

5220. Adulteration of oats. U. S. * * * v. John S. McDonald and Morris J. McDonald (McDonald & Co.). Plea of guilty. Fine, \$200 and costs. (F. & D. No. 7600. I. S. Nos. 11692-k, 11697-k, 11698-k, 11699-k, 16109-k, 16110-k.)

On November 17, 1916, the grand jurors of the United States, within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment against John S. McDonald and Morris J. McDonald, trading as McDonald & Co., New Albany, Ind., charging shipment by said defendants, in violation of the Food and Drugs Act, on May 29, 1915, from the State of Indiana into the State of Alabama, and on June 1, 1915, from the State of Indiana into the States of Tennessee, North Carolina, Georgia, and Alabama, respectively, of quantities of oats, which article was adulterated. The article was labeled in part: "* * * Purified Oats * * *," except one shipment which was unlabeled.

Analysis of a sample of the article in each shipment by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article in each shipment was charged in the indictment for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oats, which the article purported to be.

On December 4, 1916, the defendants entered pleas of guilty to the indictment, and the court imposed a fine of \$200 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*