

condemnation of 69 boxes of King's O. K. Capsules, remaining unsold in the original unbroken packages at Schenectady, N. Y., alleging that the article had been shipped on April 26, 1919, and on June 15, 1919, by Hance Bros. & White, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing a mixture of santal oil and salol and tablets containing pepsin.

Misbranding of the article was alleged in that the statements on the boxes containing the article, regarding the therapeutic or curative effects of the article, to wit, "King's O. K. Capsules * * * King Medicine Co. Philadelphia * * * King's O. K. Capsules * * * Used for Gonorrhœa, Weakness, Diseases of the Bladder or Kidneys, Scalding or Burning or Thin Discharges," were false and untrue, and were wilfully, wrongfully, and unlawfully intended to deceive anyone reading the said statements, and were wilfully and wrongfully intended to cause anyone reading the same to believe that the product would produce the curative effects claimed for it by the above statements, whereas it would not, but contained a green oil consisting essentially of santal oil and salol, which did not contain any ingredient or combination of ingredients capable of producing the effects claimed for the article by the above statements.

On October 21, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7919. Adulteration of oysters. U. S. * * * v. Merrell-Haviland Oyster Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D No 10884. I. S. Nos. 2004-r, 2005-r, 2412-r.)

On December 16, 1919, the United States attorney for the Southern District of New York, 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 Merrell-Haviland Oyster Co., a corporation, New York, N. Y., alleging shipment by the defendant, in violation of the Food and Drugs Act, on or about January 6, 1919, from the State of New York into the States of Washington and California, of a quantity of an article which was alleged to be adulterated. The article was labeled in part, "Shipped by Member of Oyster Growers & Dealers Ass'n of N. A. * * * Merrell-Haviland Oyster Co., Foot of Pike St., E. R., New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the addition of water.

Adulteration of the article was alleged in the information in that a certain substance, to wit, water, had been substituted in part for oysters, which the article purported to be; for the further reason that valuable constituents of the article had been in part abstracted from the article, and that the article was an article of food, and that a certain substance, to wit, water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength.

On December 24, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*