

alleging that the article had been shipped in interstate commerce on or about May 15, 1943, by the Kimbell Food Products Co. from Fort Worth, Tex.; and charging that it was misbranded. The article was labeled in part: "Okla Brand Peanut Butter * * * Net Wt. 1 Lb. 8 Oz. Distributed by Ridenour-Baker Merc. Co. Oklahoma City."

The article was alleged to be misbranded in that the statement on the label "Net Wt. 1 Lb. 8 Oz." was false and misleading as applied to an article short in weight, and in that it was food in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On June 22, 1943, the Kimbell Food Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the containers be refilled to the declared weight under the supervision of the Food and Drug Administration.

5399. Misbranding of peanut butter. U. S. v. 1,809 Cases of Peanut Butter. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 10182. Sample No. 8143-F.)

On June 2, 1943, the United States attorney for the District of Minnesota filed a libel against 1,809 cases of peanut butter at Minneapolis, Minn. On July 8, 1943, an amended libel was filed, the amended libel alleging that the article had been consigned, on or about June 11, 1943, in interstate commerce by the Sessions Company, Inc., from Enterprise, Ala.; and charging that it was misbranded. The article was labeled in part: (Jars) "Goldcraft Peanut Butter * * * Net Wt. 2 Lbs." The article was alleged to be misbranded in that the statement "Net Wt. 2 Lbs." was false and misleading as applied to an article that was short-weight, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On August 13, 1943, the Sessions Company, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling in compliance with the law under the supervision of the Food and Drug Administration.

5400. Misbranding of peanut butter. U. S. v. 1,098 Cases of Peanut Butter. Consent decree of condemnation. Product ordered released under bond for repackaging. (F. D. C. No. 9918. Sample No. 45078-F.)

On May 10, 1943, the United States attorney for the Eastern District of New York filed a libel against 1,098 cases, each containing 12 jars, of peanut butter at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about March 31, 1943, by the Wilmar Manufacturing Co. from Philadelphia, Pa.; and charging that it was misbranded. The article was labeled in part: (Jars) "Bohack's Quality Stores * * * Peanut Butter * * * Net Weight 1 Lb."

The article was alleged to be misbranded in that the statement "Net Weight 1 Lb." was false and misleading as applied to an article that was short-weight, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On June 22, 1943, the H. C. Bohack Co., Inc., of Brooklyn, N. Y., 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 returned to the manufacturer for repacking to the declared weight, under the supervision of the Food and Drug Administration.