

5169. Misbranding of butter. U. S. v. 294 1-Pound Prints and 116 1-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 9704. Sample No. 30580-F.)

This product was short-weight.

On March 15, 1943, the United States attorney for the Western District of Washington filed a libel against 294 1-pound prints and 116 1-pound cartons of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about March 8, 1943, by Swanson's Creamery from Mobridge, S. Dak.; and charging that it was misbranded. The article was labeled in part: "Dakota Maid Butter * * * One Pound Net Weight," or "1 Lb. Net Dakota Maid Creamery Butter."

The article was alleged to be misbranded in that the prints and cartons of said product did not contain "One Pound Net Weight" or "1 Lb. Net" as labeled.

On April 3, 1943, Milton Stienecker, of Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

5170. Misbranding of butter. U. S. v. 58 Cartons of Butter. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 9807. Sample No. 14948-F.)

On January 4, 1943, the United States attorney for the Southern District of California filed a libel against 58 cartons, each containing 30 retail packages, of butter at Long Beach, Calif., alleging that the article had been shipped in interstate commerce on or about December 28, 1942, by the Mountain States Creamery from Salt Lake City, Utah; and charging that it was misbranded. The article was labeled in part: (Retail cartons) "One Pound Net Mountain View Brand Creamery Butter Distributed by Mountain View Dairies, Inc., Long Beach-Los Angeles Calif."

The article was alleged to be misbranded in that the prints did not contain 1 pound net as labeled.

On January 12, 1943, the Mountain States Creamery having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

5171. Misbranding of butter. U. S. v. 15 Cases of Butter. Decree of condemnation. Product ordered released under bond to be brought up to labeled weight. (F. D. C. No. 9786. Sample No. 14085-F.)

On March 15, 1943, the United States attorney for the District of Arizona filed a libel against 15 cases, each containing 30 1-pound prints, of butter at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce on or about March 5, 1943, by the Swisher Creamery Co. from Tulia, Tex.; and charging that it was misbranded. The article was labeled in part: (Carton) "Rainbow Butter, One Pound Net, Creamery Butter, Distributed by Dickey-Davis Co. Phoenix, Arizona."

The article was alleged to be misbranded in that the prints did not contain "One Pound Net" as labeled.

On April 28, 1943, the Swisher Creamery Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought up to the labeled weight, under the supervision of the Food and Drug Administration.

5172. Misbranding of butter. U. S. v. 11 Cases of Butter. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9968. Sample No. 48063-F.)

This product was short-weight.

On April 21, 1943, the United States attorney for the Southern District of Ohio filed a libel against 11 cases of butter at Cincinnati, Ohio, which had been consigned on or about April 16, 1943, alleging that the article had been shipped in interstate commerce by the Napoleon Creamery from Napoleon, Ind.; and charging that it was misbranded. The article was labeled in part: "1/4 Lb. Net Weight."

It was alleged to be misbranded in that the prints did not contain "1/4 Lb. Net Weight."