

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 427, FOOD AND DRUGS ACT.

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### MISBRANDING OF A DRUG PRODUCT—"CANCERINE."

On or about April 12, 1909, C. Henry Wilson, of Shelton, Conn., shipped from the State of Connecticut to the District of Columbia a consignment of a drug product labeled "Cancerine." Samples from this shipment were procured and analyzed in the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said C. Henry Wilson and the party from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the District of Connecticut, charging the above shipment and alleging that said product was misbranded within the meaning of the said act, in the following particulars: That the label of the carton containing said product bore a statement that "This extract contains 2% alcohol," but in the stamping of said statement upon the label of said carton the size of the type used to declare the information as to the quantity and proportion of alcohol contained in said drug was smaller than 8-point (brevier) capitals, in violation of the regulations formulated by the Secretary of Agriculture under authority of section 3 of the act; that the product bore, upon the label of the carton and bottle, the word "Cancerine," which name was false and misleading in that it implied that said drug would cure or tend to cure cancer, which statement was not true and is not true; that the package in which said drug was contained bore in and upon the wrapper and in and upon the pamphlet packed with and accompanying the said drug, the following statements, to wit: "A remarkably curative extract which if faithfully adhered to will entirely eradicate cancerous poison from the system" and "A

specific cure for cancer in all its forms," which statements were and are false and misleading, in that the claims therein made for said drug were unfounded.

On April 18, 1910, the defendants entered a plea of guilty to this information and the court imposed a fine of \$100.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *May 23, 1910.*

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