

Hon. Mr. HAYDEN: What is the comparable section at the present time, in the present act?

Dr. MORRELL: 6 A:

Hon. Mr. HAYDEN: Section 6 A in the present act reads:

No person shall import, offer for sale, or sell any food or drug represented by label or by advertisement to the general public as a treatment for any of the diseases, disorders, or abnormal physical states named or included in Schedule A (2) to this act or in any amendment to such schedule.

Now, you only use there the word "treatment". So your present bill is broader in its provisions?

Dr. MORRELL: Yes.

Hon. Mr. HAYDEN: If you told me, for instance, that "relief" was permitted, then I could understand the scope of this section, but to bar advertising something as a relief for these diseases, or for the pains consequent upon these diseases,—I have difficulty in accepting such an absolute prohibition.

Dr. MORRELL: The word "treatment" is in both section 6A and Section 3, and the only additions are "preventative or cure". I do not think that prevents the relief that you are speaking of.

Hon. Mr. HAYDEN: I beg your pardon?

Dr. MORRELL: I do not think that bars the things you are speaking of.

Hon. Mr. HAYDEN: Which? Section 3?

Dr. MORRELL: Yes.

Hon. Mr. HAYDEN: I was going on what you told me. I asked if I would be in trouble if I advertised a certain product as providing relief from pain produced by or consequent upon a disease enumerated in Schedule A.

Dr. MORRELL: Cancer, as an example.

Hon. Mr. HAYDEN: And you told me you would object to that.

Dr. MORRELL: We would object to that, yes.

Hon. Mr. HAYDEN: So "relief" is covered by section 3. You think it is included in the word "treatment".

Dr. MORRELL: Yes, and it has always been, I think.

Mr. CURRAN: Would it not depend on the particular representations made? It might be possible to represent something as a treatment which might not be a preventative or cure, but in other cases it might be impossible to differentiate the relief of pain from some form of treatment. I think it would have to depend on the representation.

Hon. Mr. FARRIS: It is pretty wide.

Hon. Mr. HAYDEN: Of course they have added "preventative or cure". I can understand putting the word "cure" in there, because you can build up too many false hopes in people who are sick, and they think there is some magic in what you are producing, and it is not fair, it is not right, to play on their gullibility. But not to be able to advertise something as a relief without running into a conflict with the Department, which may mean either a lawsuit or a prosecution if you do not reach an agreement, is another matter.

Mr. CURRAN: May I ask Senator Hayden a question. By the word "relief" do you mean relief only of pain, or relief of the symptoms of the disease?

Hon. Mr. HAYDEN: Both. I mean relief of pain; I mean relief of symptoms.

Mr. CURRAN: Then, when you talk about the "relief" of cancer, would not that include treatment or cure,—if you advertise a drug for the relief of cancer?