

5269. Misbranding of "Payne's Syllax." U. S. * * * v. Edward C. Seyler. (German Medicine Co.) Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7689. I. S. No. 2335-1.)

On November 25, 1916, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward C. Seyler, trading as the German Medicine Co., Cincinnati, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 16, 1915, from the State of Ohio into the State of Georgia, of a quantity of an article labeled in part, "Payne's Syllax," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of emodin, plant extractive matter, magnesium sulphate, sugar, alcohol, and water, with a white powder at the bottom of the bottle, consisting principally of calcium sulphate.

It was charged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for diseases of the mucous membranes, catarrhal affections, indigestion, dyspepsia, catarrh, and diseases of the blood, stomach, liver, and kidneys, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that certain statements included in the circular or pamphlet accompanying the article falsely and fraudulently represented it as a remedy for rheumatism, catarrh, indigestion, dyspepsia, all forms of stomach, liver, kidney, and bladder troubles, and blood impurities, catarrh of the head, throat, stomach, liver, bowels, kidneys, and bladder, neuralgia, impure blood, scrofula, skin eruptions, pimples and chronic sores, female troubles, prolapsus uteri or falling of the womb, and leucorrhoea, when, in truth and in fact, it was not.

On February 24, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

R. A. PEARSON, *Acting Secretary of Agriculture.*