

more especially near the scalp. To do so, shampoo thoroughly with borax, soap and warm water, or better, Farr's Shampoo. Then rinse well with clean water several times to remove all the lather from the hair. Dry thoroughly. Pour a small quantity of the Preparation into a saucer and apply with a tooth brush or nail brush, thoroughly moistening the gray hair. Important.—After the hair has become fairly dry, use the sensitizing tablets, according to directions. The hair may be shampooed and curled as often as desired after the proper color has been secured. External Use Only. Keep Bottle in Box * * * Spread newspapers over porcelain bowl or table to prevent staining. Wash the skin around the hair-line with soap and water to remove any stain, also if the solution drops on the skin. Throw an old wrap over the shoulders and wear an old pair of gloves when applying the solution. If the hair is very gray it is advisable to treat a small lock of the outside hair with the Preparation for a few days before applying it all over the hair in order to see the final results"; (folder) "Farr's Sensitizing Tablets * * * After applying Farr's for Gray Hair and when the hair is fairly dry, dissolve one tablet in two tablespoonfuls of water. If it requires more than two tablespoonfuls to go over the hair, dissolve more of the tablets in the same proportions, that is, one tablet to each two tablespoonfuls of water. Be sure to be accurate about the exact amount of water to each tablet. Apply this solution with a tooth or nail brush. If the desired color is not obtained from the first treatment, again apply the Farr's for Gray Hair and this sensitizing solution, using the same quantity of both in each treatment. The six tablets may be dissolved in a six ounce bottle at one time if more convenient. These six tablets make enough sensitizing solution for one six ounce bottle of Farr's for Gray Hair. The liquid in the bottle contains the color ingredients. The tablet is merely a developer to bring out the color imparted by the Farr's for Gray Hair. For this reason never use the tablet solution unless you have first used the Farr's for Gray Hair. If the hair becomes too dark lighten it by shampooing with Borax and water or a strong soap. The next time add three tablespoonfuls of water to each tablet. The more water used with each tablet the lighter the hair will become. The hair may be shampooed and curled as often as desired after the proper color is obtained. Spread newspapers over porcelain bowl or table to prevent staining. Wash the skin around the hair line with soap and water to remove stain, also if the solution drops on the skin. Throw an old wrap over the shoulders and wear an old pair of gloves when applying the solution. External Use Only."

On August 27, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

SCALP REMEDY

34. Misbranding of L. B. Hair Oil. U. S. v. 14 $\frac{1}{2}$ Dozen Packages of L. B. Hair Oil. Default decree of condemnation and destruction. (F. D. C. No. 1043. Sample No. 70952-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below. Its package was deceptive since the bottles were pinched down to approximately one-half size in the center, and therefore contained a much smaller volume of material than would be expected from the size of the carton.

On November 22, 1939, the United States attorney for the District of Utah filed a libel against 14 $\frac{1}{2}$ dozen packages of L. B. Hair Oil at Ogden, Utah, alleging that the article had been shipped in interstate commerce in part by the L. B. Laboratories, Inc., from Hollywood, Calif., on or about September 18, 1939, and in part by McKesson & Robbins, Inc., from Los Angeles, Calif. (the later shipment made about August 21, 1939); and charging that it was a misbranded cosmetic.

It was alleged in the libel that the article was misbranded in that its labeling bore representations that it was a scalp conditioner, that it contained a balanced blend of rich animal oils and toning ingredients which would give life to the hair almost instantly, that it would aid in overcoming baldness, thin and falling hair, that it contained animal oils of a very penetrating nature, that it was an "oil of life" for the hair, that it had cured baldness in its originator, that it was a blend of animal oils which would provide the vitalizing, nourishing, and restorative elements needed by the scalp to clear out clogging waste matter and dead tissue and to restore normal functions and growth and produce beautiful healthy hair again in a short time, regardless of the present condition, that many bald for 18 or 20 years testified to a regrowth in approximately 2 years, and that those bald for a shorter time claimed even quicker results, that it was effective for infant scalp trouble, would be effective to eliminate granulated eyelids and stim-

ulate new growth of lashes; that it was effective for sun or other burns and would prevent the formation of scar tissue; and bore directions that in the treatment of baldness the scalp be steamed with hot towels, that as much of the product as the scalp would absorb be applied and patted in, that the scalp itself be moved with the fingers but that vigorous rubbing should be avoided, that the application should be repeated every night until results were obtained, and that in the treatment for thin and falling hair the hair should be parted and the product applied directly to the scalp, patting it in with the palm of the hand, that vigorous rubbing should be avoided; and that if the hair continued to fall, less should be used since over application would tend to further loosen the hair; which representations and directions were false and misleading as applied to an article consisting essentially of mineral oil and saponifiable oils.

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

It was also alleged to be misbranded under the provisions of the law applicable to drugs reported in notices of judgment on drugs and devices.

On January 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

COSMETICS, MISBRANDED (ON ACCOUNT OF DECEPTIVE CONTAINERS)¹

DENTIFRICES AND SHAVING CREAM

35. Misbranding of dental cream. U. S. v. 55½ Dozen Packages of "Super-Pure Dental Cream with Milk of Magnesia." Default decree of condemnation and destruction. (F. D. C. No. 1167. Sample No. 78884-D.)

The tube containing this product occupied only about 26 percent of the capacity of the carton.

On December 8, 1939, the United States attorney for the Western District of Pennsylvania filed a libel against 55½ dozen packages of dental cream at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about September 13, 1939, by the American Co. from Memphis, Tenn.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading.

On January 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

36. Misbranding of dental cream. U. S. v. 21 Cartons of Blue Ribbon Brand Dental Cream. Default decree of condemnation and destruction. (F. D. C. No. 1951. Sample No. 82970-D.)

The carton container of this product was unnecessarily large, the tube container occupying only 27 percent of the total capacity of the carton.

On or about December 8, 1939, the United States attorney for the Northern District of Florida filed a libel against 21 cartons of dental cream at Panama City, Fla., alleging that the article had been shipped in interstate commerce on or about August 19, 1939, by Adam Bernhard from New York, N. Y.; and charging that it was misbranded in that its container was so made, formed, and filled as to be misleading.

On January 31, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

37. Misbranding of tooth paste. U. S. v. 17 Dozen Packages of Tooth Paste. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 976. Sample No. 51991-D.)

The tube containing this product occupied only about 22 percent of the space in the carton.

On November 14, 1939, the United States attorney for the Eastern District of Pennsylvania filed a libel against 17 dozen packages of tooth paste at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about July 8, 1939, by the Comfort Manufacturing Co. from Chicago, Ill.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading. The article was labeled in part: "Tooth Paste * * * Spearmint, distributed by Allen Products."

On April 22, 1940, the Comfort Manufacturing Co. having theretofore appeared as claimant, but said claimant having failed to appear at the trial to defend its

¹ See also No. 34.