

SHIPPED: 4-25-61, from New York, N.Y., by Ace Assembly Agency.

LABEL IN PART: (Btl.) "Robert's Nail Tone For Well-Groomed Fingernails Mfg. by Nail-Tone, Inc., * * * Miami, Fla."

ACCOMPANYING LABELING: Display card entitled "Robert's Nail Tone Health-Bauty Treatment"; a leaflet entitled "Nail Tone Takes The Ridges Out of Fingernails"; a leaflet copy of a newspaper advertisement reading in part "At Last! Famous Missile Scientists Discover Amazing New Fingernail Conditioner"; and a newspaper advertisement mat headed "Peck's Adv. Copy Mon * * * 5/7."

RESULTS OF INVESTIGATION: Examination showed that the product was a white, finely ground, odorless, mildly abrasive powder. The newspaper advertisement mat had been prepared by the dealer.

LIBELED: 6-26-61, W. Dist. Mo.

CHARGE: 602(a)—when shipped and while held for sale, the labeling of the article contained false and misleading representations that the article was adequate and effective to produce healthier, harder nails, to smooth out ridges, and to prevent splitting nails.

DISPOSITION: 9-20-61. Consent—claimed by Allied Central Stores, Inc., d/b/a Peck's of Kansas City, Mo., and relabeled.

229. Beautiqué stockings. (F.D.C. No. 46048. S. No. 14-336 R.)

QUANTITY: 1,991 individually wrapped pairs in boxes, each containing 3 pairs, at Columbus, Ohio.

SHIPPED: 1-23-61, from Paducah, Ky., by Beautiqué Stockings, Inc.

LABEL IN PART: (Box) "Beautiqué Bathed In Precious Lotions That Beautify Your Legs."

ACCOMPANYING LABELING: Leaflet reading in part, (front) "Beautiqué Leg Stockings * * * hosiery with a built-in beauty treatment * * * that flatters your legs while massaging them with a softly scented emollient" and (back) "Beautiqué Leg Lotion * * * for Problem Legs * * * Containing Mink Oil * * * Turtle Oil * * * Royal Jelly * * * Lanolin * * * Plus the secret formula CXS which hastens the beautifying action of these precious lotions. * * * Beautiqué Stockings, Inc., Paducah, Ky. A subsidiary of Claussner-Hosiery Co."

LIBELED: 6-26-61, S. Dist. Ohio.

CHARGE: 602(a)—when shipped, the labeling of the article contained false and misleading representations that the article contained lotions which fed the skin; rebuilt leg tissue; preserved the bloom of youth; softened, massaged, lubricated and beautified the legs.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs and devices as reported in notices of judgment on drugs and devices.

DISPOSITION: 7-25-61 and 8-10-61. Consent—claimed by Claussner Hosiery Co., Inc., and reconditioned and relabeled.

230. Dusting powder, cosmetic cream, and lipsticks. (F.D.C. No. 45095. S. Nos. 7-298/300 R, 8-021/2 R.)

QUANTITY: 47 8-oz. btls. of *dusting powder*; 714 2-oz. jars of *cosmetic cream*; 110 boxes, 12 metal tubes each, of "Pink Lady" color *lipstick*; 56 boxes,

12 metal tubes each, of "Fuschia" color *lipstick*; and 43 boxes, 12 metal tubes each, of "Light" color *lipstick*, at Dayville, Conn., in possession of Hillshire Farms, Inc.

SHIPPED: Between 7-26-59 and 8-17-59, from the State of Pennsylvania.

LABEL IN PART: (Btl.) "Hillshire Down Spring Bouquet Dusting Powder Hillshire Farms, Inc., R.F.D. Dayville, Conn. 8 Oz."; (jar) "Hillshire Down Nature's Youth Tone Hillshire Down, Distr. RFD Dayville, Conn. Net Contents 2 Ozs."; and (tube) "For You by Hillshire."

ACCOMPANYING LABELING: Sales manual entitled "Hillshire Downs Manual."

RESULTS OF INVESTIGATION: Examination showed that the *dusting powder* and *cosmetic cream* did not contain milk solids and that the *lipsticks* did contain coal-tar colors.

The sales manual had been printed in or about Dayville, Conn.

LIBELED: 11-18-60, Dist. Conn.; amended libel 6-13-61.

CHARGE: *Dusting powder*, 602(a)—while held for sale, the labeling accompanying the article contained false and misleading representations that the article contained goats' milk.

Cosmetic cream, 602(a)—the labeling accompanying the article contained false and misleading representations that the article was capable of preventing and eliminating wrinkles and nourishing the skin.

Lipsticks, 602(a)—the labeling accompanying the articles contained false and misleading representations that the articles contained no coal-tar colors.

DISPOSITION: 6-13-61. Consent—destruction.

COSMETIC ACTIONABLE BECAUSE OF FAILURE TO BEAR MANDATORY LABELING

231. Perfume. (F.D.C. No. 46808. S. No. 6-880 T.)

QUANTITY: 1,591 ctns., each containing one metallic ½-oz. tube with pressure-spray cap, at New Bedford, Mass.

SHIPPED: 9-21-61, from New York, N.Y., by L'Argene Products Co., Inc.

LABEL IN PART: (Ctn.) "Touch 'n' Spray perfume 300 Sprays Purse Size ½ Oz." and (top of ctn.) "Columbus Spray Perfume Distr. ½ Oz."

RESULTS OF INVESTIGATION: Examination disclosed that the mandatory information required to appear on the label was incomplete and inconspicuous in that the name of the place of business was not shown for the distributor, and that the print was so small and blurred that it was difficult to read.

LIBELED: 12-20-61, Dist. Mass.

CHARGE: 602(b)—when shipped, the label of the article failed to bear the name of the place of business of the distributor; and 602(c)—the information required to appear on the label under 602(b)(1) and (b)(2), namely, the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents, was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 2-20-62. Default decree providing for destruction or delivery to a public institution.