

5021. Misbranding of "Paine's Celery Compound." U. S. * * * v. Wells & Richardson Co., a corporation. Plea of nolo contendere. Fine, \$100. (F. & D. No. 6620. I. S. No. 22464-h.)

On May 24, 1916, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Wells & Richardson Co., a corporation, Burlington, Vt., alleging shipment by said company, in violation of the Food and Drugs Act as amended, on or about June 10, 1914, from the State of Vermont into the State of Maryland of a quantity of an article labeled in part, "Paine's Celery Compound," which was misbranded

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	18.5
Potassium nitrate (grams per 100 cc)-----	0.94
Sugar (grams per 100 cc)-----	5.25
Glycerin (grams per 100 cc)-----	3.58
Quinine: Present.	
Berberine: Negative.	
Ginger: Indicated.	
Cascara: Indicated.	
Emodin: Present.	

The article is a hydroalcoholic solution, slightly bitter in taste and containing potassium nitrate, with calisaya, celery, blackhaw, and sarsaparilla indicated, and the absence of prickly ash and mandrake indicated.

It was alleged, in substance, in the information that the article was misbranded for the reason that statements appearing on its labels falsely and fraudulently represented it as a remedy for nervous diseases, neuralgia, rheumatism, nervous debility, dyspepsia, and female complaints, when, in truth and in fact, it was not.

On October 3, 1916, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$100.

CARL VROOMAN, *Acting Secretary of Agriculture.*