

to restore normal functions and growth and produce beautiful healthy hair again in a short time, regardless of the present condition; that many bald for 18 or 20 years testified to a regrowth in approximately 2 years, and that those bald for a shorter time claimed even quicker results; that it was effective for infant scalp trouble; that it would be effective to eliminate granulated eye lids and stimulate new growth of lashes; that it was effective for sun or other burns and would prevent the formation of scar tissue and that its labeling also bore directions that in the treatment of baldness the scalp be steamed with hot towels, that as much of the product as the scalp would absorb be applied and patted in, that the scalp itself be moved with the fingers but that vigorous rubbing should be avoided, that the application should be repeated every night until results were obtained, and further directions that in the treatment for thin and falling hair, the hair should be parted and the product applied directly to the scalp, patting it in with the palm of the hand, that vigorous rubbing should be avoided; that if the hair continued to fall, less should be used since over application would tend to further loosen the hair, which representations and directions were false and misleading as applied to an article consisting essentially of mineral oil and saponifiable oils.

The article was also alleged to be misbranded under the provisions of the law applicable to cosmetics reported in C. N. J. No. 34.

On January 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**297. Misbranding of Odell's Quinine for the Hair. U. S. v. 140 Bottles of Odell's Quinine for the Hair. Default decree of condemnation and destruction. (F. D. C. No. 3609. Sample No. 24831-E.)**

This product was represented to be a quinine preparation; whereas it contained no quinine. Its labeling also bore false and misleading representations regarding its efficacy as indicated below, and failed to bear the common and usual names of the active ingredients and a statement of the quantity or proportion of alcohol contained in the article.

On December 30, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 140 bottles of Odell's Quinine for the Hair at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 19, 1940, by the Odell Company from Newark, N. J.; and charging that it was misbranded.

It was alleged to be misbranded in that the statements "Quinine \* \* \* Stimulating \* \* \* Essential to healthy hair" were false and misleading because they were incorrect. It was alleged to be misbranded further in that the label did not bear the common or usual names of the active ingredients and a statement of the quantity or proportion of alcohol that it contained.

The article was also alleged to be misbranded under the provisions of the law applicable to cosmetics, as reported in notices of judgment on cosmetics.

On January 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**298. Misbranding of Miracle Lotion. U. S. v. 81 Bottles of Miracle Lotion. Default decree of condemnation and destruction. (F. D. C. No. 3148. Sample No. 20860-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below, and it also failed to bear statements of the quantity of the contents and the common or usual name of the active ingredients.

On or about October 12, 1940, the United States attorney for the Southern District of Florida filed a libel against 81 bottles of Miracle Lotion at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about July 1, 1940, by Martinsville Laboratories, Inc., from Martinsville, Va., and charging that it was misbranded.

Analysis showed that the article consisted essentially of isopropyl alcohol (60 percent by volume), salicylic acid, benzoic acid, water, perfume, and a green coloring material.

The article was alleged to be misbranded in that the following statements appearing on the label were false and misleading since they represented that it was efficacious for the purposes recommended; whereas it was not efficacious for such purposes: "For Scalp Diseases, Dandruff, Pimples, on the Scalp, \* \* \* Falling Hair. \* \* \* Skin diseases of the body, such as Itch, \* \* \* Ring Worm, \* \* \* Acid or Heat Pimples, \* \* \* Sore Aching Joints or Muscles, etc."

It was alleged to be misbranded further in that the label failed to bear an accurate statement of the quantity of the contents; and to bear the common or usual name of the active ingredients, including the quantity, kind, and proportion of alcohol.

On November 26, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### THERAPEUTIC LAMPS

**299. Misbranding of infra-red lamps. U. S. v. 7 Infra-Red Lamps. Default decree of condemnation and destruction. (F. D. C. No. 1523. Sample No. 90939-D.)**

The labeling of this device contained false and misleading representations regarding its efficacy in the conditions indicated below.

On February 27, 1940, the United States attorney for the Western District of Washington filed a libel against 7 infra-red lamps at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about July 26, 1939, from Los Angeles, Calif., by the Lenmar Co.; and charging that it was misbranded.

Examination showed that the article consisted of a heating element screwed into a table-type lamp base.

It was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading since they represented that it was efficacious for the purposes recommended; whereas it was not efficacious for such purposes: "Healing rays from the sun \* \* \* they penetrate deep into the flesh, stimulating the nerves and causing greatly increased circulatory action, which destroys infections, rebuilds diseased tissues and promotes bodily health and vitality. \* \* \* Direct application of the lamp's rays on the area of pain will relieve suffering from asthma, neuritis, stiff swollen joints, sinus trouble, and rheumatism. Infra-red radiation, because of its soothing effect, has no equal for deep cellular massage. By its action through direct contact it breaks up congestion indicated by acute pain and poor circulation \* \* \* Heat rays penetrate down into the tissues, muscles, and even to the vital organs bringing comfort and relief. \* \* \* Women experiencing trouble at menstruation will find comforting relief by using this Infra-Red lamp's \* \* \* anemia \* \* \* asthma \* \* \* bronchitis \* \* \* backache \* \* \* bruises \* \* \* catarrh \* \* \* relieves hayfever discomforts \* \* \* cold \* \* \* cramps \* \* \* earache \* \* \* insomnia \* \* \* infection \* \* \* kidney diseases \* \* \* lumbago \* \* \* menstrual pain \* \* \* muscle diseases \* \* \* rheumatism, neuralgia, neuritis, sciatica, neuritis \* \* \* sinus trouble \* \* \* laryngitis \* \* \* toothache \* \* \* stiff neck \* \* \* Infra-Red rays are also very beneficial in the treatment of inflammation of the gall bladder, hysteria, nervous diseases, inflammation of veins, bones, membranes, and inflammation of joints."

On May 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**300. Misbranding of Samson Therapeutic Lamps. U. S. v. 55 Samson Therapeutic Lamps. Default decree of condemnation and destruction. (F. D. C. No. 1345. Sample No. 75114-D.)**

The labeling of this device contained false and misleading representations regarding its efficacy in the conditions indicated below.

On January 20, 1940, the United States attorney for the District of Minnesota filed libels against 55 of the above-named devices at St. Paul, Minn., alleging that the article had been shipped in interstate commerce within the period from on or about November 25, 1939, to on or about January 2, 1940, by the Samson United Corporation from Rochester, N. Y.; and charging that it was misbranded.

Examination showed that the product was a table-type lamp fitted with a heating element.

The article was alleged to be misbranded in that the following statements appearing in the accompanying circular were false and misleading: "Excellent for relief of arthritis, lumbago, cramps, colds, sprains, etc. The heat rays of the sun are unequalled in health preserving qualities. People whose work confines them inside, where they are unable to enjoy the heat of the sun's rays, suffer from many annoying ailments. Modern science has proved that sunshine is necessary to sound health. As a result, concentrated electric sunshine has been developed to bring the heat of the sun's rays inside when-