

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 795 of the Food, Drug, and Cosmetic Act]

31-50

COSMETICS

The cases reported herewith commenced prior to June 30, 1940, were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Secretary of Agriculture; and those commenced on and after that date were similarly instituted upon reports submitted by direction of the Federal Security Administrator.

WAYNE COY, *Acting Administrator, Federal Security Agency.*

WASHINGTON, D. C., *April 11, 1941.*

CONTENTS

	Page		Page
Cosmetics, adulterated or adulterated and misbranded.....	17	Cosmetics, misbranded (on account of deceptive containers).....	20
Eyelash and eyebrow dyes.....	17	Dentifrices and shaving cream.....	20
Hair dye.....	18	Miscellaneous.....	23
Scalp remedy.....	19	Index.....	24

COSMETICS, ADULTERATED OR ADULTERATED AND MISBRANDED

EYELASH AND EYEBROW DYES

31. Adulteration of Andree Permanent Eye Lash and Brow Colure. U. S. v. Leroy K. Payne (Andree Laboratories). Plea of nolo contendere. Sentence of 90 days' imprisonment suspended and defendant placed on probation for 3 years. (F. D. C. No. 2085. Sample No. 47483-D.)

This product contained paraphenylenediamine, a poisonous or 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.

On July 17, 1940, the United States attorney for the Eastern District of Pennsylvania filed an information against Leroy K. Payne, trading as Andree Laboratories, at Coatesville, Pa., alleging shipment by said defendant on or about July 15, 1938, from the State of Pennsylvania into the District of Columbia of a quantity of the above-named cosmetic, which was adulterated for the reasons appearing above. The article was labeled in part: "Andree Permanent Eye Lash and Brow Colure. This Colure Contains No Lead Nor Silver."

On September 11, 1940, the defendant entered a plea of guilty; and on September 16, 1940, the court sentenced him to serve 90 days in jail. On October 17, 1940, the court amended the sentence by suspending it and placing the defendant on probation for 3 years.