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September 27, 1946

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ARIZONA ATTORNEY GENERAL

Dr. A. C. Delwarte, Secretary,
Board of Examiners,
Arizona Naturopathic Physicians,
118 E. Broadway,
Tucson, Arizona.

Dear Sir:

This will acknowledge receipt of your letter of September 1, 1946, asking for our opinion or clarification on the following:

> "Is the treatment with Chlorine Gas permitted to be given by individuals who are not Doctors? It seems as though a number of people have purchased these machines and are giving such treatments on individuals. One person advertising at $1.00 per treatment".
>
> I feel that the Therapeutic Administration of Chlorine should be done, or, prescribed by a physician.
>
> I do not know if this question has ever been brought to your attention by any of the other healing professions. I will be very grateful for any assistance you can give me on this matter".

In answer to your question we first invite your attention to Section 67-1205, A.C.A.1939:

> "For the purpose of this act, naturopathy, which includes all forms of physiotherapy, is hereby defined to be: A system of treating the abnormalities of the human mind and body by the use of drugless and non-surgical methods, and includes the use of physical, electrical, hygienic, and sanitary measures incident thereto";

also, to subdivisions (f) and (g) of Section 67-1501, A.C.A. 1939.

Subdivision (f) defines drugs as follows:

> "The term 'drugs' where not otherwise limited, means any substance used as a medicine or in the preparation of medicines".

Subdivision (g) defines medicines:

"The term 'medicines', where not otherwise limited, means drugs or chemicals, or compounds, or preparations thereof, in suitable form for use as a curative or remedial substance intended to be used either internally or externally for man".

Webster defines chlorine as follows:

"An element commonly isolated as a heavy, greenish-yellow irritating gas of disagreeable suffocating odor. When inhaled in quantity, it is poisonous. . . It is used as a powerful bleaching, oxidizing, and disinfecting agent, and in extracting metals from ores, in water purification, in medicine, and in other ways".

From the above definition and the facts stated in your letter, we are of the opinion that chlorine gas is a drug and may not be administered by a person unless such person is a licensed physician or surgeon.

Trusting the above answers your question satisfactorily,

Respectfully,

JOHN L. SULLIVAN,
Attorney General

MAURICE BARTH
Assistant Attorney General