

- 4. Adulteration of Magic-Di-Stik. U. S. v. Isaac Dellar and S. Meyer Kolmitz (Magic-Di-Stik). Pleas of nolo contendere. Imposition of sentence suspended and defendants placed on probation for 1 year. (F. D. C. No. 90. Sample Nos. 694-D, 9207-D, 9208-D, 9209-D, 9468-D, 21533-D, 23804-D, 23805-D, 24006-D, 24021-D, 24544-D, 24545-D, 24773-D, 24778-D, 28519-D, 36401-D, 37617-D, 37754-D, 37801-D.)**

This product contained a poisonous or deleterious substance, namely, paraphenylenediamine, which might have rendered it injurious to users under the conditions of use prescribed in the labeling. For labeling see No. 3 of this publication.

On January 9, 1939, the United States attorney for the Southern District of California filed an information against Isaac Dellar and S. Meyer Kolmitz, trading as Magic-Di-Stik, Los Angeles, Calif., alleging shipment by said defendants within the period from on or about June 27 to on or about July 14, 1938, from the State of California into the States of South Carolina, Texas, New York, Michigan, Ohio, Indiana, Tennessee, Arkansas, Missouri, Washington, Kansas, Louisiana, Mississippi, and Alabama of quantities of Magic-Di-Stik, which was an adulterated cosmetic.

On September 11, 1939, the defendants entered pleas of nolo contendere. Pronouncement of sentence was withheld and the defendants were given 1 year's probation, concurrently, on each of the 19 counts of the information.

- 5. Adulteration of Loris Permanent Lash and Brow Colure. U. S. v. 12 Cartons and 9 Boxes of Loris Permanent Lash and Brow Colure. Default decrees of condemnation and destruction. (F. D. C. Nos. 24, 46, 47. Sample Nos. 2142-D, 22641-D, 22642-D.)**

This product contained a poisonous or deleterious substance, viz, paraphenylenediamine, which might have rendered it injurious to users under the conditions of use prescribed in the labeling quoted hereinafter.

On or about August 5 and 8, 1938, the United States attorneys for the Western District of New York and the Western District of Michigan filed libels against 12 cartons of the above-named product at Buffalo, N. Y., and 9 boxes at Marquette, Mich.; alleging that the article had been shipped in interstate commerce within the period from on or about July 11 to on or about July 19, 1938, by the Loris Laboratories from Chicago, Ill.; and charging that it was adulterated.

The article was labeled in part: "Put contents of one capsule in mixing bowl and add 17 volume peroxide to make paste. Apply cream to skin underneath the eye to hold eye-shields in place. Cover lashes completely with paste and leave on about five minutes for deep black. Remove the dye thoroughly with water and cleanse with a good eye wash. Do not attempt to dye infected or granulated eyelids and be cautious at all times to insure safety. To obtain completely satisfactory results it is necessary to use entire contents of one capsule for each lash and brow dye."

On September 8 and 19, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

- 6. Adulteration of Loris Permanent Lash and Brow Colure. U. S. v. Elmer J. Paine and Russell H. Albin. Plea of nolo contendere by Elmer J. Paine. Plea of guilty by Russell H. Albin. Imposition of sentence suspended and defendants placed on probation for 2 years. (F. D. C. No. 93. Sample Nos. 2142-D, 22641-D, 22642-D.)**

This product contained paraphenylenediamine, a poisonous or deleterious substance that might have rendered it injurious to users under the conditions of use prescribed in the labeling. For labeling see No. 5 of this publication.

On February 27, 1939, the United States attorney for the Northern District of Illinois filed an information against Elmer J. Paine and Russell H. Albin, trading at Chicago, Ill., alleging shipment by said defendants, within the period from on or about July 7 to on or about July 19, 1938, from the State of Illinois into the States of Michigan and New York of quantities of Loris Permanent Lash and Brow Colure, which was an adulterated cosmetic.

On October 31, 1939, Elmer J. Paine entered a plea of nolo contendere and on the same date Russell H. Albin entered a plea of guilty. Imposition of sentence was suspended and the defendants were placed on probation for 2 years.

- 7. Adulteration of Hollywood Lash and Brow Dye. U. S. v. 26 Cartons of Hollywood Lash and Brow Dye (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 57, 58, 60. Sample Nos. 10151-D, 23813-D, 27546-D.)**

This product contained a poisonous or deleterious substance—paraphenylenediamine, which might have rendered it injurious to users under the conditions of use prescribed in the labeling quoted hereinafter.