

**4266. Adulteration of oats. U. S. \* \* \* v. 300 Bags \* \* \* of Oats.  
Consent decree of condemnation and forfeiture. Product ordered  
released on bond. (F. & D. No. 6663. I. S. No. 16111-k. S. No. E-310.)**

On or about June 30, 1915, the United States attorney for the Southern District of West Virginia, 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 300 bags, more or less, each containing 160 pounds of oats, remaining unsold in the original unbroken packages at Bluefield, W. Va., alleging that the product had been shipped on or about June 1, 1915, by Callahan & Sons (Inc.), Louisville, Ky., and transported from the State of Kentucky into the State of West Virginia, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "160 lbs. Callahan's Electric Oats choice white."

Adulteration of the article was alleged in the libel for the reason that said oats contained water, which had been added thereto so as to reduce and lower and injuriously affect the quality and strength thereof, and which said water had been substituted in part for the said article.

On July 28, 1915, the said Callahan & Sons (Inc.), claimant, having filed its claim for the property and having declined to plea further or offer proof, 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. It was further ordered by the court that said claimant should be required to dry out the oats so as to remove all added moisture, and for said purpose that the oats might be removed to Louisville, Ky.

CARL VROOMAN, *Acting Secretary of Agriculture.*