

Issued July 26, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2453.

(Given pursuant to section 4 of the Food and Drugs Act.)

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**U. S. v. 10 Carloads of Feed Barley. Decree of condemnation by consent.  
Goods released on bond.**

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### ADULTERATION OF FEED BARLEY.

On January 29, 1913, the United States Attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 carloads of feed barley remaining unsold in the original unbroken packages and in possession of the Chicago, Burlington & Quincy Railroad Co. upon its tracks at St. Paul, Minn., alleging that the product had been delivered for shipment and transportation in interstate commerce by the Brown Grain Co., Minneapolis, Minn., on January 21, 1913, for carriage from the State of Minnesota into the State of Virginia for export, and charging adulteration in violation of the Food and Drugs Act. The product was invoiced and waybilled as "Feed Barley."

Adulteration of 5 carloads of the product was alleged in the libel for the reason that a substance, to wit, weed seeds to the amount of 10 per cent and wheat screenings to the amount of 10 per cent, had been mixed and packed with the article, to wit, feed barley, so as to reduce, lower, and injuriously affect its quality; and for the further reason that a substance, to wit, weed seeds to the amount of 10 per cent and wheat screenings to the amount of 10 per cent, had been substituted in part for the article, to wit, feed barley. Adulteration of the product in the other 5 cars was alleged for the reason that sub-

stances, to wit, weed seeds to the amount of 10 per cent and buckwheat screenings to the amount of 10 per cent, had been mixed and packed with the article, to wit, feed barley, so as to reduce, lower, and injuriously affect its quality, and for the further reason that substances, to wit, weed seeds to the amount of 10 per cent and buckwheat screenings to the amount of 10 per cent, had been substituted in part for the article, to wit, feed barley.

On January 31, 1913, the said Brown Grain Co., claimant, having entered its appearance and consented to the rendition of a decree, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be delivered to said claimant upon payment of all costs of the proceedings, amounting to \$20.99, and the execution of bond in the sum of \$10,000, in conformity with section 10 of the Act.

B. T. GALLOWAY,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 23, 1913.*

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