

5680. Adulteration of oysters. U. S. * * * v. Benjamin J. Rooks and Benjamin D. Rooks (B. J. Rooks & Son). Pleas of nolo contendere. Fine, \$40. (F. & D. No. 7672. I. S. Nos. 3771-1, 3772-1.)

On June 23, 1917, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Benjamin J. Rooks and Benjamin D. Rooks, trading as B. J. Rooks & Son, Longmeadow, R. I., alleging the shipment by said defendants, in violation of the Food and Drugs Act, on or about February 24, 1916 (two shipments), from the State of Rhode Island into the State of Massachusetts, of quantities of oysters which were adulterated.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Liquor (per cent)-----	7.68	11.91
Meat (per cent)-----	92.32	88.09
Sodium chlorid in liquor (per cent)-----	0.58	0.54
Total solids in meat (per cent)-----	16.01	15.87
Ash in meat (per cent)-----	1.17	1.07
Sodium chlorid in meat (per cent)-----	0.20	0.21
Loss on boiling (per cent)-----	46.4	46.2

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On June 28, 1917, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$40.

C. F. MARVIN, Acting Secretary of Agriculture.