

**6246. Adulteration and misbranding of oats. U. S. \* \* \* v. 1 Carload of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 383-c.)**

On April 26, 1918, the United States attorney for the Eastern District of Virginia, acting upon a report by the dairy and food commissioner of Virginia, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one carload of oats, remaining unloaded at Richmond, Va., alleging that the article had been shipped on or about April 8, 1918, by the Mueller & Young Grain Co., Chicago, Ill., and transported from the State of Illinois into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it had been mixed and packed with certain foreign substances, to wit, barley, wheat, moldy corn, and more than 13 per cent of chaff and weed seeds, so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oats.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under, the name of another article, to wit, oats.

On May 2, 1918, the said Mueller & Young Grain Co., claimant, having prayed for the release of the oats, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000. in conformity with section 10 of the act.

G. I. CHRISTIE, *Acting Secretary of Agriculture.*