

state commerce on or about October 27 and November 16, 1939, and June 15, 1940, by the Louise Norris Co. from Kansas City, Mo.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that it contained a poisonous or deleterious substance, namely 2,5 toluylenediamine, which might have rendered it injurious to users under the conditions of use prescribed in the labeling or under such conditions of use as are customary or usual. It was alleged to be adulterated further in that it contained a coal-tar color, namely, 2,5 toluylenediamine, which was not from a batch that had been certified in accordance with the regulations provided by law.

The article was alleged to be misbranded in that the following statements were false and misleading when applied to an article which might be dangerous when used under the conditions prescribed in the labeling: (Unit carton and bottle "A" label) "Louise Norris Lash & Brow Coloring": (Formula No. 2 bottle label) "Protecto"; and (directions circular) "Louise Norris Patented Method of Coloring Eyelashes and Brows."

On January 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HAIR AND SCALP PREPARATIONS

60. Misbranding of Odell's Quinine for the Hair. U. S. v. 140 Bottles of Odell's Quinine for the Hair. Default decree of condemnation and destruction. (F. D. C. 3609. Sample No. 24831-E.)

This product was represented to be a quinine preparation, whereas it contained no quinine. Its labeling also bore false and misleading representations regarding its efficacy as indicated below.

On December 30, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 140 bottles of Odell's Quinine for the Hair at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 19, 1940, by the Odell Co. from Newark, N. J.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of water, alcohol, extracts of plant materials including brucine, and perfuming materials.

Misbranding was alleged in that the statements "Quinine * * * Stimulating * * * Essential to healthy hair," borne on the bottle label, were false and misleading in that they were incorrect.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notice of judgment D. D. No. 297.

On January 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

61. Misbranding of La-Nu Hair and Scalp Vitalizer. U. S. v. 429 Large and 429 Small Jars of La-Nu. Default decree of condemnation and destruction. (F. D. C. No. 3913. Sample Nos. 31323-E, 31324-E.)

The label of this product bore false and misleading representations regarding its efficacy in the conditions indicated below. The label on the small jars also failed to bear an accurate statement of the quantity of the contents, which, because of the exceptional thickness of the glass and the manner in which the container was made, was very much less than was indicated by the outward appearance of the container.

On March 4, 1941, the United States attorney for the Western District of Michigan filed a libel against 858 jars of La-Nu Hair and Scalp Vitalizer at Grand Rapids, Mich., alleging that the article had been shipped on or about January 20 and February 3, 1941, from Philadelphia, Pa., by the La-Nu Distributing Co.; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted essentially of ammoniated mercury, boric acid, eucalyptus oil, and lanolin.

The article was alleged to be misbranded in that the following statements, appearing in the labeling, were false and misleading since it was not efficacious for the purposes recommended: (Top of large jar) "Hair and Scalp Vitalizer"; (label on large jar) "Recommended as an aid in the relief of * * * Alopecia Ring Worms * * * and Falling Hair"; and (label on small jar) "Recommended for dandruff alopecia and ring worm * * * falling hair."

The portion of the product contained in the small jars was alleged to be misbranded further in that the label failed to bear an accurate statement of the