumer and health programs to a national scale, engaging regularly with the federal government. From 1932 to 1935, the Federation pursued a plank of “study of and active participation in governmental affairs,” while simultaneously launching a nationwide initiative for control of cancer.⁷³ By January of 1936, their strength had risen to such an extent that when Eleanor Roosevelt gave a tea for the Board of Directors of the Federation, her husband came and sat and talked with them.⁷⁴ Two years later, in the face of an apparent recession, President Roosevelt gave approval to the Federation’s program “for the mobilization of the woman power of the nation to halt the recession through a program of thoughtful and wise spending.”⁷⁵ As early as 1935, Roosevelt himself had acknowledged the link between pure food and drug laws and the economy, noting that regulation would “provide a bulwark of consumer confidence throughout the business world.”⁷⁶

At the same time, advertising began to reveal a significant shift in the way that industry began to relate to women consumers. Certainly the manufacturers were reading, as was the rest of the nation, news reports of women’s increasing consumer power. In 1933, a survey by the Administrative and Research Corporation showed that women represented more than 40 percent of the stockholders of the nation’s largest corporations. That study showed that women represented just shy of 50 percent of stockholders in The National Biscuit Company, but, importantly, controlled at least one large public utility company with their vote and also were represented strongly in the steel and railroad industries.⁷⁷

Advertisers at this time clearly understood that they were dealing with women consumers, and educated women consumers at that. The slick nature of nostrum advertising of

Dr. Wiley's day began to give way to ads that contained extensive information about the make-up, manufacture and usage of food and drug products. Compared to the days before the first food and drug law, when newspapers "carried few news illustrations, but plenty of ridiculous and fraudulent 'before and after taking pictures'," news advertisers in the 1930s began providing "laboratory test" results and reported what "studies showed."⁷⁸ The same day in 1933 that the *New York Times* reported women's power in corporations, its advertising section featured a large ad for Gimbels' "Hardwater soap," that revealed "laboratory testing" results about the soap's efficacy.⁷⁹ In February of 1933, the New York Times ran a picture section that featured several telling advertisements. Ovaltine, the "Swiss Food Drink," published a large ad with six comic panels that show a nervous wife concerned about her husband's sleeplessness. She calls a friend, who suggests "Ovaltine, that Swiss food-drink you take to go to sleep at night. It's marvelous!" After one taste, her husband is asleep in ten minutes, to awake in the morning saying "What a Sleep! What a Day! What A Good Old World!" The ad continues to explain in detail the chemical and nutritional make-up of the drink, appealing clearly to a female consumer who, though firmly rooted in the home, is also a self-educated "expert" in the effects of food and drink on health. Manufacturers at this time began to speak to the newly educated consumer in frank, honest language that included a heretofore unfathomable amount of chemical and medical explanation. Food products were often billed as medical remedies. Advertising its "All-Bran" cereal as a remedy for constipation, Kellogg's offered readers a booklet entitled "Keep on the Sunny Side of Life, which explained "all the facts about common constipation" and how to correct it. The 1934 advertisement for the cereal and the booklet lists the side effects of constipation and says that "Laboratory tests show that Kellogg's ALL-BRAN provides "bulk" and vitamin B to aid elimination. Also iron for the blood." Most telling, the advertisement acknowledges women's concern about the dangers of unsafe drugs, leaving as its final line of

text: “How much better than risking patent medicines!”⁸⁰ Modern medicine might challenge more vigorously the claims of the American Agency of French Vichy in its ad, published the same day as Kellogg’s, which suggested that its mineral water is “exclusively prescribed by the Medical Profession for stomach and liver affections and disorders of nutrition in general.”⁸¹ Pluto Water, a mineral water advertised as a laxative, provided extensive medical detail in its advertising, with a photograph of a doctor pointing to a diagram describing intestinal function, and the text defining constipation and then describing the functions of the pylorus valve and intestines. Pluto Water’s headline also reflected the rising concern about patent medicines: “What happens inside when you use a Laxative? Doctors Warn Against Irritating Drugs.”⁸² Reflecting the economic concerns of the time was an advertisement from Vicks, featuring a new antiseptic mouthwash “born in a depression. . . priced accordingly.”⁸³ Advertisers with truly good products were anxious to let women know it, and used *Good Housekeeping*, the preeminent pure food and drug magazine, as a vehicle. “It soon was understood by advertisers that they could not get any shams in *Good Housekeeping*,” Dr. Wiley wrote, adding that it was “manufacturers of really excellent goods” that would pay a “big premium” to advertise in the magazine.⁸⁴ They apparently also learned that including women’s images in the ads was a good bet. Compared to the advertisements in 1912 and even 1924, which relied primarily on text and were placed throughout all sections of the paper, by 1934, most drug and household products ads included pictures of women. Larger, more expensive ads, like the Vicks or Ovaltine ads, were placed in the arts or “picture” sections of the newspaper.

In addition to changes in advertising tone and content, the publishing and drug industry took direct action to reach women’s organizations, and to plead their assistance in the fight against regulation. These events, including those coordinated by the Proprietary Association (the patent industry group that rose up to protect the “proprietary” interests of drug manufacturers)

often used female representatives to try to persuade crowds of women. For example, Anna Steese Richardson, the Good Citizenship editor of the *Woman's Home Companion*, “made a 12,000 mile lecture tour preaching Proprietary Association doctrine.”⁸⁵ Infiltration into women’s clubs was not uncommon, either. The wife of Earle Meyers, press agent for the Proprietary Association, also tried to preach the Proprietary line to the women at the New York State Federation of Women’s Clubs annual convention, posing as a representative of the “Women’s Committee for Consumer Protection.” Her disguise was quickly detected by the women in attendance.⁸⁶ In another instance of women working for the lobby groups, Mrs. William Dick Sporberg, legislative chairwoman of the Federation, joined the “National Advisory Council of Consumers and Producers,” a group organized in cooperation with no less an advertising representative than the famous father of spin himself, Edward Bernays. In Washington, she delivered to this group an anti-regulation speech that had been written by the lobbyist for Lee’s Lice Cure, a proprietary drug formulation.⁸⁷

Sometimes, the advertisers reached out to female consumers directly for support against legislation reform. The Lydia E. Pinkham Medicine Co. delivered “pink slips” directly to potential consumers, encouraging them to write to their Congressmen to vote against a proposed food and drugs bill on the erroneous basis that it might prevent consumers from being able to purchase the product.⁸⁸

As these changes took place, the General Federation of Women’s Clubs kept apace and remained thoroughly engaged in work to improve consumer education and relations. In 1933, the Federation worked with the Department of Agriculture (which ran the FDA) through its Consumers’ Council to begin a series of weekly consumer broadcasts that would last until 1941.⁸⁹ At least by 1930, officials of the Food and Drug Administration understood their market, and were targeting housewives when they needed to share information about bad food or drug

problems. Indeed, Campbell explains in his 1930 annual report that during that year, a Virginia housewife preparing nine cakes for distribution at Christmastime accidentally mixed in arsenic with the flour, perhaps by storing arsenic containing materials too close to her kitchen instruments. The event, which normally would have remained hidden from public view, got the attention of FDA officials when one of the cakes was sent to Canada, the crossing of borders putting it into the purview of the administration. Campbell wrote: “The gravity of the incident led the administration to issue a warning to housewives to keep household poisons carefully stored and at a safe distance from food supplies.”⁹⁰ General education pieces were also sent to housewives, who were happy to participate in various programs. In 1930, the FDA’s “Read The Label” movement among housewives, designed to improve consumer education, “met with a gratifying and enthusiastic response.”⁹¹

As Campbell was writing in 1930, there was some reason to believe these initiatives were working, though certainly the public at large was not uniformly concerned about food and drug issues. His report that year called “decidedly encouraging” a renewed interest in the FDA’s efforts at pure food and drug control.⁹² But this resurgence was insufficient to secure a victory against the forces of industry trying to weaken the law through “joker” amendments that, while posing as regulation, in fact secured victories for industry. It was becoming clear that for stricter enforcement, the nation would need to become as riled as it was at the passage of the 1906 law, when “people talked about the food bill on the streets, discussed it in clubs, passed resolutions in favor of it in their meetings.”⁹³

Even with its limited enforcement abilities, the FDA in the early part of the 1930s had a full job on its hands. By 1930, the trade overseen by the FDA was in excess of \$15 billion annually, a great increase compared to the years of the first World War.⁹⁴ And by 1931, the FDA had conducted more than 18,000 regulatory actions.⁹⁵ The nature of those actions shifted

as growing interest in the public – borne by the press of cases such as Lash Lure, and other cases of people dying from truthfully labeled “radium waters” or suffering lifelong hallucinations from bromate products – changed attention on the FDA’s activities.⁹⁶ In 1933, FDA officials spent 27 percent of their time addressing issues of drug products.⁹⁷ By 1938, enforcement on drug issues took 33 percent of agents’ time, a considerable increase in resources.⁹⁸ By 1948, that number would revert downward, such that less than 25 percent of officials’ time was spent on drug issues.⁹⁹ In 1935, two years after the opening of the Chamber of Horrors exhibit to the public, the FDA established a new division for the research of safety of “certain medicinal products” and “glandular preparations purporting to have some remedial value.”¹⁰⁰

Discerning Women’s Influence: An Historiography Conflicted

Throughout these years, women were fully steeped in the fight for reform, and the Federation maintained the fight for pure food and drug without interruption. But despite the fact that Lamb lists no fewer than 12 substantial women-led organizations in the fight for food and drug regulations, including The American Association of University Women; the American Home Economics Association; the Girls’ Friendly Society; the Medical Women’s National Association; and the National League of Women Voters, the details of women in the food and drug reform movement were notably excluded in the histories and official documents prepared at the time and after.¹⁰¹ Importantly, Lamb notes:

With almost no funds to work with – especially as compared with the vast war chests available to opponents of the measure – with the press, except for the liberal weeklies and a scattering of newspapers, almost entirely closed to them and their own official magazines and news letters practically the only means they have had of informing consumers of what was taking place, these women’s organizations have done most of the fighting for a strong consumer law.¹⁰²

The absence of detailed reports of their activities is curious, especially as Lamb dedicates her book to 15 female leaders of the food and drug regulation movement, calling them “that gallant group of women who have been holding the front-line trenches in the consumers’ war for pure food, drugs and cosmetics.”¹⁰³ A review of *The New York Times* during the late 1920s and early 1930s reveals that food, drug and cosmetic advertisers certainly saw women as their market. The majority of advertising for these products was geared toward women, as evidenced by the prominence of images of women and, in many cases, clear and direct language addressing housewives and mothers, as earlier shown. As noted, the FDA looked to women for help, as had the President of the United States. Publishers and drug manufacturers were explicit in their requests and pleas to women. Dr. Wiley had transferred his persuasive resources directly to the popular woman’s magazine *Good Housekeeping* in the hopes of reaching more consumers. Nonetheless, their involvement is little noted in the annual reports of the Food and Drug Administration, nearly omitted in Dr. Wiley’s writings, and, interestingly, only lightly described by the historian of the General Federation of Women’s Clubs. Several sources recognize, in generous ways, the integral and essential influence of the women’s groups. Almost none explain the nature of those activities.

This trend of omission began early on. Dr. Wiley describes in his *History of a Crime* that the passage of the 1906 act came about because of support from various agencies, including the American Medical Association. In one of his single references to women throughout the entire book, he wrote: “Perhaps the greatest and most forceful were the Federated Women’s Clubs of America and the Consumer’s League. They took up the program with enthusiasm and great vigor. . . Their services were extremely valuable.”¹⁰⁴ In this book, he also shows full-page photographs of the president of each of those organizations. Again we see Alice Lakey,

representing the Consumers' League, and Mrs. Walter McNab Miller, representing the Federation.¹⁰⁵ But not a mention is made of the nature, details or timeline of their involvement.

A further example can be found in Kenneth Crawford's thorough, 18-page description of the lobbying efforts of publishers and drug manufacturers against food and drug reform written in the late 1930s.¹⁰⁶ In this discussion, Crawford describes a fierce debate filled with economic threat, fraudulent misrepresentations and flagrant violations of federal law on the part of the drug and publishing industries fighting regulation. Crawford finds little more than one sentence's worth of space to acknowledge the group that beat the monolith of anti-regulation: "Thanks to the counter-lobbying activities of a group of women's organizations, an acceptable bill nevertheless was eventually written into law."¹⁰⁷ He does, however, find room to describe women's involvement against legislation, which he clearly puts forth as manipulated, controlled events, largely orchestrated by food and drug manufacturers and media groups who did understand the power of a woman's voice to influence the debate.

The annual FDA reports during the 1930s also give scant attention to the groups working to strengthen the administration's enforcement capacity. In 1937, Campbell describes the key questions surrounding passage of the Copeland Bill. In language devoid not only of gender reference, but of reference to any particular actors at all, he says "the significance of these questions is becoming more widely understood. Opinion on the merits of the issues is becoming more definitely crystallized. The fight will be continued until a measure fully adequate to consumer protection has been enacted."¹⁰⁸ His 1938 report celebrates the passage of the bill, but does not address how it came to be successful.¹⁰⁹

The FDA's Professor Tugwell, who took a dim view of the bill as it finally passed and a dimmer view of the corruption that occurred through its debates, downplayed in his writing the effectiveness of organized women's groups, at least insofar as they appealed to legislators.

Tugwell noted: “A senator did not care very much if a middle-class League of Women Voters approved, or even if the American Federation of Labor sent a minor official to testify.”¹¹⁰ But Tugwell sounds a rare note in this regard, and, in reflection, viewed the entire issue with a mixture of regret and discouragement.¹¹¹ He does nonetheless add that “supporters included professors of public health. . .together with representatives of consumers’ organizations.”¹¹² From his vantage point, the fact of a particular senator and a particular League of Women Voters may not have had much power, but Tugwell might have overlooked the influence Lamb describes, of the “millions” of members of women’s groups who worked to preach the doctrine of food and drug purity to their fellow members and who, in some cases, followed the political maneuverings and changes in bill language as closely as any politician.¹¹³

Though the Federation itself is strangely quiet on the details of their activities, throughout its 1953 history it repeatedly stresses how important the food and drug issue was and remained for the Federation. Writing in 1953, Wells wrote that the Federation “continued its steadfast support of measures to strengthen the powers of the (Food and Drug) Bureau and to protect the public from the adulteration and misrepresentation of food, drugs and cosmetics,” which efforts would have dated at least to the 1902-1904 term of Federation President Denison, for whom “pure food legislation” was an area of accomplishment.¹¹⁴ Though Wells listed “Strengthening of the Food, Drug and Cosmetic Act” as one of the eight specific pieces of national legislation toward which the Federation was working in 1953, by the years leading up to her writing the Federation was focused largely on issues of national defense, international relationships and wartime issues, not food and drug law.¹¹⁵ Given the scope and serious nature of topics the Federation had tackled, it must be seen as quite an accomplishment for the pure food and drug issue to make it to a priority list. Perhaps Wells was content to let the priority nature of the issue be revealed in small pieces, as through a quoted 1938 letter from GFWC member Mrs. Walter L.

Jones of Nashville, who recalled her club's 1914 resolve "to work for the betterment of our city... protected meat stalls, wrapped loaves of bread, higher standards along all lines."¹¹⁶

The Matter Can No Longer Be Ignored: The Elixir Sulfanilamide Tragedy of 1937

On October 14, 1937, Walter G. Campbell, chief of the United States Federal Food and Drug Administration, received word at his office of unexplained deaths of people who had ingested an "elixir" manufactured by S.E. Massengill & Co., a well-known Tennessee drug manufacturer of the time. Within days, the reports rushed in of adults and children, white and black, from Virginia to California, falling violently ill and dying after taking "Elixir Sulfanilamide" as treatment for streptococcal infections.¹¹⁷ In the ensuing two months, Campbell's department successfully seized 99.2 percent of the 240 gallons of "Elixir Sulfanilamide" that Massengill had manufactured, and stopped spread of the drug entirely. But by November, 107 people – most of whom were children – were dead, and the nation's attention once again firmly focused on the issue of food and drug reform.¹¹⁸

The Elixir Sulfanilamide case, while only one of many similar, was important not only because of its scale but also because it revealed so clearly that the FDA, if competent as an organization, was nonetheless fettered by weak laws that made meaningful enforcement nearly impossible. That the toxic potion killed so few was thanks to the diligent efforts of the FDA officials, who tracked down 99.2 percent of all the elixir that was manufactured. Of 240 gallons, or 1,920 pints, that had been manufactured, only half of the 93 pints and 6 fluid ounces that actually reached consumers was ingested, causing the 107 deaths. The rest was seized, sampled and destroyed by FDA and state agencies. Nearly the entire FDA staff was engaged in retrieving the poisonous compound.¹¹⁹ Newspaper and radio broadcasts also helped to alert consumers and druggists.¹²⁰

The successful removal of the product from consumers' hands was a close call. In his critical report about the incident, requested by the U.S. Senate, then Secretary of Agriculture H.A. Wallace explained that only by a bit of mislabeling was the FDA empowered to act at all:

Since the Federal Food and Drugs Act contains no provisions against dangerous drugs, seizures had to be based on a charge that the word "elixir" implies an alcoholic solution, whereas the product was a diethylene glycol solution. Had the product been called a 'solution' rather than an 'elixir', no charge of violating the law could have been brought.¹²¹

Samuel Massengill famously declared his innocence in a press statement on October 23, 1937, saying "My chemists and I deeply regret the fatal results, but there was no error in the manufacture of the product. . . .I do not feel that there was any responsibility on our part."¹²² As Wallace's report explained, given the law's weak definition of adulteration, he was in fact innocent of adulteration charges. Massengill was only ever charged with mislabeling.¹²³

This scandal brought to light the major weakness of the existing food and drug law: while the law required that manufacturers believe the drug to be safe, it did not require that they prove it. In his report to Congress, Wallace described in one subtle sentence this failure in enforcement, which had plagued the FDA since the passage of the first Food and Drug Act in 1906: "The existing Food and Drugs Act does not require that new drugs be tested before they are placed on sale."¹²⁴

Elixir Sulfanilamide brought these issues once more into the public realm, and this time, Congress had to respond. By now, the arguments for regulation were well known by the public, and someone had to justify the deaths of 107 Americans from a product known to be dangerous. Sulfanilamide had been made famous already, and was indeed a valuable drug, a descendent of the early anti-infective drug prontosil, publicly recognized in 1936 for its great healing properties after it cured an infection that had nearly taken the life of young Franklin Delano Roosevelt, Jr.¹²⁵ But S.E. Massengill & Co. had mixed this good drug with diethylene glycol to create a

liquid form of the drug to those who couldn't abide the dry pill form of sulfanilamide; diethylene glycol, however, is toxic to humans, a fact Massengill and his chemists overlooked or didn't know.¹²⁶

Women's groups and consumer organizations had by 1937 long been arguing for reform because of cases just such as this, and much of the industry had begun to reign itself in. President Roosevelt had made several failed attempts, including a March 22, 1935 request to Congress, to strengthen the food and drug act such that it would cover claims of advertising, include cosmetics under its auspices and establish a standard system for inspection and enforcement.¹²⁷ Adultering, misbranding and fraudulent applications of food and drug could no longer be justified. Women had been blinded and now children had died, and consumers had, in Roosevelt's words "grown hesitant and doubtful."¹²⁸ The situation in Congress was once again much like it had been at the passage of the 1906 law, when Dr. Wiley explained that "The senators who fought the bill realized that the war was over. They did not care to go back and explain why they voted against the pure food bill."¹²⁹

On June 25, 1938, seven days after Senator Copeland passed away, the Copeland Bill was signed into law, with several key provisions included.¹³⁰ From now on, drugs were to be tested *before* they went to market, and labels would reflect the true ingredients. Cosmetics came under the regulation of the Food and Drug Administration for the first time. A crisis of Lash Lure proportions need not happen again.

Conclusion

Speaking to attendees at the Women's Conference on Current Problems in 1935, President Roosevelt expressed his conviction that government could not be limited "to the functions of merely punishing the criminal after crimes have been committed."¹³¹ One hundred

and seven deaths later, the passage of the 1938 Food, Drugs and Cosmetics Act, if not punishment, was at least a stern rebuke. To that women's conference, he explained how deeply tied to the country's success were the affairs of women's lives, declaring that the complications of economy, health and warfare "throw upon the women of the Nation a material and spiritual burden of the greatest significance."¹³²

Given the material reviewed here, it can be said that these women bore that burden with at least the kind of "intense earnestness" he had commended them for possessing in 1935.¹³³ The passage of food, drug and cosmetic legislation in 1938 could not have happened without the direct organization and indirect influence of women's groups and female consumers. Rising consumer power, coupled with strengthened organizations after the passage of suffrage, changed how industry and government alike responded to women's groups. Critical economic problems in the 1930s required and invited women's participation in resolving consumer dilemmas. Significant industries, such as the publishing industries, had appealed directly and indirectly to their female audiences for support against regulation. Luckily for consumers, women's groups agreed that food and drug reform was essential, and took up the good fight with all the resources available, wisely engaging the issue as one not only of nutrition and ethics but as one of national economy.

Predictably, their emphasis on health and consumerism extended beyond the passage of the Copeland Bill. In 1938, the president of the Federation was a woman who had served as a public health leader her entire career, and set "improvement of consumer relations" as a goal of her administration.¹³⁴ During that administration, the organization also ran a committee in cooperation with the U.S. Bureau of Standards to create standard specifications for consumer products, the need for which had been raised through the food and drug debates and remained critical as the economic structure of the country grew more sophisticated.¹³⁵ In 1953, when

Wells listed the “Strengthening of the Food, Drug and Cosmetic Act” as one of the specific eight pieces of national legislation for which the Federation was working, she also described the general nature of legislation in which the group was interested. Of those categories the only one to which the Food and Drug Act even closely correlated was “Expand World Trade.”¹³⁶ The link between a strong food and drug industry and a healthy economy had clearly been made by women, and continued to drive their efforts long after newspapers stopped reporting about Elixir Sulfanilamide.

That official histories have tended to ignore their involvement is worthy of consideration and more study, not only because of what it reveals of the nation’s view of women, but because of what else may be contained therein. Couched in terms of economic reform, women’s groups in the early part of the century took on a variety of general welfare programs, and food and drug reform was but one of those programs. But while the fight for food and drug regulation – which, as Tugwell himself admits, was one of the lesser important in terms of national recovery – waged on, other elements of the New Deal were rising and falling.¹³⁷ If it is commonly believed that women’s push for the vote exhausted their political organizing resources for decades, perhaps further research is needed to explain the mass organizing of women’s groups for other health issues, such as nationalized health insurance, the control of cancer in 1932, and, earlier, the passage for the first federal social security program, the Sheppard-Towner infant and maternity protection act of 1921.¹³⁸

The tentacles of women’s organization around health issues reach far beyond merely food and drug reform. We should not expect the record to be any more decisive in those concerns, but the effort required to parse out the truth should not discourage us from doing so. If, as Dr. Wiley himself might have put it, past historians can be forgiven for overlooking what was so nearly hidden from view, we should not use this cloak of historical oversight as our own “protection for

misunderstanding.” Further research is justified, and needed, if we are to know with better certainty the influence of women on the formation of other national health policy.

NOTES

1. Acknowledgement has been deleted for this blind review.
2. Harvey W. Wiley, *Harvey W. Wiley: An Autobiography* (Indianapolis: The Bobbs-Merrill Company, 1930), 283-8, 292.
3. Wiley, *An Autobiography*, 2-3.
4. Wiley, *An Autobiography*, 288-9.
5. Wiley, *An Autobiography*, 302. As Wiley faced a scandal in 1911 in which detractors pushed for President Taft to remove him from his post, the *New York Times* covered the issue on its front pages. The paper did not withhold its own admiration for the doctor: “Practically single-handed he has waged a vigorous fight against every form of adulteration of foods entering into domestic and foreign commerce, and has presented an uncompromising front to every attempt to evade or let down the strict letter of the law. He has consequently been under fire for years, and has maintained his position against all odds with an ability and fearlessness that have won for him the highest praise.” “Taft Is Advised By Wickersham to Oust Wiley,” *New York Times*, July 13, 1911, Sec. A, 1-2.
6. Dr. Wiley himself noted the broader reach *Good Housekeeping* provided: “I have steadily preached the doctrine of child welfare, health and proper diet to an audience far larger than I was able to secure in any official capacity.” Wiley, *An Autobiography*, 303.
7. See the following for examples of their excellent work: James Harvey Young, “Three Southern Food and Drug Cases,” *The Journal of Southern History* 49 (1983): 3-36; and Oscar E. Anderson Jr., “The Pure-Food Issue: A Republican Dilemma, 1906-1912,” *The American Historical Review* 61 (1956): 550-573.
8. Philip J. Hiltz, *Protecting America’s Health: The FDA, Business, and One Hundred Years of Regulation*. (New York: Alfred A. Knopf, 2003). Hiltz’ book provides a more generous discussion of the role of consumer influence on the regulation debates from 1906 through 1983 and beyond.
9. For a good discussion of the work of Florence Kelley and the National Consumers’ League, See “Two Political Cultures in the Progressive Era: The National Consumers’ League and the American Association for Labor Legislation” by Kathryn Kish Sklar in *U.S. History as Women’s History: New Feminist Essays*, Linda K. Kerber, Alice Kessler-Harris and Kathryn Kish Sklar, eds., (Chapel Hill: The University of North Carolina Press, 1995), 36-62. See “Designing Women and Old Fools: Writing Gender into the Social Security Law,” by Alice Kessler-Harris in *Women’s America: Refocusing the Past*, Linda K. Kerber and Jane Sherron De Hart, eds., (New York: Oxford University Press, 2004) 435-447. Sara M. Evans provides an overview of women’s activism during the Progressive Era and early New Deal years in *Born for Liberty: A History of Women in America*, (New York: The Free Press, 1989), but does not touch on the pure food issue.
10. Because of the very nature of the problem – namely, that the record has overlooked women’s role – it was necessary to scan the entirety of editions of the *New York Times* to find relevant information. The paper often included its coverage of women’s issues and events in secondary locations, such as the Social pages, even if the issues covered were political or business oriented. Analysis looks at advertising published during the first three months of 1912 and 1924, the periods immediately preceding Dr. Wiley’s departure from the federal government and surrounding the rise of the Federation’s home economics programming. Also reviewed were the first three months of 1933 and 1934, which periods cover the time immediately preceding and following the introduction of the first significant reform legislation into Congress. Focusing on the first three months of each year provides the added benefit of reducing variation in advertising themes that could be expected of different seasons. Advertising analysis from other dates has been included if it is relevant and timely to key events in the regulation debates.
11. Two cartoons published upon Wiley’s retirement reflect the nation’s love for the doctor. A cartoon by Mr. Berryman in the *Washington Star* shows Uncle Sam measuring the shoes of Dr. Wiley in a chemistry lab, and

another in the *Rocky Mountain News* shows Uncle Sam hugging Dr. Wiley, saying, “I love you for the enemies you made,” as bottles and packages labeled “Impure Food,” “Wood Alcohol,” “Patent Medicines” and “Fake Whiskey” held hands and danced together on a table nearby. Reprinted in: Harvey W. Wiley, *History of a Crime Against the Food Law: The Amazing Story of the National Food and Drugs Law Intended to Protect The Health of the People Perverted to Protect Adulteration of Foods and Drugs*, (Washington: Harvey W. Wiley, 1929), 96-97.

12. Wiley, *An Autobiography*, 15. A scandal erupted in 1911 when opponents charged that Dr. Wiley had been overpaying a prized pharmacological consultant, Dr. H.H. Rusby, head of the New York College of Pharmacy at Columbia University, a charge of which he was later exonerated (see Wiley, *An Autobiography*, 283-287). The *New York Times* described Wiley’s opponents’ “many vigorous efforts to separate Dr. Harvey W. Wiley, the pure food expert, from his place at the head of the Bureau of Chemistry in the Department of Agriculture.” “Taft Is Advised By Wickersham to Oust Wiley,” *New York Times*, July 13, 1911, Sec. A, 1.

13. Walter G. Campbell, “1930 Report of Food and Drug Administration,” in *Federal Food, Drug, and Cosmetic Law Administrative Reports – 1907-1949, Food Law Institute Series*, (Chicago: Commerce Clearing House, Inc., 1951), 714.

14. Wiley, *An Autobiography*, 208.

15. Wiley, *An Autobiography*, 154, 268-9.

16. Wiley, *An Autobiography*, 215-220.

17. Wiley discusses patent medicines as “the most wretched and disgraceful evil the pure food and drug law sought to remedy. (See Wiley, *An Autobiography*, 205.) In contrast, he overcame initial negative reaction from The National Canners’ Association, and came to consider that its “hearty and consistent attitude of support did much to hasten the passage of the law” (See Wiley, *An Autobiography*, 213-215).

18. Wiley, *An Autobiography*, 231.

19. Wiley, *An Autobiography*, 205-206.

20. Wiley, *An Autobiography*, 207-208.

21. Wiley, *An Autobiography*, 205-207.

22. Wiley, *An Autobiography*, 200.

23. Wiley, *An Autobiography*, 207.

24. *The New York Times*, January 3, 1912, Sec. A, 7; *New York Times*, February 18, 1912, Sec. A, 15.

25. *The New York Times*, January 3, 1912. Sec. A, 9.

26. *The New York Times*, February 19, 1912, Sec. A, 5; *New York Times*, February 19, 1912, Sec. A, 4.

27. Mildred White Wells, *Unity in Diversity: The History of the General Federation of Women’s Clubs*, (Washington, D.C.: General Federation of Women’s Clubs, 1953), 31-32.

28. Wells, ix.

29. Wells, 33, 182.

30. Wells, 182.

31. Wiley, *An Autobiography*, 292.

32. Wells, vii.

33. Wells, 56.

34. Wells, 37.

35. The 1896 national convention of the GFWC had “The Home” as its theme and by the 1898 convention, the GFWC was recommending “the study of household economics in as thorough and systematic a manner as was already devoted to the study of history, art and literature.” See Wells, 167, 181-2.

36. Wells, 227, 171. The FDA would not take up the issue of venereal disease until 1937, when it took an enforcement role in a “national campaign for the control of venereal diseases.” See “1938 Report of Food and Drug Administration” in *Federal Food Drug, and Cosmetic Law Administrative Reports – 1907-1949*, Food Law Institute Series, (Chicago: Commerce Clearing House, Inc., 1951), 912.

37. Wells, 224.

38. Wells, 225.

39. Wiley, *An Autobiography*, 306. Dr. Wiley expressed that *Good Housekeeping*’s work on pure food and drugs would benefit “millions,” certainly far beyond the reach of just those women in the Federation (Mildred Maddocks, ed. *The Pure Food Cook Book: The Good Housekeeping Recipes, Just How to Buy – Just How to Cook*, (New York: Hearst’s International Library Co., 1914), 6. He also said that through his work at *Good Housekeeping*, which included seven years of traveling lectures to farmers and “commoners,” he “preached the doctrine of child welfare, health and proper diet to an audience far larger than I was able to secure in any official capacity.” (Wiley, *An Autobiography*, 302; 308-311).

40. Wiley, *An Autobiography*, 208-210.

41. Wiley, *An Autobiography*, 304.

42. As an example, Dr. Wiley introduces the chapter on rice with an explanation that “Rice is often adulterated, that is, it is coated with glucose, talc and paraffin, etc. The purpose of treating rice in this way is to make it look better and thus appeal to the eye of the purchaser and consumer. In doing this, however, it often loses its right to appeal to the nutrition of the consumer” (Maddocks, 95).

43. A 1919 amendment that required that manufacturers indicate the amount of food in wrapped meat packages followed a similar amendment in 1913 that applied to other packaged foods. The McNary-Mapes Amendment of 1930, known as the “canners’ bill” sought to control the quality of canned goods. A 1912 amendment, known as the “Sherley Amendment” dealt with the branding of proprietary medicines. See “1931 Report of Food and Drug Administration” in *Federal Food Drug, and Cosmetic Law Administrative Reports – 1907-1949*, Food Law Institute Series, (Chicago: Commerce Clearing House, Inc., 1951), 740-741.

44. Reprinted from an unidentified Senate Education Committee report in Wells, 169-170.

45. Wells, 85. Exact figures are not available for 1921, but the upward trend was certainly in place. By 1953, more than 800,000 clubwomen represented approximately 15,000 GFWC clubs in the United States. See Wells, 34.

46. See Wells, 183-192 for further examples of home economics activities of the Federation.

47. Wells, 185-187.

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48. *The New York Times*, February 3, 1924, Sec. A, 4, 7, 16.
49. “Retailers To Urge Action on Tax Cut, *The New York Times*, February 6, 1924, Sec. A, 32.
50. “Women As Buyers,” *The New York Times*, February 6, 1924, Sec A, 18.
51. Wells, 91, 192. In a further nod to the importance the women’s groups assigned to the idea of “household economics,” the Federation during this period successfully petitioned the U.S. Census to change the stay-at-home woman’s designation from “non-productive” to “housewife,” and lobbied insurance companies, who began providing “special policies against accidents occurring to women in the home.” (Wells, 184, 91).
52. In 1927, during his filibuster to postpone a vote on an “extremely vicious” sugar bill that would have allowed “the sale of dextrose made from starch under the guise of sugar,” Senator M. M. Neely of West Virginia read at length from one of Dr. Wiley’s *Good Housekeeping* articles related to the topic until the hour to vote had passed and consumers were again safe (Wiley, *An Autobiography*, 304-306).
53. Wells, 94.
54. Wells, 93.
55. Wells, 94.
56. Ruth deForest Lamb, *American Chamber of Horrors: The Truth About Food and Drugs*, (New York: Farrar & Rinehart, 1936), viii-ix.
57. Lamb, 5-9, 29-39.
58. Lamb, 17-18.
59. Senate Committee on Commerce, *Statement of Walter G. Campbell, Chief, Food and Drug Administration, Department of Agriculture, 73d Cong., 2nd sess., 1933*. Reprinted in Charles Wesley Dunn in *Federal Food, Drug and Cosmetic Act: A Statement of its Legislative Record*, (New York: G.E. Stechert & Co., 1938), 1068.
60. Lamb, 297-98.
61. Rexford G Tugwell, *Roosevelt’s Revolution: The First Year – A Personal Perspective*, (New York: Macmillan Publishing Co., Inc., 1977), 225-228.
62. Lamb, 329-332.
63. 1933 Annual Report of the Federal Food and Drug Administration, reprinted in *Federal Food, Drug and Cosmetic Act: A Statement of its Legislative Record*, 25-26.
64. S. 1944 as presented to 73d Congress, 1st Session, reprinted in *Federal Food, Drug and Cosmetic Act: A Statement of its Legislative Record*, 42; Lamb, 308-9.
65. Lamb provides a full timeline and detail of the various plans submitted to Congress through July 1935 in Appendix A, 329-332. Copeland himself once submitted a revised version of the bill, written in coordination with anti-regulation lobbyists, which served the interests of industry over consumers (Rexford G. Tugwell, *The Democratic Roosevelt: A Biography of Franklin D. Roosevelt*, (New York: Doubleday & Company, Inc., 1957), 466.
66. Kenneth G. Crawford, *The Pressure Boys: The Inside Story of Lobbying in America*, (New York: Julian Messner, Inc., 1939), 75.

67. Crawford, 85.

68. Tugwell, *Roosevelt's Revolution*, 232. For a full account of the deterioration of the bill's elements amid allegations by industry that it was a "Red" bill, see Tugwell, *Roosevelt's Revolution*, 225-232. On page 263 he described that his role in forwarding the bill for consideration gave him a reputation as "anti-business" and nearly "anti-American."

69. Crawford, 88.

70. Crawford, 85.

71. Lamb, 290-2.

72. Crawford, 85.

73. Wells, 100-101.

74. Wells, 107.

75. Wells, 191.

76. Franklin Delano Roosevelt, *The Public Papers and Addresses of Franklin D. Roosevelt*. Vol. 4: The Court Disapproves: 1935, (New York: Random House, 1938), 111.

77. *The New York Times*, February 12, 1933, N11.

78. Wiley, *An Autobiography*, 200.

79. *The New York Times*, June 12, 1933, 36.

80. *The New York Times*, February 21, 1934, 6.

81. *The New York Times*, February 21, 1934, 4.

82. *The New York Times*, February 22, 1934, 14.

83. *The New York Times*, February 12, 1933, picture section.

84. Wiley, *An Autobiography*, 304-305.

85. Crawford, 84.

86. Crawford, 83.

87. Crawford, 86-87.

88. Lamb, 299.

89. Wells, 191.

90. Campbell, "1930 Report of the Food and Drug Administration," 718.

91. Campbell, "1930 Report of the Food and Drug Administration," 714.

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92. Campbell, "1930 Report of the Food and Drug Administration," 714.
93. Wiley, *History of a Crime*, 52. Campbell, "1930 Report of the Food and Drug Administration," 714. Fortunately for consumers, most of these amendment efforts failed, and the few amendments that were added between 1906 and 1938 law served to strengthen the FDA's powers. See Walter G. Campbell, "1931 Report of Food and Drug Administration," in *Federal Food, Drug, and Cosmetic Law Administrative Reports – 1907-1949, Food Law Institute Series*, (Chicago: Commerce Clearing House, Inc., 1951), 740-1.
94. Campbell, "1930 Report of the Food and Drug Administration," 715.
95. Campbell, "1931 Report of the Food and Drug Administration," 740.
96. Lamb, 74, 82-83.
97. Walter G. Campbell, "1933 Report of Food and Drug Administration," in *Federal Food, Drug, and Cosmetic Law Administrative Reports – 1907-1949, Food Law Institute Series*, (Chicago: Commerce Clearing House, Inc., 1951), 789.
98. Walter G. Campbell, "1937 Report of Food and Drug Administration," in *Federal Food, Drug, and Cosmetic Law Administrative Reports – 1907-1949, Food Law Institute Series*, (Chicago: Commerce Clearing House, Inc., 1951), 901.
99. Walter G. Campbell, "1948 Report of Food and Drug Administration," in *Federal Food, Drug, and Cosmetic Law Administrative Reports – 1907-1949, Food Law Institute Series*, (Chicago: Commerce Clearing House, Inc., 1951), 1371.
100. Walter G. Campbell, "1935 Report of Food and Drug Administration," in *Federal Food, Drug, and Cosmetic Law Administrative Reports – 1907-1949, Food Law Institute Series*, (Chicago: Commerce Clearing House, Inc., 1951), 848.
101. Lamb, 320. She also lists: The American Dietetic Association; American Nurses' Association; Homeopathic Medical Fraternity; National Board of the Young Women's Christian Association; National Congress of Parents and Teachers; National Council of Jewish Women; and National Women's Trade Union League.
102. Lamb, 321.
103. Lamb, Dedication.
104. Wiley, *History of a Crime*, 52.
105. Wiley, *History of a Crime*, 54-55.
106. Crawford, see "Snake Oil," chapter 5.
107. Crawford, 76. He also relates, in a discussion of the publishing industries tactics on page 83, that members at the 1935 annual convention of the New York State Federation of Women's Clubs heckled away a speaker hired by William Hearst, the publisher, to speak against reform legislation.
108. Campbell, "1937 Report of Food and Drug Administration," 894.
109. Campbell, "1937 Report of the Food and Drug Administration," 899.
110. Tugwell, *Roosevelt's Revolution*, 230-231.

111. Tugwell gives a full discussion of how consumers lost against business interests in the takeover of food and drug regulation in *The Democratic Roosevelt*, 464-467.

112. Tugwell, *Roosevelt's Revolution*, 231.

113. Lamb, 321-326.

114. Wells, 182, 61.

115. Wells, 223.

116. Wells, 71.

117. H.A. Wallace, "Elixir Sulfanilamide Report," (also called "Senate Report 194,") reprinted in Dunn, *Federal Food, Drug and Cosmetic Act*, 1316, 1323. A typical label published in Senate Report 194 showed Elixir Sulfanilamide "suggested for treatment of all conditions in which the hemolytic streptococci appear." (1318)

118. Campbell, "1938 Report of Food and Drug Administration," in *Federal Food, Drug, and Cosmetic Law Administrative Reports – 1907-1949, Food Law Institute Series*, (Chicago: Commerce Clearing House, Inc., 1951), 911. This was not the first time S.E. Massengill ran into trouble with the FDA for one of its "elixirs." A district court in New York ruled in 1934 that Massengill's "Elixir Terpin Hydrate and Codeine (Special)" were misbranded and adulterated (*United States v. 5 One-Pint bottles and 23 One-gallon bottles, more or less, of elixir terpin hydrate and codeine; same v. 14 one-gallon bottles and 4 one-pint bottles, more or less, of elixir terpin hydrate and codeine*. District Court, S.D. New York. November 8, 1934.) For a further discussion of the details of those who died, see Young, 26. Hilts reports the majority were children (92).

119. Campbell, "1938 Report of the Food and Drug Administration," 911.

120. Wallace, "Elixir Sulfanilamide Report," 1321.

121. Wallace, "Elixir Sulfanilamide Report," 1317.

122. Wallace, "Elixir Sulfanilamide Report," 1325.

123. Silverman, 306. Crawford reports that Massengill's chemist who prepared the elixir, Harold Watkins, was dead by his own hand a few months later (73).

124. Wallace, "Elixir Sulfanilamide Report," 1317.

125. Silverman, 302. Campbell explained that the drug had shown "dramatic curative effects." (Campbell, 1938 Report of the Food and Drug Administration, 911.)

126. Silverman, 304. Reports had revealed prior to release of the drug that taken internally, diethylene glycol could be harmful. See Campbell, "1938 Report of the Food and Drug Administration," 911.

127. Roosevelt, 111.

128. Roosevelt, 111.

129. Wiley, *An Autobiography*, 299.

130. *The New York Times*, "Senator Copeland Dies in Washington; Overwork Factor," June 18, 1938, Sec. A, 1.

131. Roosevelt, 422.

132. Roosevelt, 422.

133. Roosevelt, 422.

134. Wells, 108-110.

135. Wells, 163.

136. Wells, 223.

137. Tugwell, *Democratic Roosevelt*, 465.

138. Wells, 101; J. Stanley Lemons, "The Sheppard-Towner Act: Progressivism in the 1920s," *The Journal of American History* 55 (1969): 776-786. See "Designing Women and Old Fools: Writing Gender into the Social Security Law," by Alice Kessler-Harris in *Women's America: Refocusing the Past*, Linda K. Kerber and Jane Sherron De Hart, eds., (New York: Oxford University Press, 2004), 435-447.

Selected Bibliography

- Anderson, Oscar E. Jr. "The Pure-Food Issue: A Republican Dilemma, 1906-1912." *The American Historical Review* 61 (1956): 550-573.
- Crawford, Kenneth G. *The Pressure Boys: The Inside Story of Lobbying in America*. New York: Julian Messner, Inc., 1939.
- Dunn, Charles Wesley. *Federal Food, Drug and Cosmetic Act: A Statement of its Legislative Record*. New York: G.E. Stechert & Co., 1938.
- Evans, Sara M. *Born for Liberty: A History of Women in America*. New York: The Free Press, 1989.
- Federal Food, Drug and Cosmetic law: Administrative Reports, 1907-1949, Food Law Institute Series. Chicago: Commerce Clearing House, Inc, 1951.
- Hilts, Philip J. *Protecting America's Health: The FDA, Business, and One Hundred Years of Regulation*. New York: Alfred A. Knopf, 2003.
- Kerber, Linda K. Alice Kessler Harris and Kathryn Kish Sklar, eds., *U.S. History as Women's History: New Feminist Essays*. Chapel Hill: The University of North Carolina Press, 1995.
- Kessler-Harris, Alice, Linda K. Kerber and Jane Sherron De Hart, eds., *Women's America: Refocusing the Past*. New York: Oxford University Press, 2004.
- Lamb, Ruth deForest. *American Chamber of Horrors: The Truth About Food and Drugs*. New York: Farrar & Rinehart, 1936.
- Lemons, J. Stanley. "The Sheppard-Towner Act: Progressivism in the 1920s." *The Journal of American History* 55 (1969): 776-786.
- Maddocks, Mildred, ed. *The Pure Food Cook Book: The Good Housekeeping Recipes, Just How to Buy – Just How to Cook*. New York: Hearst's International Library Co., 1914.
- New York Times*, July 1911 – June 1938.
- Roosevelt, Franklin Delano. *The Public Papers and Addresses of Franklin D. Roosevelt*. Vol. 4: The Court Disapproves: 1935. New York: Random House, 1938.
- Silverman, Milton. *Magic in a Bottle*. New York: The Macmillan Company, 1941.
- Tugwell, Rexford G. *Roosevelt's Revolution: The First Year – A Personal Perspective*. New York: Macmillan Publishing Co., Inc., 1977.

---. *The Democratic Roosevelt: A Biography of Franklin D. Roosevelt*. New York: Doubleday & Company, Inc., 1957.

Wells, Mildred White. *Unity in Diversity: The History of the General Federation of Women's Clubs*. Washington, D.C.: General Federation of Women's Clubs, 1953.

Wiley, Harvey W. *Harvey W. Wiley: An Autobiography*. Indianapolis: The Bobbs-Merrill Company, 1930.

---. *The History of a Crime Against the Food Law: The Amazing Story of the National Food and Drugs Law Intended to Protect The Health of the People Perverted to Protect Adulteration of Foods and Drugs*. Washington: Harvey W. Wiley, 1929.

United States v. 5 One-Pint bottles and 23 One-gallon bottles, more or less, of elixir terpin hydrate and codeine; same v. 14 one-gallon bottles and 4 one-pint bottles, more or less, of elixir terpin hydrate and codeine. District Court, S.D. New York. November 8, 1934.

Young, James Harvey. "Three Southern Food and Drug Cases." *The Journal of Southern History* 49 (1983): 3-36.