

On February 4, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13066. Adulteration and misbranding of oats. U. S. v. 150 Sacks of Oats. Decree of condemnation and forfeiture. Product released under bond to be relabeled.** (F. & D. No. 18795. I. S. No. 19529-v. S. No. E-3935.)

On June 18, 1924, 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 praying the seizure and condemnation of 150 sacks of oats, remaining in the unbroken packages at Bremen, Ga., alleging that the article had been shipped by Thistlewood & Co., from Cairo, Ill., on or about June 12, 1924, and transported from the State of Illinois into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Crescent Brand Sample Oats Sulphur Bleached."

Adulteration of the article was alleged in the libel for the reason that corn, ergot, barley, wheat, weed seeds, wild oats, and dirt had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the designation "Sample Oats" was false and misleading and deceived and misled the purchaser into the belief that the article was sample oats, whereas it was not but was a mixture of corn, ergot, barley, wheat, weed seeds, wild oats, chaff, and dirt. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, sample oats.

On June 23, 1924, Thistlewood & Co., Cairo, Ill., having appeared as claimants for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that it be relabeled "Mixed grain, composed of oats, corn, ergot, barley, wheat, weed seeds, wild oats, chaff, and dirt."

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13067. Adulteration and misbranding of prepared mustard. U. S. v. 3½ Barrels and 3 Barrels of Prepared Mustard. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 18835, 18836. I. S. Nos. 12712-v, 12716-v. S. No. E-4884.)

On July 15, 1924, 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 libels praying the seizure and condemnation of 6½ barrels of prepared mustard, remaining in the original unbroken packages at Baltimore, Md., consigned in part February 11, 1924, and in part March 27, 1924, alleging that the article had been shipped by A. Luedemann (Inc.), from New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Prepared Mustard Composed Of Mustard Seed Bran Vinegar Salt Spices Turmeric Etc."

Adulteration of the article was alleged in the libels for the reason that a substance, added mustard bran, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Prepared Mustard" was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On January 28, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*