

**3819. Adulteration of oats. U. S. v. \* \* \* 1 Car and 1 Car Filled with Oats. Consent decrees of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 6236. I. S. Nos. 11466-k, 11467-k. S. No. E-197.)

On February 1 and 5, 1915, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1 carload and 1 carload of oats, remaining unsold and unloaded in the cars near the city of Buffalo, New York, alleging that the product was in process of interstate transportation from the State of Wisconsin into the State of Pennsylvania, the shipments having been made on or about January 19, 1915, by Fagg & Taylor, Milwaukee, Wis., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libels that said oats contained in said cars were adulterated in that a substance, to wit, water, had been mixed and packed with said oats so as to reduce and lower or injuriously affect their quality and strength, and, further, in that a substance, to wit, water, had been substituted in whole or in part for oats.

On February 11, 1915, the said Fagg & Taylor, a copartnership, Milwaukee, Wis., claimants, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be released and delivered to said claimants or their nominee upon the execution of a bond for \$1,000, in conformity with section 10 of the act, and the payment of costs, and upon amending the bill of lading and invoice covering said carloads of bulk oats, if necessary, and upon reducing the water content of said bulk oats to 14 per centum or less of the entire bulk thereof, under the supervision of an inspector of the Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 8, 1915.*