

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 797, FOOD AND DRUGS ACT.

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#### MISBRANDING OF A DRUG PRODUCT — “MIXER’S CANCER AND SCROFULA SYRUP.”

On or about April 18, 1909, Charles W. Mixer, doing business under the name of Drs. Mixer, Hastings, Mich., shipped from the State of Michigan to the District of Columbia a quantity of a drug product consisting of seven packages constituting an alleged treatment for the cure of cancer, labeled, respectively: (a) “Mixer’s Cancer and Scrofula Syrup”; (b) “No. 1 Wash”; (c) “No. 1 Alterative”; (d) “Cancer Reducer”; (e) “Cancer Paste”; (f) “Cancer Salve”; (g) “Cleansing Soap Powder.” With these drugs was a pamphlet called “The Truth,” and in said pamphlet and on the labels of the packages above referred to were numerous statements as to the curative value of the treatment in question. Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the above seven packages were found to contain respectively: (a) A syrup containing potassium iodide, a small amount of vegetable ingredient similar to sarsaparilla, methyl salicylate flavoring, and about 6 per cent alcohol; (b) an ordinary solution of hydrogen peroxide; (c) a hydro-alcoholic solution containing a large amount of glycerine and small amount of vegetable matter similar to gentian; (d) a strongly alcoholic solution of camphoraceous oils combined with considerable glycerine; (e) an ointment paste made up with vaseline, including a large amount of ground flaxseed and camphoraceous oils and a substance resembling hyoscyamus or belladonna; (f) a salve composed of vaseline; (g) a powdered soap with borax and thymol. As the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said Charles W. Mixer was afforded an opportunity for hearing. As it appeared after hearing held that the said 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.

On November 5, 1910, a criminal information was filed in the District Court of the United States for the Western District of Michigan against the said Charles W. Mixer charging the above shipment and alleging that the drugs so shipped were misbranded, in that the alcohol present in the product labeled "Cancer and Scrofula Cure" was not declared on the label on the container thereof; in that the words "For the cure of Cancer" appearing on the label of the carton enclosing said remedy were misleading and deceptive, as they would induce the purchaser to believe said product to be a cure for cancer, which was contrary to fact; in that the statement "Greatest cancer \* \* \* remedy of the age," appearing on the label of said carton, was false and misleading, inasmuch as said product was not the greatest cancer remedy of the age; in that the following statements appearing in the pamphlet above referred to, packed with the product, were false and misleading: "Our remedies give safe, speedy and certain relief to the most horrible forms of cancer of the breast, face, stomach, and womb"; "Our blood remedies cures and cures to stay cured"; "We have equally as good success with internal cancer as with external, and rarely fail to cure"; "Thousands of people die of cancer and malignant growth every year who would surely have been cured by our treatment"; "Diseases for which our treatment is especially intended and will cure. Cancers \* \* \*"; "Thousands suffering from cancer and its kindred diseases have been perfectly cured by this great discovery"; "We have cured 86 per cent of all cases who have taken our treatment. This, we believe, is a better showing than any cancer specialist in this country can make"; "This valuable treatment is a positive safeguard and preventive against the development of cancer germ"; "A medicine sufficiently powerful to rid the system of every cancer \* \* \* germ," said statements being false and misleading because they tend to mislead the purchaser into the belief that the product would cure cancer, which was contrary to the facts, and because the alcohol present in the product labeled "Cancer Reducer" was not declared upon the label.

On November 11, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$25.

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

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 1, 1911.*