

**5336. Adulteration of oats. U. S. \* \* \* v. 2 Carloads of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 7809. I. S. Nos. 1414-m, 1415-m. S. No. E-726.)

On October 28, 1916, the United States attorney for the District of Maryland, 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 2 carloads of oats, remaining unsold and unloaded from the cars at Baltimore, Md., alleging that the article had been shipped by Donahue, Stratton & Co., Milwaukee, Wis., and transported from the State of Wisconsin into the State of Maryland, the shipment having arrived on October 26, 1916, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained a large percentage of foreign matter, to wit, wild oats, other grains, weed seeds, dust, and chaff, which had been mixed with and substituted for oats, the approximate percentage of adulteration being from 15 to 16 per cent.

On November 1, 1916, John T. Fahey & Co., Baltimore, Md., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant for cleaning of all foreign matter from said oats, under the supervision of a representative of the Bureau of Chemistry, upon the payment of the costs of the proceedings and all expenses incident to said cleaning and the execution of a bond in the sum of \$10,000, in conformity with section 10 of the act.

R. A. PEARSON, *Acting Secretary of Agriculture.*