

4172. Adulteration of oats. U. S. * * * v. 1, 1, 1, 1, 1 and 1 Carload of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6287. I. S. Nos. 1187-k, 12334-k, 1184-k, 1185-k, 12336-k, 12342-k. S. No. E-214.)

On January 29, 1915, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 6 libels for the seizure and condemnation of 6 different carloads of oats, remaining unsold and unloaded from the cars, in or near Newport News, Va., alleging that one of the cars had been shipped December 28, 1914, two had been shipped December 30, 1914, and one had been shipped December 31, 1914, that one had been shipped January 7, 1915, and one had been shipped January 9, 1915, by the Hooper Grain Co., Chicago, Ill., and transported from the State of Illinois into the State of Virginia for export to a foreign country, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in each of the libels for the reason that the same had been mixed and packed with a certain substance; to wit, barley, and other substances, so as to reduce and lower and injuriously affect its quality and strength, and, further, for the reason that a certain substance, to wit, barley, and other substances, had been substituted in part for oats.

On February 12, 1915, upon motion of the said Hooper Grain Co., claimant, it was ordered by the court that the libels be consolidated and treated as one case. On the same date said claimant, by its answer having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$9,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*