

16 dozen 3-ounce bottles of Royal Crown Brilliantine, and 72 dozen 3-ounce bottles of Royal Crown Rose Hair Oil, at Hot Springs, Ark.

Analyses showed that the hair dressing consisted essentially of petroleum jelly, perfume, and not more than 0.5 percent of olive oil; that the pomade and brilliantine consisted essentially of petroleum jelly, perfume, and not more than 1 percent of olive oil; and that the hair oil consisted of mineral oil, perfume, red coloring matter, and not more than 2.5 percent of olive oil.

LABEL, IN PART: "Royal Crown Hair Dressing with Olive Oil Contents 3 Oz. Net" [or "Contents 7 Ounces net"]; "Royal Crown DeLuxe Mens Pomade with Olive Oil Net Wt. 1½ Oz."; "Royal Crown Brilliantine with Olive Oil Contents 3 Fluid Ounces"; and "Royal Crown Rose Hair Oil with Olive Oil Contents 3 Fluid Ounces." The statement of the quantity of the contents was inconspicuously placed and was in small type.

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "with Olive Oil" was misleading as applied to the articles containing olive oil in the percentages indicated by the above-mentioned analyses; and, Section 602 (c), the information required by law to appear on the label, namely, the statement of the quantity of the contents, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: June 17, 1949. Default decree of condemnation and destruction.

COSMETICS ACTIONABLE BECAUSE OF FAILURE TO BEAR MANDATORY LABELING*

182. Misbranding of Elizabeth Arden Sleek (depilatory cream). U. S. v. 74 Tubes * * *. (F. D. C. No. 27627. Sample No. 13616-K.)

LABEL FILED: August 3, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 25 and July 1, 1949, by Elizabeth Arden, from New York, N. Y.

PRODUCT: 74 tubes of Elizabeth Arden Sleek (depilatory cream) at Philadelphia, Pa.

LABEL, IN PART: "Elizabeth Arden Sleek Net Weight 5 Oz."

NATURE OF CHARGE: Misbranding, Section 602 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short of the declared weight.)

DISPOSITION: August 31, 1949. Default decree of condemnation and destruction.

183. Misbranding of miscellaneous salvaged cosmetics. U. S. v. 25 Crates, etc. (F. D. C. No. 27154. Sample No. 62100-K.)

LABEL FILED: April 21, 1949, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 17, 1948, by the Underwriter Salvage Co. of New York, from Providence, R. I.

PRODUCT: 25 crates and 36 cartons of miscellaneous salvaged cosmetics at West Lynn, Mass. Some of the material had been fire-damaged, and some bottles and jars were unlabeled. A number of tablets in some bottles had partially

*See also No. 178.

disintegrated, and a number of tablets in other bottles had fused and adhered to the bottoms of the bottles.

NATURE OF CHARGE: Misbranding, Section 602 (b) (2), the labels of the articles failed to bear an accurate statement of the quantity of the contents.

The libel alleged also that certain products included in the shipment were misbranded under the provisions of the law applicable to foods and drugs, as reported in notices of judgment on foods, No. 15648, and notices of judgment on drugs and devices, No. 3024.

DISPOSITION: May 26, 1949. The Triangle Sales Corp., West Lynn, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The unfit portion of the products was segregated and destroyed.

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FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

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

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

184-189

COSMETICS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency, and include, where indicated, the results of investigations of the Agency, prior to the institution of the proceedings. Published by direction of the Federal Security Administrator.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*
WASHINGTON, D. C., August 23, 1951.

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*For figure to bear mandatory labeling, see No. 188.