

Oreg., alleging that the article had been shipped by the Produce Fruit Co., Lindsey, Calif., on December 26, 1919, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act.

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

On February 6, 1920, R. L. Phillippi, claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$462, in conformity with section 10 of the act, and with the proviso that such oranges as were fit for human consumption might be made into marmalade.

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

**S405. Misbranding of salted anchovies. U. S. \* \* \* v. 4½ Cases of Salted Anchovies and U. S. \* \* \* v. 4 Cases of Salted Anchovies. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 12534, 12535. I. S. No. 13463-r. S. No. E-2049.)**

On April 1, 1920, 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 said district libels for the seizure and condemnation of certain quantities of salted anchovies, at Belle Vernon and New Castle, Pa., alleging that the article had been shipped on or about October 16, 1919, from Monterey, Calif., and transported from the State of California into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Salted Anchovies especially selected and packed by Cardinale and Lafata, Monterey, Calif."

Misbranding of the article was alleged in the libels in that the label on the package containing the article, to wit, "Net weight 25 lbs.," was false and misleading and deceived and misled the purchaser, in that the average gross weight of the package was 23 pounds, 11 ounces, the weight of the fish being 15 pounds, 15 ounces, tin and wood, 2 pounds, salt and brine making up the balance. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight and measure.

On May 8, 1920, Cardinale & Lafata, claimants, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimants upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$150 in each case, in conformity with section 10 of the act.

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

**S406. Adulteration of evaporated apples. U. S. \* \* \* v. 25 Boxes, More or Less, of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12548. I. S. No. 7762-r. S. No. C-1883.)**

On April 9, 1920, the United States attorney for the District of Minnesota, 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 25 boxes of evaporated apples, at Minneapolis, Minn., alleging that the article had been shipped on or about February 20, 1920, by A. C. Hamilton &