

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

51-70

COSMETICS

The cases reported herewith commenced prior to June 30, 1940, were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Secretary of Agriculture; and those commenced on and after that date were similarly instituted upon reports submitted by direction of the Federal Security Administrator.

PAUL V. McNUTT, *Administrator, Federal Security Agency.*

WASHINGTON, D. C., December 1, 1941.

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COSMETICS, ADULTERATED OR ADULTERATED AND MISBRANDED

PERMANENT WAVE SOLUTIONS

Nos. 51 to 57 report the seizure and disposition of a permanent waving method each unit of which consisted of a cardboard box holding one bottle each of a shampoo hair conditioner, a curling solution, and a neutralizing solution. Accompanying several of these units was a bottle labeled in part "Sealing Cream." The curling solution contained ammonium hydrogen sulfide, which would be injurious to users under customary conditions of use.

51. Adulteration of heatless method of permanent waving. U. S. v. 47 Units of Willat Method of Heatless Permanent Waving (and 132 other cases against Willat method). Default decrees of condemnation and destruction. (F. D. C. Nos. 4232 to 4235, incl., 4257, 4258, 4266, 4267, 4292 to 4298, incl., 4300, 4309 to 4315, incl., 4322 to 4326, incl., 4330, 4333, 4339, 4344 to 4346, incl., 4348 to 4351, incl., 4359, 4360, 4362 to 4367, incl., 4383, 4384, 4389, 4390, 4405 to 4412, incl., 4421, 4422, 4424, 4426, 4431 to 4443, incl., 4452, 4457 to 4471, incl., 4473, 4486 to 4495, incl., 4502 to 4505, incl., 4512, 4513, 4515 to 4517, incl., 4521, 4522, 4527 to 4546, incl., 4548, 4549, 4588, 4602 to 4626, incl., 4629 to 4632, incl., 4707 to 4709, incl., 4715 to 4717, incl., 4745 to 4748, incl., 4754, 4765, 4766, 4771 to 4776, incl., 4791, 4792, 4814 to 4816, incl. Sample Nos. 27-E, 5161-E to 5164-E, incl., 5190-E to 5200-E incl., 5576-E, 5578-E, 11262-E to 11265-E, incl., 14291-E, 14293-E to 14295-E, incl., 14299-E, 14300-E, 16851-E, 17661-E, 19388-E, 19389-E, 19391-E to 19395-E, incl., 25728-E, 25806-E to 25809-E, incl., 28267-E, 28270-E, 28271-E, 29191-E, 29192-E, 29545-E to 29563-E, incl., 31328-E, 35192-E, 35380-E, 35871-E, 37290-E to 37296-E, incl., 38675-E, 38676-E, 38679-E, 38680-E, 39236-E, 39728-E to 39732-E, incl., 39801-E, 39802-E, 40430-E, 40433-E, 40624-E, 40626-E, 40702-E to 40707-E, incl., 42061-E, 42062-E, 42289-E to 42292-E, incl., 42376-E, 42525-E to 42527-E, incl.,

42718-E to 42720-E, incl., 43350-E to 43352-E, incl., 43381-E, 43382-E, 43422-E to 43425-E, incl., 43428-E, 43429-E, 48019-E, 48240-E, 48241-E, 48248-E, 49029-E, 50529-E, 50826-E, 50827-E, 50930-E, 51060-E, 51062-E to 51069-E, incl., 51221-E, 51222-E, 51224-E, 51225-E, 51227-E, 51228-E, 56147-E to 56151-E, incl., 56155-E, 56229-E, 56237-E to 56239-E, incl., 57198-E, 58135-E, 58181-E to 58183-E, incl., 58192-E to 58197-E, incl., 58432-E to 58440-E, incl., 58984-E to 58986-E, incl., 58988-E to 58990-E, incl., 58992-E to 58994-E, incl., 58996-E, 58997-E, 60087-E, 60089-E, 60578-E, 60719-E, 69034-E to 69036-E, incl.

Between the dates of April 3 and May 21, 1941, the United States attorneys for the Middle and Northern Districts of Alabama, District of Columbia, District of Delaware, Southern District of Florida, Northern District of Georgia, District of Idaho, Northern District of Indiana, Northern and Southern Districts of Iowa, Eastern and Western Districts of Louisiana, District of Maryland, District of Massachusetts, District of Minnesota, Eastern and Western Districts of Missouri, Eastern, Northern, and Western Districts of New York, Northern and Southern Districts of Ohio, Northern and Western Districts of Oklahoma, District of Oregon, Eastern, Middle, and Western Districts of Pennsylvania, District of Rhode Island, District of South Dakota, Eastern and Western Districts of Tennessee, Eastern, Northern, and Southern Districts of Texas, and Eastern and Western Districts of Wisconsin filed libels against the following quantities of Willat Method of Heatless Permanent Waving: 224 units at Birmingham, 34 units at Montgomery, and 49 units at Opelika, Ala.; 60 units at Washington, D. C.; 84 units at Wilmington, Del.; 6 units at Fort Lauderdale, 22 units at Lake Worth, 96 units at Miami, 79 units at Palm Beach, 187 units at West Palm Beach, and 45 units at Tampa, Fla.; 86 units at Atlanta, Ga.; 19 units at Boise, Idaho; 34 units at Warsaw, Ind.; 27 units at Cedar Rapids, 46 units at Clinton, 194 units at Des Moines, 48 units at Independence, 67 units at Sioux City, and 51 units at Waterloo, Iowa; 23 bottles at New Orleans and 45 units at Shreveport, La.; 44 units at Bethesda and 215 units at Baltimore, Md.; 109 units at Boston, 28 units at Lynn, 54 units at Springfield, and 19 units at Worcester, Mass.; 25 units at Duluth, 366 units at Minneapolis, 11 units at Rochester, and 216 units at St. Paul, Minn.; 60 units at Clayton, 241 units at Kansas City, 281 units at St. Louis, and 54 units at Webster Groves, Mo.; 161 units at Albany, 53 units at Buffalo, 65 units at Forest Hills, 78 units at Flushing, Long Island, 234 units at Jackson Heights, L. I., 49 units at Kew Gardens, L. I., 111 units at Long Island City, 122 units at Rochester, and 9 units at Rockville Center, N. Y.; 227 units at Akron, 8 units at Canton, 91 units at Cincinnati, 314 units at Cleveland, 143 units at Cleveland Heights, 461 units at Columbus, 57 units at Lakewood, 64 units at Painesville, 46 units at Shaker Heights, and 112 units at Toledo, Ohio; 93 units at Oklahoma City and 180 units at Tulsa, Okla.; 8 units at Klamath Falls and 27 units at Portland, Oreg.; 130 units at Ardmore, 27 units at Chestnut Hill, 22 units at Clearfield, 65 units at Coraopolis, 21 units at Franklin, 60 units at Greenville, 38 units at Harrisburg, 38 units at Lancaster, 25 units at McKeesport, 34 units at Oil City, 223 units at Philadelphia, 300 units at Pittsburgh, 88 units at Uniontown, and 36 units at Upper Darby, Pa.; 59 units at Cranston, 13 units at Newport, 210 units at Providence, 59 units at Warren, 44 units at Westerly, and 49 units at Woonsocket, R. I.; 32 units at Aberdeen, S. Dak.; 52 units at Knoxville, and 38 units at Memphis, Tenn.; 42 units at Beaumont, 31 units at Dallas, and 182 units at Houston, Tex.; 2 units at Tacoma, Wash.; and 106 units at Madison and 59 units at Whitewater, Wis.

The libels alleged that the article had been shipped in interstate commerce by the Heatless Permanent Wave Co. from San Francisco, Calif., within the period beginning on or about August 15, 1940, and ending on or about April 8, 1941; and charged that it was adulterated in that it contained a poisonous or deleterious substance, ammonium hydrogen sulfide, which might have rendered it injurious to users under such conditions of use as are customary or usual.

Between the dates of May 7 and August 7, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

52. Adulteration of heatless method of permanent waving. U. S. v. 62 $\frac{1}{2}$ Dozen Units of Willat Method of Heatless Permanent Waving and 4 Bottles of Curling Solution (and 2 other seizures of Willat method). Default decrees of condemnation and destruction. (F. D. C. Nos. 4242, 4279 to 4286, incl., 4361. Sample Nos. 28274-E, 50528-E, 99885-E.)

On April 4, 9, and 16, 1941, the United States attorney for the District of Columbia filed libels against 68 $\frac{1}{2}$ dozen units of Willat Method of Heatless Permanent Waving and 4 bottles of curling solution, alleging that the articles were in interstate commerce in the District of Columbia in the possession of