

the statement that the article was pure peanut oil, while, in fact, it was not a pure peanut oil, but cottonseed oil, a cheaper and inferior oil, was mixed with the peanut oil.

On May 19, 1919, the J. F. Sherman Mercantile Co., Trinidad, Colo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7242. Misbranding of kippered sardines. U. S. \* \* \* v. 90 Cases of Kippered Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9883. I. S. No. 14952-r. S. No. E-1259.)**

On March 12, 1919, the United States attorney for the District of New Jersey, 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 90 cases, each containing 48 tins of kippered sardines, at Atlantic City, N. J., alleging that the article had been shipped on or about June 19, 1918, from Chicago, Ill., and transported from the State of Illinois into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Net Contents 13 ozs. California Kippered Sardines. Packed by the Curtis Corporation Long Beach (Los Angeles Harbor) California \* \* \*"

Misbranding of the article was alleged for the reason that the statement borne on the label of the cans, to wit, "Net Contents 13 ozs.," was false and misleading in that it deceived and misled the purchaser into the belief that each of said tins had a net weight of 13 ounces, whereas, in truth and in fact, each of the said tins did not have a net weight of 13 ounces, there being an average shortage of weight in each of said tins of kippered sardines. Misbranding of the article was alleged for the further reason that the product in the said cans was food in package form, and the quantity was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On August 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7243. Adulteration of oranges. U. S. \* \* \* v. 60 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9888. I. S. No. 13407-r. S. No. E-1260.)**

On March 14, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said district a libel for the seizure and condemnation of 60 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about February 19, 1919, by the California Fruit Growers Exchange, Pomona, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Carlo Brand Washington Navels Grown and Packed by Pomona Fruit Growers Exchange, Pomona Los Angeles County Cal."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance unfit for food.

On March 29, 1919, Owen G. Butts, Pittsburgh, Pa., claimant, having consented to a decree, 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