

**4253. Adulteration and misbranding of oats. U. S. v. 150 Bags of Oats**  
\* \* \*. **Consent decree of condemnation and forfeiture. Product**  
**ordered released on bond.** (F. & D. No. 6591. I. S. No. 11693-k. S. No.  
E-305.)

On June 10, 1915, the United States attorney for the Eastern District of North Carolina, 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 150 bags of oats, remaining unsold in the original unbroken packages at Raleigh, N. C., alleging that the product had been shipped May 31, 1915, by Callahan & Sons (Inc.), Louisville, Ky., and transported from the State of Kentucky into the State of North Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act. The bags were labeled "160 pounds white oats."

It was alleged in the libel that the oats were in violation of section 7, Food and Drugs Act, paragraphs 1 and 2, the said oats being heavily bleached and containing a large per cent of barley screenings, and were therefore adulterated within the meaning of said act. It was further alleged that the oats were in violation of section 8 of said act, first general paragraph and paragraph 2, [being] labeled "160 pounds white oats," when, in truth and in fact, the said label was false and misleading, and the said sacks did not contain 160 pounds of white oats, but contained and were supposed to contain 160 pounds of adulterated oats, as above set forth, and were therefore misbranded in violation of the section of law as above quoted. It was further alleged that the adulteration of the oats, as herein set out, and the false misbranding and labeling of the same, were all contrary to the Food and Drugs Act, passed June 30, 1906.

On June 30, 1915, the said Callahan & Sons (Inc.), claimant, 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 the costs of the proceedings and the execution of bond in the sum of \$300 in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*