

The Food, Drug, and Cosmetic Act of 1938: A Frontier in Medical Regulation

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When we first heard the theme “Frontiers in History” we started with the initial idea of something in the medical area as that was a common passion among all of us, and, by taking inspiration from the disaster of Thalidomide (A drug that caused physical defects), we found Elixir Sulfanilamide. Initially, we thought the drug itself and its story was going to be our project, but it failed to accommodate the “Frontier” requirement. Instead of trying to find something completely new and unrelated, we found that the tragedy of Elixir Sulfanilamide contributed to the Food, Drug, and Cosmetic act of 1938, which is most definitely a frontier in history.

We devised a new plan for finding information and started to explore new government databases and FDA websites to get a better look at this topic, which ended up working. Furthermore, utilizing more primary sources also helped us add more sources and greatly contributed to our sense of perspective on the topic. Next, we have to focus on actually creating the project. We did this by first establishing what Elixir Sulfanilamide was and what caused it, then, we began to focus on how the government would attempt to amend the Food, Drug, and Cosmetic Act.

Another thing we had to pay attention to were the pictures that we used, because, after all, it was a documentary and we had to use high quality and relevant pictures. The most reliable source that we found were the FDA and government run websites because of the fact that they had first hand accounts of the times and because all acts and information were well documented in the FDA.

In our project, our Historical argument was focussing on why the FD&C Act happened, how the government responded to those factors, and how it continues to affect us today. In short, our historical argument was that the FD&C Act of 1938 was a frontier in history because of its rippling effects in history.

Linking on this last point, our project was extremely significant from a historical perspective. It paved the way for future acts that protected the average consumer and addressed many medical tragedies that could have been avoided through proper medicinal restrictions. The Food, Drug, and Cosmetic act and all of its amendments throughout history are the reason why we can use our day-to-day products knowing that our safety and well-being are being protected by this piece of legislation. Therefore, with all this in mind, it was hugely important in history.

We created our project by first gaining an understanding of the topic, then we wrote the script which included the background information, frontier, short-term, and long-term impacts. Once we had done this we recorded the voiceover and then found corresponding pictures with what we were talking about and merged it all together on iMovie. Then came the hardest part. Editing. We had to make the documentary flow seamlessly, add little finishing touches that made it more professional, and then, finally, the credits.

Annotated Bibliography

By: Adit Bathla, Saurav Verma, and Ben Liu

Annotated Bibliography

Primary Sources:

Journals/Books:

Epstein, Jessica. “DRUGS THAT SHAPED THE FDA: FROM ELIXIR

SULFANILAMIDE TO THALIDOMIDE.” Bull. Hist. Chem., VOLUME 43,

Number 2

http://acshist.scs.illinois.edu/bulletin_open_access/v43-2/v43-2%20p102-110.pdf

Accessed 5 Jan. 2023

This document was especially helpful as it had a strong similarity and connection to our topic and provided new and helpful information that we would not have found otherwise. It gave us context and a new perspective on the chemicals Elixir Sulfanilamide and Thalidomide, and how the Cosmetic Act was shaped because of that and helped us connect to the “frontier” theme that was given because of its connection with the topic, and its advancing throughout our society.

Goldstein, Laurence. "MORE FAREWELLS TO MARILYN." *Michigan Quarterly Review*, vol. 61, no. 3, 2022, pp. 401-431, VIII. ProQuest; eLibrary, <https://explore.proquest.com/elibrary/document/2694511671?accountid=166406>

Accessed 14 Dec. 2022

This source provided some context to how people felt when they saw their children or friends being carted off with the fatal disease. This wasn't something that you went through every day, therefore, it was a huge deal when it did happen. It's important to have some idea of the emotional duress, otherwise, the scope of the problem cannot be understood.

Greene, Jeremy A, and Scott H Podolsky. "Reform, regulation, and pharmaceuticals--the Kefauver-Harris Amendments at 50." *The New England journal of medicine* vol. 367,16 (2012): 1481-3. doi:10.1056/NEJMp1210007

This journal and text helped us understand the timeline of the FD&C Act and the amendments that came after it. It gave a short summary of each of the Amendments, what year they were introduced, why they were introduced, and their impact. This helped connect our topic to the theme and provided us the timeline of those crucial amendments and acts that prevailed through the advancements of medicine.

Lamb, Ruth DeForest. "The American Chamber of Horrors." *American Chamber of Horrors: The Truth about Food and Drugs*, New York City, Arno Press, 1976, pp. 1-418.

This was one of the most crucial books for gaining an understanding of the topic. It showed us what went through people's minds before the Food, Drug, and Cosmetic act of 1938. It also gives us intimate examples of some little disasters before Elixir Sulfanilamide and the overall morale before Elixir Sulfanilamide pushed the government over the edge.

"Maker of Fatal Elixir Admits Violating Law." *UNKNOWN. CATO Institute*, www.cato.org/sites/cato.org/files/styles/aside_mobile/public/2020-09/Maker-of-fatal-elixir-admits-violating-law-newspaper-clipping.jpg?itok=iOMwRn9x.

Accessed 19 Feb. 2023.

This article showed us how the public and the press viewed Elixir Sulfanilamide and if the FDA was making any progress in apprehending those responsible for it. It also makes you wonder, how might the frontier that was the FD&C Act have helped the FDA catch them?

“Medicine (1937).” *The World Book Year Book*, World Book Inc., Chicago, 15 Oct. 2015.

***ELibrary*,**

<https://explore.proquest.com/elibrary/document/1972250658?accountid=166406>.

Accessed 21 Nov. 2022

This book gave us, despite its high complexity, a little bit of insight into what was going on before the Cosmetic act and the build-up to such an act. It did have an exceeding amount of irrelevant information, though some small parts of the book told us how people knew of the problems with false advertising of drugs, but couldn't do anything about it. This little mindset helped us comprehend such a complex and scary time.

Court Documents/ Newspapers:

Ballentine, Carrol. “Sulfanilamide Disaster.” *Fda.gov, FDA Consumer Magazine*, June 1981

<https://www.fda.gov/files/about%20fda/published/The-Sulfanilamide-Disaster.pdf>

Elixir Sulfanilamide is regarded as the turning point and the big “eye-opener” to what poor medical laws could allow. This article provided depth to that disaster, depth to an extremely complex and deep time in our history.

Congressional Documents and Publications, 12 July 2017. ELibrary, ProQuest.

<https://explore.proquest.com/elibrary/document/1918340155?accountid=166406>

This hearing, like so many of the other sources, provided another perspective on who was really to blame for so many medical fatalities during the 20th century. Thalidomide and Elixir Sulfanilamide are the most prominent ones. It helped us understand the weight of the situation and how crucial the Food, Drug, and Cosmetic act of 1938 was.

“Federal Food, Drug, and Cosmetic Act (1938).” American History, ABC-Clio, 2022, americanhistory.abc-clio.com/Search/Display/298717. Accessed 7 Nov. 2022.

This is the full, original, Cosmetic act of 1938 to give us a first-hand view of what was written. Not only did it provide context, but it also allowed us to fully understand all the intricacies behind the Cosmetic Act of 1938 and what was rectified in the following years.

"Food and Drug Administration." American History, ABC-CLIO, 2022, americanhistory.abc-clio.com/Search/Display/253460. Accessed 7 Dec. 2022.

This gave us a brief understanding of the Cosmetic Act and gave us key information vital to the project that explained what the FDA does and what it is known for. When starting with minimal information, basic facts like this are vastly important.

**Center for Food Safety and Applied Nutrition. "Product Testing of Cosmetics." *U.S. Food And Drug Administration*, 21 Nov. 2022,
www.fda.gov/cosmetics/cosmetics-science-research/product-testing-cosmetics.**

This was a full document stating the process of testing the cosmetics and food and was especially useful in our long and short-term impact pages, where we learned more about how this affected us.

**Schwarcz, Joe. "Miracle elixir had lethal effects: Spate of sulfanilamide deaths led FDR to push for 1938's Food, Drug, and Cosmetic Act." *The Gazette*, 07/26 1998, pp. D5.
ProQuest; eLibrary,
<https://explore.proquest.com/elibrary/document/433298462?accountid=166406>.**

The story of how the drug elixir sulfanilamide affected the patient, gave us a brief understanding of how the Cosmetic Act came about. From the FDA and ProQuest library.

Senate Health, Education, Labor, and Pensions Committee Hearing. Federal Information & News Dispatch, LLC 2011. ProQuest; eLibrary,

<https://explore.proquest.com/elibrary/document/892591745?accountid=166406>.

Similar to the previous hearing, we wanted to understand if other people had seen the same pattern of horrible medical mistakes costing lives. This time, the testimony by Gordon Johnston addressed the shortcomings and flaws in the initial 1938 act. For all its flowers that have been heavily pushed in our project, we wanted to diversify our view and see what was holding it back, and here it was.

Enforcement of the Food, Drug, and Cosmetic Act: Select Legal Issues, June 2014, p.

24.<https://sgp.fas.org/,crsreports.congress.gov/product/pdf/R/R43609>

A full summary and account of the FD&C Act are very useful and played a big part in our short and long-term impact paragraphs about what happened to the Cosmetic Act when and after it was released. Without this, the effect of this act, in the viewers mind, would be skewed.

Images/ Videos:

An Elixir Sulfanilamide Label. 1937. ResearchGate,

www.researchgate.net/profile/Daniel-Carpenter-5/publication/231968184/figure/fig1/

[AS:1108249579397120@1641238698057/An-Elixir-Sulfanilamide-Label-1937-RG-24](https://www.researchgate.net/publication/231968184/figure/fig1/AS:1108249579397120@1641238698057/An-Elixir-Sulfanilamide-Label-1937-RG-24)

[6-National-Archives.png](https://www.researchgate.net/publication/231968184/figure/fig1/AS:1108249579397120@1641238698057/An-Elixir-Sulfanilamide-Label-1937-RG-24). Accessed 4 Jan. 2023.

This picture showed us an image of an Elixir Sulfanilamide Label. This gave us specifications of how the drug was actually given to people all around the United States, what it looked like, and the advertising/information that was written on the bottle.

“Banbar Display of the American Chamber of Horrors.” U.S Food and Drug Administration, 1937.

https://www.fda.gov/files/styles/portrait_3_4_225_x_300/public/II.Banbar%20Display%20Chamber%20of%20Horrors.jpg?itok=sXGUeKrL. Accessed 16 Jan. 2023.

This is Banbar, a medicinal product that was claimed to be for the diabetic to take for any severe problems, however, in reality, it just made things worse, mainly because it had no actual effect and was marketing itself as a “replacement to insulin”. This information helped us understand what misinformation was being spread during the 1930’s.

Bizzare Health Scams from American History. 1 July 2017. Insider, i.insider.com/

59569c67b4db9b4d758b45e8?width=750&format=jpeg&auto=webp. Accessed 3 Jan. 2023.

This picture gave us more information and context to the Banbar Drug when information was scarce considering it was such an old and somewhat overshadowed tragedy.

“Bravely Takes “Hated Medicine, Dies.” Cato Institute, 17 Oct, 1937.

https://www.cato.org/sites/cato.org/files/styles/pubs_2x/public/2020-09/Jo-Anne-Cramer-sulfanilamide-death-newspaper-clipping.jpg?itok=MAg84xao. Accessed 16 Jan. 2023.

This is a picture of another person who took the Sulfanilamide liquid flavored medicine, and unfortunately for her, she also passed away, which shows the deathly impact of prescribed medicine in these times. It was also really difficult to find information about Joan and Maise Nidiffer, and this helped contribute to that, and, in turn, to help us hook the viewer with a heartfelt story.

“Bristol Myers Squibb.” Media Images, 2019.

<https://qtxasset.com/quartz/qcloud5/media/image/fiercepharma/1617889126/bms2.jpg/bms2.jpg?VersionId=mhqaDy1ijMdsR5TwthIL3y4iALKwuD1Y>. Accessed 16 Jan. 2023.

This is another one of the companies that provided the drugs and medicine to the public, and also mainly focused on marketing and selling these products to the consumers.

“Couloura Eyes.” Cosmetics and Skin, 1930.

<https://www.cosmeticsandskin.com/bcb/images/1930-coloura.jpg>. Accessed 5 Feb. 2023.

This is another product advertisement that was attempted in 1930 and stayed until 1938, when the Cosmetic Act was signed, and we can clearly see the bad advertisement skills that are being shown, and how these companies were able to attract their customers.

“Commemorating the 80th anniversary of the Passage of the 1938 Food, Drug, and Cosmetic Act.” Food and Drug Law Institute, 3 May. 2018.

<https://www.fdl.org/wp-content/uploads/2018/06/fdca.jpg>. Accessed 16 Jan 2023.

This is the work of the medicines and products that are being sold to the public and sold to children across America. This picture was used to demonstrate how the FDA figured out what drugs contain toxic chemicals and which drugs didn't actually do anything.

Commissioner, Office of the. “80 Years of the Federal Food, Drug, and Cosmetic Act.” *U.S. Food and Drug Administration*, FDA, 11 July 2018,

<https://www.fda.gov/media/114486/download>. Accessed 16 Jan. 2023.

This is a newspaper collection about the new Food, Drug, and Cosmetic act. This collection of information was a gold mine and it showed the Public view at the time of the Act and whether it would be positive or negative.

Commissioner, Office of the. “80 Years of the Federal Food, Drug, and Cosmetic Act.” *U.S. Food and Drug Administration*, FDA, 11 July 2018,
<https://www.fda.gov/about-fda/fda-history-exhibits/80-years-federal-food-drug-and-cosmetic-act>. Accessed 16 Jan. 2023.

This article, with pictures provided at the bottom, gave us even more information about the different cases that the FDA had to pursue. Cases that included Food packaging fraud, false advertising, and dangerous chemicals used in foods. It provided real-life examples of the dangers in the store that the 1938 act attempted to rectify.

“Doctors and Nurses Take Care of Patients.” *British Pathe*, 12 Nov. 2020,
<https://www.youtube.com/watch?v=k6R-X6UV4GA>. Accessed 15 Feb. 2023.

A clip of doctors and nurses taking care of these sick patients shows the impact and importance of this act, and why this connects so much to the “frontier” theme, because it shows this sadness and poor health of these innocent people, and engages the impact of the Act.

“Cosmetics Are Not Subject To The Present Law. Some Are Dangerous.” *U.S Food and Drug Administration*, 1937.
<https://www.aao.org/detail/image.axd?id=f510886b-57f1-49a0-b396-9c82b587ab21&t=636391973717500000>. Accessed 21. Feb 2023.

This is a presentation and powerful advertisement against the drugs such as Sulfanilamide and Thalidomide and people specifically not to buy these drugs. Like so many of the other sources, this gives us different perspectives, in this case, one from those that think that these drugs are indeed dangerous.

“FDA Cosmetic Act Signing.” U.S Food and Drug Administration, 25 June. 1938.

<https://www.fda.gov/media/70251/download>. Accessed 16 Jan. 2023.

This was the official signing of the Cosmetic Act on June 25, 1938, which would later become the foundation of the food industry and public health. This picture was used so that the viewer could visualize how an act was signed and then put into place.

“FDA History- Sulfanilamide.” Oxford Academic, 21 June 2018,

<https://academic.oup.com/book/37274/chapter/330512686>. Accessed 16 Nov. 2022

This was a picture showing us an example of the Elixir Sulfanilamide. It showed us what was administered to the hundred innocent people that died due to this horrible medication.

FDR Signing the 1938 Food, Drug, and Cosmetic Act. 25 June 1938. FDA,

www.fda.gov/media/70251/download. Accessed 30 Dec. 2022.

This picture gave us an insight into what it looked like when a president was signing a bill and provided an image to correlate with the passing of the 1938 Food, Drug, and Cosmetic Act.

“Food Drug Cosmetic Law.” Gstatic Images. *August 1976.*

<https://encrypted-tbn0.gstatic.com/images?q=tbn:ANd9GcSAaXjlhPtmoUUmjndAmNXeiqwW5JEFU8Y1AXuB3bVom4OCtedWpmDyqzTclhldzKNwvcE&usqp=CAU>. *Accessed 19. Feb 2023.*

A law and amendment against the medical devices used to treat the patients and public affected by the drugs, and shows how much these devices have evolved, and why it is so crucial that they did evolve.

“Gordon Dissertation.” Uchri Images, Sep. 2019.

<https://uchri.org/wp-content/uploads/2019/08/Gordon-Dissertation-Image.png>.

Accessed 16 Jan. 2023.

This is an image of the ideal situation in the long term after the Cosmetic Act signing and the terms of the agreement. It shows us the type of advertisement that the FDA had to put out in order to educate people on the dangers of these products.

“Eli Lilly.” CNBCFM Images, 2019.

https://image.cnbcfm.com/api/v1/image/106851374-16153086162021-03-09t164836z_332945025_rc2s7m9h160o_rtrmadp_0_health-elililly.jpeg?v=1669996904. Accessed 16. Jan 2023.

This is the other company that helped with selling these medicines to the public and was focused on marketing these products to the public.

“Lash Lure.” Jubilee Images, 1932.

https://live.staticflickr.com/1792/42239588524_28610d61dd_b.jpg. Accessed 16 Jan. 2023.

This is Lash Lure, one of the products that were made for the signing of the Cosmetic act, and focused on long eyelashes and beauty of the lash, but was deathly and painful for the eyelashes and did much damage to the consumers.

“Medical Device Amendments.” Wiki Images. 28 May. 1976.

<>. Accessed 15 Feb. 2023.

This was the Medical Device Amendments when the studies showed that the devices were also problematic for the public and their consumption of these harmful drugs. It is a picture of the current president signing the amendment into law.

“Maker of Fatal Elixir Admits Violating Law.” *Cato Institute, Published 20 Oct. 2020.*

https://www.cato.org/sites/cato.org/files/styles/aside_mobile/public/2020-09/Maker-of-fatal-elixir-admits-violating-law-newspaper-clipping.jpg?itok=iOMwRn9x. Accessed 21 Feb. 2023.

This is an important article talking about the importance and history of the elixirs and dangerous drugs, and the impact is shown here. This is an explanation for the Cosmetic Act, and why it was so important to establish the Cosmetic Act, which would protect the public from any dangerous diseases and side effects.

“Medicines Containing Radium is Exceedingly Dangerous.” U.S Food and Drug Administration, 1937. <https://www.fda.gov/media/114664/download>. Accessed 16 Jan. 2023.

This was an article about the awakening and rise of these harmful medicines and the effects that they had on your body. Radium was a harmful chemical that had horrible side-effects on our body but it gave a chemically-induced high which people liked, making them come back to the life-threatening drug.

“Medical Marvels.” *British Pathe*, 14 Oct. 2016.

<https://www.youtube.com/watch?v=-5HQymNdFGM>. Accessed 16 Feb. 2023.

This is a story of these creations, and a personal clip of the medicine making and drug testing of these products that helped the Cosmetic Act being signed and put into play. It connects to the “frontier” theme and portion of the document because it shows the process of these dangerous drugs in the making, and the importance and advancing of

medicine over the years.

“Merck.”Content Fortune Images, 2020,

<https://content.fortune.com/wp-content/uploads/2020/05/F500-2020-069-Merck.jpg>.

Accessed 16 Jan. 2023.

This is an image of one of the main companies providing these drugs to the public and was a big part of the selling and marketing strategies to provide these medicines.

“Mixing Face Powder: Retro Cosmetics (1958).” *British Pathe Videos*, 13. Apr, 2014.

<https://www.youtube.com/watch?v=NH35f0CrIvI>. Accessed 20 Feb. 2023.

This is a video that shows the Cosmetics and parts of the Act that were formed from Cosmetic products and toxic chemicals. This is a type of face powder that was used for skincare, and a look inside of what was going on in the factories and the making of products.

“New Drug Law!” *Jubilee Images Weebly*, 3 June. 1906.

http://48842902.weebly.com/uploads/1/6/0/5/16051348/752219_orig.jpg. Accessed 21 Feb.

2023.

This gave us an understanding of the earlier laws and amendments that were made

that started to form the FDA, and started to make their way into business, as it formed in 1906. It gives us an understanding in the “frontier” part of the project, and tells us how this knowledge has developed over the years, and how these drug trials, acts, and amendments were formed.

“Part II: 1938, Food, Drug, Cosmetic Act.” *U.S. Food and Drug Administration, FDA*, 15th Nov. 2018 <https://www.fda.gov/files/ucm054837.jpg>. Accessed 16 Jan. 2023.

This is an image of the cause and effect of Lash Lure, and what painful and damaging effects it has on your eyes and eyelashes. This image provided a scope to the damage that a toxic chemical and bad, inefficient, or lack of testing could do to a person.

“Pure Drugs and Food Act Bill.” *Cato Institute*, 6 Dec. 1905.

https://www.cato.org/sites/cato.org/files/styles/pubs_2x/public/2020-09/Pure-drugs-and-food-act-bill.png?itok=PsuVzDL3. Accessed 16 Jan. 2023.

The pure drugs and food act bill says that all drugs and food had to be accepted by the government in order for them to sell, but that was not held up. This image gave us an idea of what the Pure Food and Drug act actually said, and what it was missing.

“President Kennedy Calls For Stronger Drug Laws.” *British Pathe*, 14 April. 2023.

<https://www.youtube.com/watch?v=2fp5sGvCdVE>. Accessed 20 Feb. 2023.

This is a meeting in 1962 that formed the Kefauver Harris Amendments in 1962 that patched up any holes or missing work in the 1938 act, and covered up anything that made up the safety and protection that we have today over the strict drugs and testing, and shows how much this act changed over time.

www.fda.gov/about-fda/changes-science-law-and-regulatory-authorities/part-ii-1938-food-drug-cosmetic-act. Accessed 12 Jan. 2023.

This picture was the differences that the FDA imposed from the old label to the new one. For example, the calories were larger so that it stood out more, and it also showed us what percentage of the daily “recommended” percentage.

“Radium Pad.” Dissident Media Images, 1937.

https://www.dissident-media.org/infonucleaire/radium_pad.jpg. Accessed 16 Feb. 2023

This is another newspaper update on how the substance Radium and Radium Thor substances were getting cured, and more product marketing on the Radium Solar Pad. This added more pressure on the Cosmetic Act, and made it so crucial.

“Rocky Mountains Emigrants Crossing Plains.” Britannica Images, 1937.

<https://cdn.britannica.com/37/151537-050-5A9AE4DA/Rocky-Mountains-Emigrants-Crossing-the-Plains-lithograph.jpg>. Accessed 21 Feb. 2023.

This is an image that thoroughly helps state the “frontier” part of the documentary, and shows the crossing of the borders, which is another way of saying “frontier.”

"Sears, Roebuck and Company Face Creams (1923)." *Daily Life through History*, ABC-CLIO, 2023, dailylife.abc-clio.com/Search/Display/2071100. Accessed 5 Feb. 2023

This is an advertisement image for face cream products that dated back to 1923.

This product was similar to previous face creams that had existed before, but were extremely old and dated back that it became unhealthy to the public and was stopped due to the Cosmetic Act.

**The Kansas City Wesley Journal, “Cancer Can be Cured, And These Statements Prove It.”
8 Oct. 1906.**

This newspaper article shows that Cancer was a big problem during the early 20th century and that “cures for cancer” which continue to elude us here in the 20th century miraculously were found over a century ago. Obviously, this is fake but it gave us an idea of the level of lying and misinformation that manufacturers got away with during those times.

***The Poison Eaters.* [images.squarespace-cdn.com/content/v1/](https://images.squarespace-cdn.com/content/v1/590fa928d1758e85c59391c6/1566419877934-OE6V0O41747KTKCFMK74/FDA++.jpg?format=1000w)**

[590fa928d1758e85c59391c6/1566419877934-OE6V0O41747KTKCFMK74/](https://images.squarespace-cdn.com/content/v1/590fa928d1758e85c59391c6/1566419877934-OE6V0O41747KTKCFMK74/FDA++.jpg?format=1000w)

[FDA++.jpg?format=1000w](https://images.squarespace-cdn.com/content/v1/590fa928d1758e85c59391c6/1566419877934-OE6V0O41747KTKCFMK74/FDA++.jpg?format=1000w). Accessed Jan 17 2023.

This picture was a political cartoon and it showed us how people felt about how the Federal Food and Drug administration was handling their safety, and they weren't happy about it. Perspective is priceless because it gives us an inside look to the time, and how people thought during that time.

“The Radium Water Worked Fine Until His Jaw Came Off.” A Fistful of Neurons, 9 May.

2018. <https://afistfulofneurons.com/wp-content/uploads/2018/05/Radithor.jpg>.

Accessed 16 Jan. 2023.

This is RadiThor, a distilled radioactive water that had caused many jaw and tooth problems back in the 20th century. It wasn't as major as Thalidomide or Lash Lure, but it was still deadly to the consumers.

“Time Toast Spread.” Amazon AWS Images, 2020.

<https://s3.amazonaws.com/s3.timetoast.com/public/uploads/photos/8011747/fda.jpg>.

Accessed 16 Jan. 2023.

This is an image of an approved FDA food product, yet the twist being that even FDA approved drugs were not safe because of the loopholes that were present just after the 1906 and 1938 acts which had to be rectified through amendments.

Reno Gazette-Journal from Reno, Nevada · Page 5. 27 Nov. 1937. Newspapers,
www.newspapers.com/newspage/147583478/. Accessed 30 Dec. 2022.

This picture was invaluable because it showed us what the actual consensus was regarding the protection of the average consumer. It also gave us more information, which was scarce, about Joan and Maise Nidiffer as well as allowing us to transport ourselves back to the 1930s and figure out how people felt when they read this article.

“Senate Hears Mother’s Plea To FDR.” Newspapers.com, 27 Nov. 1937.

https://img.newspapers.com/img/img?institutionId=0&user=0&id=147583478&clippingId=9704393&width=557&height=1366&crop=3799_2470_778_1944&rotation=0
. Accessed 16 Jan. 2023.

This was a plea from Joan Nidiffier’s mother, Maisse Nidiffier, after she had taken the deadly poisonous drug of Elixir Sulfanilamide, and had died. It gave us an idea of what family members go through when they lose someone that they could have avoided.

“Sulfanilamide Tragedy.” CNN Media Images, 1937.

https://media.cnn.com/api/v1/images/stellar/prod/161104154542-mary-mallon-typhoid-restricted.jpg?q=w_3475,h_2380,x_0,y_0,c_fill/w_1280
. Accessed 16 Jan. 2023.

This is a typical hospital during the times of these harsh and painful medicines and the Great Depression, with millions of kids, and adults, sickened and not feeling well. This image gave us an idea of what life really was like a hundred years ago.

“Thalidomide Tablets.” Science Museum Images, Dec. 2020.

https://www.sciencemuseum.org.uk/sites/default/files/styles/social_facebook/public/2019-12/thalidomide-tablets.jpg?h=4b4d7eed&itok=Od3XoArn. Accessed 16 Jan. 2023.

This is Thalidomide, another drug that was derogatory and vital to the consumers and one of the main drugs that shaped the Cosmetic Act. It was purposed for pregnancy and birth struggles, which caused babies to be deformed and have disabilities.

“The Cosmetic Act.” Dosteach Image Documents, 1938.

https://www.docsteach.org/images/documents/299847/lg_299847_13331.jpg. Accessed 16 Jan. 2023

This is an official document of the Food, Drug, and Cosmetic act. This gave us an inside view on how acts were actually written and presented in front of congress in the early 20th century.

The Joan Nidiffer Photo in Report of the Secretary of Agriculture, 1937.

1937. ResearchGate, www.researchgate.net/figure/The-Joan-Nidiffer-Photo-in-Report-of-the-Secretary-of-Agriculture-1937_fig2_231968184. Accessed 29 Dec. 2022.

This picture gave us a face with a name, Joan Nidiffer, and it helped us understand how even the most innocent kids weren't spared from the Elixir. A small bacterial infection turned into a matter of their life.

“The American Chamber of Horrors.” U.S Food and Drug Administration, 29 Jun. 2018.

https://www.youtube.com/watch?v=Zu_erFKxHj8. Accessed 16 Jan. 2023.

This was a video that also provided us with many useful and insightful images of these drugs and Cosmetic products vital to the public, and we saw the virtual and real impact of the public.

“The Joan Nidiffer Photo.” *Report of the Secretary of Agriculture, 1937.*

<https://www.researchgate.net/profile/Daniel-Carpenter-5/publication/231968184/figure/fig2/AS:1108249579393024@1641238698091/The-Joan-Nidiffer-Photo-in-Report-of-the-Secretary-of-Agriculture-1937.png>. Accessed 15 Feb. 2023.

This is a photo of Joan Nidiffer, a kid who lost their life due to the poisoning of Elixir Sulfanilamide, and was one of the main kids who started the Cosmetic Act,

and the reason for these other companies. This was one of the turning points of the Cosmetic Act.

“US Congress Special Session.” British Pathe’, 13 Apr. 2014.

<https://www.youtube.com/watch?v=O92UEUT-v80>. Accessed 16 Jan. 2023.

This was a Congress discussion session to discuss the terms of the Cosmetic Act and the extreme and harsh situations that had been going around at the time. This was a rare inside look in the workings of the congress a while back that we wouldn’t have otherwise seen.

Ucm054837. 1937. *FDA*, www.fda.gov/files/ucm054837.jpg. Accessed 28 Dec. 2022.

This picture showed us an example of the damage that one of the bad products, Lash Lure, could do to people in the most extreme circumstances. This gave us an idea of what dangerous drugs could truly do.

“Vanilla Extract Bottles.” U.S Food and Drug Administration, 1937.

<https://www.fda.gov/media/75904/download>. Accessed 16 Jan. 2023.

This is the vanilla extract bottle that had substantially more glass than the product itself and was an example of deviousness and an overall scam that the FDA had to

come in and fix. This allowed us to understand what lengths manufacturers went to fool people.

“WHS-Image.” Wisconsin Administration of School Boards, 2020,

<https://wasb.org/wp-content/uploads/2020/03/WHS-Image-ID-18402.jpg>. Accessed

16 Jan. 2023.

This is the classroom of Joan Nidiffier and shows us the insanity of these companies and the earnings that they made and sold to these harmful kids that did nothing to them, and makes us feel bad.

Secondary Sources:

Articles/Websites:

AHFS Patient Medication Information. “Thalidomide: Medlineplus Drug Information.”

***MedlinePlus*, U.S. National Library of Medicine, 15 Aug. 2019,**

<https://medlineplus.gov/druginfo/meds/a699032.html>.

This article told us how Thalidomide was meant to be used and it helped us understand how it was regarded as a normal, and completely safe medicine

although it killed so many people. It gave depth to Thalidomide and what it was as well, as its similarities to something more relevant, Elixir Sulfanilamide

Center for Drug Evaluation and Research. “Thalidomide (Marketed as Thalomid) Information.” *U.S. Food and Drug Administration*, FDA, 24 July 2015, <https://www.fda.gov/drugs/postmarket-drug-safety-information-patients-and-providers/thalidomide-marketed-thalomid-information>.

To further build on our knowledge of Thalidomide, we used this current source which tells us not to buy the drug over the internet because similar to the big disaster after the Cosmetic Act, it is not FDA-approved, thus, we don't know if it is safe or not.

Commissioner, Office of the. “Part II: 1938, Food, Drug, Cosmetic Act.” *U.S. Food and Drug Administration*, FDA, 15th Nov. 2018, <https://www.fda.gov/about-fda/changes-science-law-and-regulatory-authorities/part-ii-1938-food-drug-cosmetic-act>

This was a breakdown of the Food, Drug, and Cosmetic Act of 1938 which allowed us to expand our background knowledge. What pushed the act, what was going on during the time, and how might our views have changed from then to now?

"Enforcement of the Food, Drug, and Cosmetic Act: Select Legal Issues." *EveryCRS*

***Report*, 9 Feb. 2018, Tervo, MS, Christine. "The Federal Food, Drug, and Cosmetic**

Act (FDCA) Is Still Relevant and Evolving." MMS Holdings, July 2018,

www.mmsholdings.com/the-federal-food-drug-and-cosmetic-act-fdca-is-still-relevant-and-evolving/.

Accessed 16 Dec. 2022. Accessed 4 Dec. 2022.

For an act to be truly useful, there has to be a way for it to be effectively enforced.

Before this article, we were wondering, how did the FDA keep a track of the now illegal things that companies were doing? What did they have control over, their jurisdiction? This helped to answer questions to that effect.

FDA. "Summary of the Federal Food, Drug, and Cosmetic Act." *EPA*, Environmental

Protection Agency, 12 Sept. 2022,

<https://www.epa.gov/laws-regulations/summary-federal-food-drug-and-cosmetic-act>

. Summary of the Federal Food, Drug, and Cosmetic Act | US EPA

To simplify an otherwise highly complicated piece of legislation, we used this article to fully understand what the Food, Drug, and Cosmetic act of 1938 were.

Like how the EPA has to find that a product is "safe".

"Food and Drug Administration." *American Government*, ABC-CLIO, 2022,

americangovernment.abc-clio.com/Search/Display/201359. Accessed 21 Nov. 2022

As a center point of our project, we have to have an in-depth understanding of the Federal Food and Drug Administration. This article briefly explains what the FDA is, its history, and what it has done.

“Federal Food, Drug, and Cosmetic Act | United States [1938].” *Encyclopedia Britannica*, www.britannica.com/topic/Federal-Food-Drug-and-Cosmetic-Act.

This gave us a brief understanding and some new images to add to our film and helped us build background knowledge and growth in our film development and the process of making our doc.

HEALTH AND SAFETY CODE CHAPTER 431. TEXAS FOOD, DRUG, AND COSMETIC ACT.
statutes.capitol.texas.gov/Docs/HS/htm/HS.431.htm. Accessed 14 Dec 2022
<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.431.html>

This link helped us understand terms that would be used in medical labels on products that used to be sold before the FDA. Knowing this we would be able to know what terms mean on labels or photos so that we would not have to google anything.

Krohn, Lauren. "Sulfanilamide Tragedy." *American History*, ABC-CLIO, 2022, americanhistory.abc-clio.com/Search/Display/440014. Accessed 21 Nov. 2022.

Being one of the triggering factors of the Food, Drug, and Cosmetic act of 1938, we must properly understand what caused that horrific event, and how our government responded to such a problem. This article went into great detail about Elixir Sulfanilamide's growth from an antibacterial drug to a killer.

National Center for Biotechnology Information. "PubChem Compound Summary for CID 5333, Sulfanilamide" PubChem, <https://pubchem.ncbi.nlm.nih.gov/compound/Sulfanilamide>. Accessed 22 November, 2022.

Knowing the structure of a Sulfanilamide can show whether the chemical has a positive or negative effect on the human body. Though this is a complex process, this article helped break it down, which, in turn, expands our knowledge of the Elixir Sulfanilamide as a chemical.

Office of the Commissioner. "How Did the Federal Food, Drug, and Cosmetic Act Come About?" *U.S. Food And Drug Administration*, 28 Mar. 2018, www.fda.gov/about-fda/fda-basics/how-did-federal-food-drug-and-cosmetic-act-come-about.

This explained how the Cosmetic Act works and gave us a better understanding of how it started to come together to make a big impact and the remarkable deals of the numerous periods of history and time that went through to make this possible.

Tervo, MS, Christine. "The Federal Food, Drug, and Cosmetic Act (FDCA) Is Still Relevant and Evolving." *MMS Holdings*, July 2018, www.mmsholdings.com/the-federal-food-drug-and-cosmetic-act-fdca-is-still-relevant-and-evolving/. Accessed 16 Dec. 2022.

This article provided some modern context to the Food, Drug, and Cosmetic Act. Previously, we thought that it was just an old Act that influenced other acts but this shows us that the original act is still evolving and growing through amendments.

**"The American Chamber of Horrors." *U.S. Food and Drug Administration*, 30 Jan. 2018,
www.fda.gov/about-fda/histories-product-regulation/american-chamber-horrors.
Accessed 23 Dec. 2022.**

This article by the Federal Food and Drug Administration shows us some of the more intricate examples of the deviousness that Companies utilized to sell their products. Some examples are deceptive packaging, standard quality, etc.

**"The American Chamber of Horrors." *U.S Food and Drug Administration*, 29 Jun. 2018
https://www.youtube.com/watch?v=Zu_erFKxHj8. Accessed 6 Jan. 2023
United States, Congress, Senate. *FDA Cosmetic Safety and Modernization Act*.**

This is a video on the American Chamber of Horrors, which goes in-depth about the different products that the public was consuming vital and bad for their health, and it was from the FDA, giving us a useful source to see.

**Government Publishing Office. *Congress*,
www.congress.gov/bill/115th-congress/senate-bill/2003/text?format=txt
Accessed 21 Nov. 2022. *Senate Bill 115 (enacted)*, section 2003.**

This is a complex version of a congressional bill that is correlated to the Food, Drug, and Cosmetic act of 1938. The only thing that it gave us was a great insight

into the detail that they have to put into each bill to avoid loopholes that undermine the integrity of the act.

Seizure Under the Food Drug and Cosmetic Act of 1938 (FD&C Act) Applies to All FDA Regulated Products, Including Foods, Drugs.

dash.harvard.edu/bitstream/handle/1/8963871/Shane.html?sequence=2.

This helped us understand governmental aspects of the FDA and showed us a deeper understanding of this aspect. From Harvard Law school and professors, this source gave us useful and valuable information from a prestigious university.

“The Food and Drug Administration: The Continued History of Drug Advertising | Weill

Cornell Medicine Samuel J. Wood Library.” *Cornell.edu*, Weill Cornell Medicine, 2011,

library.weill.cornell.edu/about-us/snake%C2%A0oil%C2%A0-social%C2%A0media-drug-advertising-your-health/food-and-drug-administration-continued.

This source helped us learn more background information about the FDA and the years leading up to the present. This is from the Cornell University library of medicine and helped us rely on different aspects and later points of view.