

4258. Adulteration of oats. U. S. v. 240 Bags of Oats * * *. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6613. I. S. No. 11699-k. S. No. E-318.)

On June 12, 1915, the United States attorney for the Northern District of Georgia, 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 240 bags of oats, remaining unsold in the original unbroken packages at Athens, Ga., alleging that the product had been shipped about June 1, 1915, by McDonald & Co., New Albany, Ind., and transported from the State of Indiana into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The product was label: "McDonald's Magic Purified Oats 159-1/4 lbs. when packed."

It was alleged in the libel that the article was adulterated in violation of section 7, paragraphs first and second, of said Food and Drugs Act under "Food" in the following respects, to wit, a substance, to wit, water, had been mixed and packed with said oats so as injuriously to affect the quality thereof, and a substance, to wit, water, had been substituted in part for the oats.

On June 18, 1915, the said McDonald & Co., claimants, having admitted the truth of the allegations contained in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said McDonald & Co., upon payment of the costs of the proceedings and the execution of bond in the sum of \$600, in conformity with section 10 of the act, one of the conditions being that the bags should be labeled so as to show the amount of moisture contained therein.

CARL VROOMAN, *Acting Secretary of Agriculture.*