

Misbranding was alleged for the reason that the package or label of the article bore statements regarding it and the ingredients and substances contained therein which were false and misleading and deceived and misled the purchaser, to wit, "Curtis Quality * * * Pure Olive Oil * * *." Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 14, 1920, the said Curtis Corporation, claimant, having 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 proceeding and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the claimant should relabel the goods under the supervision of this department.

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

8417. Misbranding of orange marmalade. U. S. * * * v. 8 Cases of Orange Marmalade. Product ordered released on bond. (F. & D. No. 12981. I. S. No. 16723-r. S. No. E-2402.)

On June 28, 1920, 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 a libel for the seizure and condemnation of 8 cases of orange marmalade, consigned on or about February 21, 1919, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the California Packing Co., San Francisco Calif., and transported from the State of California into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Orange Marmalade * * * Del Monte Brand Extra Quality * * * Net Weight 15 Ounces."

Misbranding was alleged in the libel for the reason that the package or label of the article bore the statement, "Net Weight 15 Ounces," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason 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, since the quantity marked was not correct.

On July 20, 1920, said California Packing Co., having filed its answer admitting the allegations of misbranding contained in the libel, it was ordered by the court that the United States marshal deliver the product to said claimant company upon payment of all 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 the product be properly labeled under supervision of this department.

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

8418. Misbranding of blackberry preserves. U. S. * * * v. 128 Cases of Blackberry Preserves. Product ordered released on bond. (F. & D. No. 12982. I. S. No. 16724-r. S. No. E-2403.)

On June 28, 1920, 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 a libel for the seizure and condemnation of 128 cases of blackberry preserves, consigned on or about February 21, 1919, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the California Packing Co., San Francisco, Calif., and transported from the State of California into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.