

**4264. Adulteration of oats. U. S. \* \* \* v. 1 Carload of Bulk Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6658. I. S. No. 16152-k. S. No. C-257.)**

On or about June 28, 1915, the United States attorney for the Northern District of Ohio, 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 1 carload of bulk oats, remaining unsold and unloaded from the car at Cleveland, Ohio, alleging that the product had been shipped by Paul Kuhn & Co., Terre Haute, Ind., on or about June 18, 1915, and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with the oats so as to reduce or lower or injuriously affect their quality or strength, and for the further reason that a substance, to wit, water, had been substituted in part for the article.

On July 24, 1915, Elizabeth A. Kuhn and Paul Kuhn, copartners, doing business as Paul Kuhn & Co., Terre Haute, Ind., claimants, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,500, in conformity with section 10 of the act, one condition being that the oats should be dried out thoroughly and restored to their normal moisture content under the supervision of an inspector of the Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*