

the containers and placed in mass form for reshipment to Paris, France, and that the containers be salvaged.

CREAMS AND LOTIONS

17. Adulteration and misbranding of Madam C. J. Walker's Tan-Off. U. S. v. 717 Tins of Madam C. J. Walker's Tan-Off. Default decree of condemnation and destruction. (F. D. C. No. 187. Sample No. 29485-D.)

This product was recommended in its labeling for brightening sallow or dark skin, for the treatment of freckles and skin-blotch, and for clearing the complexion. It was directed in the labeling that it be applied with the tips of the fingers before retiring and allowed to remain on the skin overnight and that after washing in the morning it be applied and allowed to remain from 5 to 10 minutes. It contained ammoniated mercury, a poisonous or deleterious substance, which might have rendered it injurious to users under the conditions of use prescribed in its labeling or under such conditions of use as are customary or usual.

On March 3, 1939, the United States attorney for the Northern District of Ohio filed a libel against 717 tins of the above-named product at Cleveland, Ohio; alleging that the article had been shipped in interstate commerce on or about February 2, 1939, by the Madam C. J. Walker Manufacturing Co. from Indianapolis, Ind.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated under the provisions of the law applicable to cosmetics for the reasons stated above. It was also alleged to be misbranded under those applicable to drugs, as reported in D. D. N. J. No. 67.

On September 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

18. Adulteration and misbranding of Miller's Anti-Mole. U. S. v. 21 Packages of Miller's Anti-Mole. Default decree of condemnation and destruction. (F. D. C. No. 228. Sample No. 66601-D.)

This product was recommended in the labeling for use on the face, neck, scalp, arms, or any part of the body for the removal of warts and moles. It contained nitric and acetic acid, poisonous or deleterious substances, which might have rendered it injurious to users under the conditions of use prescribed in the labeling or under such conditions of use as are customary or usual. The labeling bore directions that it be applied with a hardwood toothpick, used very sparingly so that all the liquid applied would be absorbed; that small warts on the scalp usually could be rubbed off with the first application, a large one requiring more thorough treatment; and that one application was sufficient to remove warts when used properly. It was further directed that the user pick gently so that the liquid would penetrate the skin if the growth treated was very small, that when the skin turned yellow no more should be applied; but that with a large wart enough should be used to turn it dark; that about two hours after applying, the growth should be greased with vaseline to keep it soft and to prevent soreness. Users were cautioned not to use the preparation on themselves unless the growth was on arm, leg, or where freely accessible; that the scab should not be picked off; that a little vaseline should be placed around the growth to keep the liquid from spreading; and that the product should not be permitted to enter the eye. The labeling also bore the word "Poison" and external and internal antidotes.

On May 16, 1939, the United States attorney for the Western District of Missouri filed a libel against 21 packages of Miller's Anti-Mole at Kansas City, Mo.; alleging that the article had been shipped in interstate commerce on or about March 13, 1939, by the Miller Manufacturing Co. from Lincoln, Nebr.; and charging that it was adulterated and misbranded.

It was alleged to be an adulterated cosmetic for the reasons given above. It was also alleged to be a misbranded drug as reported in D. D. N. J. No. 71.

On July 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

19. Adulteration and misbranding of O. J.'s Beauty Lotion. U. S. v. 428 Bottles of O. J.'s Beauty Lotion. Default decree of condemnation and destruction. (F. D. C. No. 242. Sample No. 62843-D.)

This product contained mercuric chloride, a poisonous and deleterious ingredient.

On August 8, 1939, the United States attorney for the Northern District of Texas filed a libel against 428 bottles of O. J.'s Beauty Lotion at Dallas, Tex.; alleging that the article had been shipped in interstate commerce by O. J.'s

Beauty Lotion Co. from Shreveport, La. (consigned about May 8, 1939); and charging that it was adulterated and misbranded. It was labeled in part: "O. J.'s Beauty Lotion Cleanses, Clears, Bleaches, Beautifies * * * Manufactured and guaranteed by O. J. Parham for O. J.'s Beauty Lotion Co., Shreveport, La."

Adulteration was alleged in that the article was a cosmetic and contained mercuric chloride, a poisonous and deleterious substance which might have rendered it injurious to users under the conditions of use prescribed in the labeling or under such conditions of use as are customary or usual. It was recommended in its labeling for the removal of externally caused pimples, freckles, superficial discoloration, tan, and sunburn. The circular accompanying it bore directions that in the beginning of the treatment the preparation be used sparingly once or twice a day and that the frequency of application be increased, if desired, until a roughness or slight reddening of the skin was experienced; that if the skin was supersensitive and the irritation became annoying a small amount of cold cream should be applied and the treatment discontinued for 24 hours; that it be used daily as a cleansing agent; its astringent and beneficial qualities making it especially desirable for such purposes. It stated that frequent use of the article would remove superficial imperfections, contract the pores and correct oiliness; that it contained ingredients recognized and used by physicians and prescription druggists as a bleaching agent; that it had gained supremacy in the most difficult sun country—the South—and if used full strength daily, would remove freckles and similar spots or blemishes and the coarsening effects of tan by sun and wind. It stated that the lotion be used full strength as an application to the scalp before shampooing and three or four times a week on the scalp in a solution of one part of the lotion to three parts of water applied with fingertips or brush; that it was a delightful after-shaving lotion and would tend to close large pores and leave the face clean and cool; that it was a desirable application for cuts, scratches, and abrasions of the skin for which it should be used full strength; that its astringent properties would prevent collection of foreign matter and excessive oily secretions. Its labeling bore the word "Poison" and directions that it should not be taken internally and should be kept out of the hands of children.

It was also alleged to be a misbranded drug, as reported in D. D. N. J. No. 72. On September 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

20. Adulteration and misbranding of Othine. U. S. v. 26 Packages and 28 Jars of "Othine, Triple Strength." Default decrees of condemnation and destruction. (F. D. C. Nos. 213, 214. Sample Nos. 35880-D, 52229-D.)

This product was a skin bleach prepared especially for the removal of freckles. It contained ammoniated mercury, a poisonous or deleterious substance, which might have rendered it injurious to users under the conditions of use prescribed or under the conditions of use which are customary or usual. Its labeling bore directions that it be applied lightly with the finger tips, before retiring after first washing the face with soap and warm water and drying it thoroughly; that it should not be rubbed in and should be left on all night and washed off in the morning, and that directions should be followed nightly until entire jar had been used. The user was cautioned not to apply the cream too close to the eyes or on eyelids, throat or neck, or near open cuts and not to use it while one has prickly heat or fresh sunburn. It was directed in the circular that in the case of sensitive skin showing irritation after first day's applications, that the treatments should be stopped and a little vaseline applied; and that they should be resumed after 2 or 3 days with one application every other day until the skin became used to it, increasing by degrees until one treatment a day could be given without causing irritation.

On March 30 and 31, 1939, the United States attorneys for the District of Massachusetts and the Western District of Pennsylvania filed libels against 26 packages of Othine at Boston, Mass., and 28 jars of Othine at Pittsburgh, Pa.; alleging that the article had been shipped in interstate commerce by the Othine Laboratories, Inc., from Buffalo, N. Y., within the period from on or about December 1, 1938, to on or about March 15, 1939; and charging that it was adulterated and misbranded.

The article was alleged to be an adulterated cosmetic for the reasons stated above. It was also alleged to be a misbranded drug as reported in D. D. N. J. No. 69.

On April 24 and May 1, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.