

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.