

**507. Misbranding of Locao Belem. U. S. v. 74 Bottles and 49 Bottles of Locao Belem. Consent decree of condemnation; product ordered released under bond. (F. D. C. No. 3447. Sample Nos. 32807-E, 32808-E.)**

On December 2, 1940, the United States attorney for the Southern District of California filed a libel against 74 3-ounce bottles and 49 6-ounce bottles of Locao Belem at Los Angeles, Calif., alleging that the article had been shipped on or about November 1, 1940, by the Belem Products Co. from Houston, Tex.; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted chiefly of water, alcohol, a foam producer, a small amount of glycerin, and perfume materials.

The article was alleged to be misbranded in that statements in the labeling representing that it was efficacious in the treatment of baldness, falling hair, dandruff, and irritated scalp; that ordinarily dandruff or itching scalp would respond quickly to treatment with it and that satisfactory improvement or even complete elimination of these conditions would result in from 2 to 4 weeks; that it would bring about improvement in the less severe cases of falling hair in a few weeks and would be efficacious to correct the more severe cases of falling hair in from 3 to 6 months; and that it would be efficacious to develop new growth on bald areas, were false and misleading since it would not be efficacious for such purposes.

On December 23, 1940, Belem Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. Subsequently, the product was relabeled to conform to the requirements of the Food, Drug, and Cosmetic Act.

**508. Misbranding of Parisian Style Saje. U. S. v. 9 Dozen Bottles of Parisian Style Saje. Default decree of condemnation and destruction. (F. D. C. No. 3217. Sample No. 4575-E.)**

This product contained no ingredient or combination of ingredients that would produce the effects indicated below. It also was deceptively packaged in that the bottle had been placed in a carton that was twice as large as would have been necessary to hold it.

On or about October 23, 1940, the United States attorney for the Northern District of Illinois filed a libel against 9 dozen bottles of Parisian Style Saje at Chicago, Ill., alleging that the article had been shipped by Giroux Manufacturing Co. from Buffalo, N. Y., on or about March 29, 1940; and charging that it was misbranded.

Examination of a sample of the article showed that it consisted essentially of water, alcohol, glycerin, and small amounts of resorcinol, volatile oils, and capsicum.

The article was alleged to be misbranded in that the following statements were false and misleading since it was not efficacious for the purposes recommended: (Carton) "To aid normal hair growth use Parisian Style Saje daily, rubbing it well into the scalp so that it can soak into the pores and stimulate the superficial circulation \* \* \* For helping the natural growth of the hair"; and (bottle) "Use often to help keep the scalp stimulated \* \* \* and aid the natural hair growth."

It was alleged to be misbranded further in that its container was so made, formed, or filled as to be misleading.

The article was also alleged to be misbranded under the provisions of the law applicable to cosmetics, as reported in C. N. J. No. 66.

On January 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**509. Misbranding of skin stimulant and texture oil. U. S. v. 114 Bottles of La Bonita Hollywood Skin Stimulant and 24 Bottles of La Bonita Hollywood Texture Oil. Decree of condemnation and destruction. (F. D. C. Nos. 4865, 4866. Sample Nos. 65607-E, 65608-E.)**

On June 9, 1941, the United States attorney for the District of Colorado filed a libel against the above-named products at Denver, Colo., which had been consigned by the House of Hollywood, alleging that the articles had been shipped in interstate commerce on or about May 2, 1941, from Los Angeles, Calif.; and charging that they were misbranded.

Analysis showed that the skin stimulant consisted essentially of alcohol, glycerin, perfume, and coloring matter; and that the texture oil was essentially a perfumed vegetable oil.

La Bonita Hollywood Skin Stimulant was alleged to be misbranded in that the name "Skin Stimulant" was false and misleading, since the article contained no ingredient capable of stimulating the skin.

La Bonita Hollywood Texture Oil was alleged to be misbranded in that the name "Texture Oil," together with the statements "Pat into the neck and jaw line using a brisk slapping motion with the back of the hand. Non-fattening," were false and misleading since they gave the impression that it would affect the structure of the skin; whereas it would not.

Both articles were alleged to be misbranded under the provisions of the law applicable to cosmetics, as reported in notices of judgment on cosmetics.

On June 27, 1941, the House of Hollywood, Los Angeles, Calif., having signed an acceptance of service and authorization for taking of final decree, judgment of condemnation was entered and the product was ordered destroyed.

**510. Misbranding of Alimentone Powder and Alimentone Tablets. U. S. v. 2 Tins of Alimentone Powder and 11 Tins of Alimentone Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3555. Sample Nos. 32625-E, 32626-E.)**

Both of these products were falsely represented to be effective in the treatment of overweight and of certain diseases of the mucous membranes.

On January 6, 1941, the United States attorney for the District of Arizona filed a libel against the above-named products at Tucson, Ariz., alleging that they had been shipped by Thomas E. Collins Co., from San Francisco, Calif., on or about July 15, 1940; and charging that they were misbranded.

Analyses of samples of the articles showed that the Alimentone Powder consisted essentially of a spray-dried product such as spray-dried skim milk, embryonic tissues such as wheat germ, and dried green leafy and stemmy material such as garden vegetables; and that the Alimentone Tablets consisted essentially of embryonic tissues such as wheat germ and dried green leafy and stemmy material such as garden vegetables.

The Alimentone Powder was alleged to be misbranded in that the statement on the label, "If overweight, take between meals on an empty stomach," was false and misleading since it was not a suitable, appropriate, or effective treatment for overweight.

The Alimentone Tablets were alleged to be misbranded in that statements on the label, "Take 5 tablets after each meal and 5 at bed time. If overweight, take between meals on an empty stomach. In cases of asthma, start with 2 tablets after each meal for the first five days. Then take 3 tablets after meals for the next five days. Then 4 tablets for the next five days. Then continue with 5 tablets four times daily," were false and misleading since they did not constitute an appropriate treatment for cases of overweight or asthma.

Both products were alleged to be misbranded in that statements in an accompanying circular, entitled "Help Nature," which represented that they constituted treatments for overweight; that they would give relief in colds, catarrh, asthma, bronchitis, hay fever, mucous colitis, vaginal catarrh, and other catarrhal conditions; that they would be effective in maintaining the normal flow of secretions from the mucous membranes and would continually flush away any impurities which might lodge in cell tissues; that they would supply those nutritional elements required by the body to actively maintain its defensive reaction against impurities and bacteria in cell tissue; that they would keep the membranes in a healthy condition; and would eliminate toxic deposits from tissues in bronchial asthma, were false and misleading since they would not be efficacious for such purposes.

On February 21, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**511. Misbranding of Oomph candy. U. S. v. 11 Dozen Boxes of Oomph Candy. Default decree of condemnation and destruction. (F. D. C. No. 8463. Sample No. 31214-E.)**

This candy, which was offered as an aid to reduction of weight, had essentially the same composition, was wrapped and packed like, and possessed approximately the same caloric value as ordinary candy.

On December 4, 1940, the United States attorney for the Eastern District of Wisconsin filed a libel against 11 dozen boxes of Oomph candy at Milwaukee,