

terated. The information alleged further that on or about March 25, 1948, the defendants unlawfully caused to be manufactured within the District of Columbia a quantity of the product which was adulterated.

LABEL, IN PART: "Hawaiian Special Pressing Oil * * * Mme. Bramlett-Willis Hawaiian Hair Products Corp. 5201 East Capitol St. Washington 9, D. C."

NATURE OF CHARGE: Adulteration, Section 601 (e), the article was not a hair dye and contained a coal-tar color, Butter Yellow (Colour Index No. 19), which had not been listed for use in cosmetics in accordance with the regulations and was other than one from a batch that had been certified.

DISPOSITION: November 17, 1948. Pleas of guilty having been entered, the individual was fined \$100 on each of the 2 counts of the information and was sentenced to serve 30 days in jail on each count, the sentence to run consecutively. No penalty was imposed against the corporation.

164. Adulteration of Hawaiian Pressing Oil. U. S. v. 7 Jars, etc. (F. D. C. No. 24703. Sample No. 40122-K.)

LABEL FILED: April 1, 1948, District of Columbia.

PRODUCT: 7 5-pound jars, 3 3-pound jars, and 6 1-pound jars of Hawaiian Pressing Oil, which were held for sale in interstate commerce in the District of Columbia, by the Hawaiian Hair Products Corp.

LABEL, IN PART: "Hawaiian Special Pressing Oil."

NATURE OF CHARGE: Adulteration, Section 601 (e), the article was not a hair dye and contained a coal-tar color, para dimethyl-amino-azobenzene (Colour Index No. 19), which had not been listed as harmless and suitable for use in cosmetics and was other than one from a batch that had been certified in accordance with the regulations.

DISPOSITION: August 13, 1948. Default decree of condemnation. The product was ordered destroyed, with the exception of one 1-pound jar which was ordered delivered to the Federal Security Agency, for laboratory use.

165. Adulteration of Contouré Special Formula. U. S. v. 11 Jars, etc. (F. D. C. No. 26423. Sample No. 10801-K.)

LABEL FILED: January 21, 1949, District of New Jersey.

ALLEGED SHIPMENT: On or about October 4, 1947, and February 19 and June 7, 1948, by the A. Breslauer Co., from Brooklyn, N. Y.

PRODUCT: 11 8-ounce jars and 57 2-ounce jars of Contouré Special Formula at Jersey City, N. J. The coloring matter in this product was from a batch that had been certified under the regulations. However, the regulations provide that authorization to certify coal-tar colors shall not be considered to authorize the certification of any coal-tar color for use in any article which is applied to the area of the eye; and, further, that a coal-tar color to be so applied shall be considered to be from a batch that has not been certified. The article was labeled as suitable for use around the eyes.

LABEL, IN PART: "Contouré Special Formula For Dry Skin" * * * Especially recommended for use around the eyes and on the neck."

NATURE OF CHARGE: Adulteration, Section 601 (e), the article was not a hair dye and contained a coal-tar color other than one from a batch that had been certified in accordance with the regulations.

DISPOSITION: March 14, 1949. The A. Breslauer Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency. It was relabeled by labels which omitted the recommendation for use about the eyes.

166. Adulteration and misbranding of eye shadow. U. S. v. 24 Cartons, etc.
(F. D. C. No. 24620. Sample Nos. 15162-K to 15164-K, incl.)

LIBEL FILED: May 4, 1948, Western District of Michigan.

ALLEGED SHIPMENT: On or about July 10, 1947, and March 2, 1948, by Solo Laboratories, Inc., from Chicago, Ill.

PRODUCT: 24 cartons of blue eye shadow, 21 cartons of grey eye shadow, and 22 cartons of green eye shadow at Kalamazoo, Mich. Each carton contained 12 units of $\frac{1}{16}$ ounce each.

NATURE OF CHARGE: Adulteration, Section 601 (e), each article bore or contained a coal-tar color which had not been listed as harmless and suitable for use in cosmetics and was other than one from a batch that had been certified in accordance with the regulations.

Misbranding, Section 602 (b) (1), the article failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: June 8, 1948. Default decree of condemnation and destruction.

COSMETICS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

167. Misbranding of Doris Drake Egg Shampoo. U. S. v. 24 Dozen Bars * * *
(F. D. C. No. 25158. Sample No. 4708-K.)

LIBEL FILED: August 3, 1948, District of Massachusetts.

ALLEGED SHIPMENT: On or about May 28, 1948, by Doris Drake, Inc., from New York, N. Y.

PRODUCT: 24 dozen bars of Doris Drake Egg Shampoo at Boston, Mass. Examination showed that the product did not contain whole egg and that it contained not more than 0.07 percent, if any, of egg white.

LABEL, IN PART: "Doris Drake Featherweight Egg Shampoo."

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "Egg Shampoo" was false and misleading as applied to an article which contained not more than 0.07 percent, if any, of egg white; and, Section 602 (b) (2), the label of the article failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: September 27, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

168. Misbranding of Helene Curtis Egg Shampoo. U. S. v. 13 Jugs, etc. (F. D. C. No. 24605. Sample No. 19718-K.)

LIBEL FILED: April 21, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 11, 1948, by the Helene Curtis Industries, Inc., from Chicago, Ill.

PRODUCT: 13 1-gallon jugs and 12 1-quart jugs of Helene Curtis Egg Shampoo at Cincinnati, Ohio. Examination showed that the product contained not more