

3827. Adulteration of oats. U. S. v. 1 Carload of Oats in Bulk * * *. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6265. I. S. No. 11468-k. S. No. E-208.)

On February 4, 1915, the United States attorney for the District of Massachusetts, 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 a lot of bulk oats contained in a railroad car, remaining unsold and unloaded in the car at Newton, Mass., alleging that the product had been shipped by Fagg and Taylor, Milwaukee, Wis., and transported from the State of Wisconsin into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it contained substances, to wit, added water and barley, which said substances had been mixed and packed with said food so as to reduce, lower, and injuriously affect its quality and strength; and, further, in that substances, to wit, added water and barley, had been substituted in part for said food.

On February 11, 1915, the said Fagg and Taylor, a copartnership, claimant firm, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released and delivered to said Fagg and Taylor upon payment of the costs of the proceedings, upon amending the bill of lading and invoice covering said carload of bulk oats, if necessary, upon reducing the water content of said bulk oats to 14 per centum or less of the entire bulk thereof under the supervision of an inspector of the Department of Agriculture, and upon the execution and filing of a bond in the sum of \$500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 10, 1915.*