**27100. Adulteration of apples. U. S. v. 646 Bushel Baskets of Apples. Decree of condemnation. Product released under bond subject to washing.** (F. & D. no. 39066. Sample no. 19777-C.)

These apples were contaminated with lead-spray residue.

On January 16, 1937, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 646 baskets of apples at La Crosse, Wis., alleging that they had been shipped in interstate commerce on or about January 5, 1937, by A. F. Talcott from Caldwell, Idaho, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Hillcrest Brand Idaho Apples."

It was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, lead, which might have rendered it injurious to health.

On February 10, 1937, A. F. Talcott, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the deleterious substance be removed by washing.

W. R. GREGG, *Acting Secretary of Agriculture.*

**27101. Misbranding of table sirup. U. S. v. 49 Cases of Sirup. Decree of condemnation. Product released under bond to be relabeled.** (F. & D. no. 39077. Sample no. 31127-C.)

This product consisted in large part of corn sirup, was manufactured by the American Syrup & Sorghum Co., and was labeled to convey the impression that it was fancy blended sorghum sirup made on the farm.

On February 15, 1937, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 cases of sirup at Denver, Colo., consigned by the American Syrup & Sorghum Co., alleging that it had been shipped in interstate commerce on or about October 14, 1936, from St. Louis, Mo., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Farmer Jones Pride Brand * * * Fancy Blended Sorghum Syrup 60% Corn Syrup, 30% Sorghum, 10% Refiners Syrup. Manufactured by American Syrup & Sorghum Co., * * * General Offices, St. Louis, Mo."

It was alleged to be misbranded in that the brand name, "Farmer Jones Pride", the design of a cane field, cane crusher, and vat for boiling down the sirup, the statements "Fancy Blended Sorghum Syrup", and "None genuine without this label and signature Yours truly Farmer Jones", borne on the label, were false and misleading and tended to deceive and mislead the purchaser since they represented that the article was manufactured by a farmer in the field where it was grown and that it was a fancy blended sorghum sirup; whereas it was manufactured by the American Syrup & Sorghum Co. at one of their plants, was not a fancy blended sorghum sirup but contained corn sirup; and the misbranding by reason of the statement "Fancy Blended Sorghum Syrup" was not corrected by the inconspicuous statement, "60% Corn Syrup, 30% Sorghum and 10% Refiners Syrup."

On March 6, 1937, the American Syrup & Sorghum Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled.

W. R. GREGG, *Acting Secretary of Agriculture.*

**27102. Adulteration and misbranding of potatoes. U. S. v. 365 Bags of Potatoes. Consent decree of condemnation. Product ordered released under bond subject to relabeling.** (F. & D. no. 39094. Sample no. 5055-C.)

This product fell below the grade declared on the label.

On February 16, 1937, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 365 bags of potatoes at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about January 28, 1937, by Piowaty Bros., Inc., from Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. It was labeled in part: "U. S. Grade Number One Michigan Radio Potatoes, Piowaty Bros., Chicago, Ill."