

DISPOSITION: March 14, 1949. The A. Breslauer Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency. It was relabeled by labels which omitted the recommendation for use about the eyes.

166. Adulteration and misbranding of eye shadow. U. S. v. 24 Cartons, etc.
(F. D. C. No. 24620. Sample Nos. 15162-K to 15164-K, incl.)

LIBEL FILED: May 4, 1948, Western District of Michigan.

ALLEGED SHIPMENT: On or about July 10, 1947, and March 2, 1948, by Solo Laboratories, Inc., from Chicago, Ill.

PRODUCT: 24 cartons of blue eye shadow, 21 cartons of grey eye shadow, and 22 cartons of green eye shadow at Kalamazoo, Mich. Each carton contained 12 units of $\frac{1}{16}$ ounce each.

NATURE OF CHARGE: Adulteration, Section 601 (e), each article bore or contained a coal-tar color which had not been listed as harmless and suitable for use in cosmetics and was other than one from a batch that had been certified in accordance with the regulations.

Misbranding, Section 602 (b) (1), the article failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: June 8, 1948. Default decree of condemnation and destruction.

COSMETICS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

167. Misbranding of Doris Drake Egg Shampoo. U. S. v. 24 Dozen Bars * * *
(F. D. C. No. 25158. Sample No. 4708-K.)

LIBEL FILED: August 3, 1948, District of Massachusetts.

ALLEGED SHIPMENT: On or about May 28, 1948, by Doris Drake, Inc., from New York, N. Y.

PRODUCT: 24 dozen bars of Doris Drake Egg Shampoo at Boston, Mass. Examination showed that the product did not contain whole egg and that it contained not more than 0.07 percent, if any, of egg white.

LABEL, IN PART: "Doris Drake Featherweight Egg Shampoo."

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "Egg Shampoo" was false and misleading as applied to an article which contained not more than 0.07 percent, if any, of egg white; and, Section 602 (b) (2), the label of the article failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: September 27, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

168. Misbranding of Helene Curtis Egg Shampoo. U. S. v. 13 Jugs, etc. (F. D. C. No. 24605. Sample No. 19718-K.)

LIBEL FILED: April 21, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 11, 1948, by the Helene Curtis Industries, Inc., from Chicago, Ill.

PRODUCT: 13 1-gallon jugs and 12 1-quart jugs of Helene Curtis Egg Shampoo at Cincinnati, Ohio. Examination showed that the product contained not more