

COSMETICS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

209. Cosmetics. (F.D.C. No. 44984. S. No. 35-984 R.)

QUANTITY: 55 bundles, 1,760 lb. total, at Brooklyn, N.Y.

SHIPPED: The article was delivered on 8-30-60, to a ship pier at Brooklyn, N.Y., for shipment to Iceland.

RESULTS OF INVESTIGATION: Inspection showed that the article had been submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the article was stored.

LIBELED: 10-13-60, E. Dist. N.Y.

CHARGE: 601(c)—held under insanitary conditions while in interstate commerce.

DISPOSITION: 1-18-61. Default—destruction.

COSMETICS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

210. Imitation oil of bergamot and denatured olive oil. (F.D.C. No. 44183. S. Nos. 78-381/4 P.)

QUANTITY: 1 5-gal. container containing 1 $\frac{1}{4}$ -gals. and 3 5-gal. containers of imitation oil of bergamot; 1 55-gal. drum containing about 25 gals. of denatured olive oil; and 648 $\frac{1}{2}$ -oz. btls. and 3,060 $\frac{1}{4}$ -oz. btls., containing a mixture of the above raw materials, in possession of Exelento Medicine Co., Inc., Detroit, Mich.

SHIPPED: 12-10-58 and 10-14-59, from New York, N.Y.

LABEL IN PART: (Btls.) "Oil of Bergamot Synthetic * * * Manufactured by Exelento Medicine Co., Detroit, Mich."

RESULTS OF INVESTIGATION: Investigation showed that the article in the bottles consisted of one part of imitation oil of bergamot and 3 parts of yellow denatured olive oil.

The article in the bottles was manufactured by the dealer from raw materials shipped as described above.

LIBELED: 1-22-60, E. Dist. Mich.

CHARGE: 602(a)—while held for sale, the label statement "Oil of Bergamot Synthetic" was false and misleading as applied to an article which was a mixture of imitation oil of bergamot and olive oil.

DISPOSITION: 6-28-60. Consent—claimed by Exelento Medicine Co., Inc. Segregated; 108 $\frac{1}{4}$ -oz. btls, and 792 $\frac{1}{2}$ -oz. btls. were destroyed, and the remainder of the bottles and the can and drum containing the articles were released to the claimant for relabeling.