



Lambert v. Yellowley, 272 U.S. 581, 589-91, 599-600 (1926)

The physician filed suit against the Prohibition Act's interference with his acts of prescribing vinous or spirituous liquors for medicinal purposes. On review, the Supreme Court ruled that the restrictions in the Prohibition Act against prescribing spirituous and vinous liquor were not unconstitutional and Congress did not exceed its powers because the legislation had a real and substantial relation to the appropriate enforcement of the prohibition of the manufacture, sale and transportation of intoxicating liquors for beverage purposes. The Court further reasoned that there was no right to practice medicine that was not subordinate to the police power of the states and the power of Congress to make laws necessary and proper for executing the Eighteenth Amendment.

The Court Relied on the AMA to Provide Guidance on the Topic of Alcohol and the Practice of Medicine

Indeed, the American Medical Association, at its meeting in 1917, had declared that the use of alcoholic liquor as a therapeutic agent was without "scientific basis" and "should be discouraged," and, at its meeting in June, 1921, had adopted a resolution saying "reproach has been brought upon the medical profession by some of its members who have misused the law which permits the prescription of alcohol."

The American Medical Association, whose resolution of 1917 is referred to, have filed in this case a brief as *amicus curiae*, challenging the conclusion which is drawn from that resolution and vigorously attacking the Act now under review as arbitrary and unreasonable.