

quantity of contents; and in that its container was so made, formed, or filled as to be misleading.

On April 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**62. Misbranding of Glo-Co Hair Groom for Men. U. S. v. 131 3-Fluid-Ounce Packages and 8 6-Fluid-Ounce Packages of Glo-Co Hair Groom for Men. Default decree of condemnation and destruction. (F. D. C. No. 3368. Sample No. 6557-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below. The quantity of contents statement was in fine print and inconspicuous, and each of the cartons of both sizes was much larger than would have been necessary to hold the bottle which it contained.

On November 14, 1940, the United States attorney for the District of Colorado filed a libel against 131 3-fluid-ounce packages and 8 6-fluid-ounce packages of the above-named product at Denver, Colo., which had been consigned by the Glo-Co Co., alleging that the article had been shipped in interstate commerce on or about August 19, 1940, from Los Angeles, Calif.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of alcohol and castor oil, together with perfumed materials.

The article was alleged to be misbranded in that the following statements appearing in the labeling created a false and misleading impression regarding its value: (Carton) "Glo-Co is made with pure vegetable oils scientifically balanced so as to approximate the oils nature provides the normal scalp and hair"; (circular) "Keep Hair On Your Head Properly Groomed This Simple Glo-Co Way \* \* \* Healthy hair, luxurious in growth, and lustrous with the glow of vitality \* \* \* It's all a matter of simple care and grooming. Neglect may lead to baldness; carelessness will lead to trouble. Your hair is part of the body and requires proper cleansing and grooming. \* \* \* A healthy growth of hair requires a clean, healthy scalp. So choose a hair aid that \* \* \* tones the scalp, \* \* \* Before It's Too Late Keep scalp \* \* \* nourished \* \* \* Dandruff is not to be confused with normal condition of scalp flaking and scale accumulation. This condition should be cared for with frequent cleansing with Glo-Co. Infectious dandruff is an organic disorder that requires your physician's care. Oily or Dry Hair is due to improper functioning of sebaceous glands. Cleansing with Glo-Co Hair Groom is the first step that helps to restore sebaceous glands to normal action, normalizing excess dryness or oiliness. Falling Hair and Thinning Hair. If due to organic disorder, consult your physician. Ordinarily it is due to lack of care in keeping scalp clean and properly nourished. Glo-Co hair groom contains pure vegetable oils that blend with the natural oils of the scalp, to overcome ordinary hair and scalp troubles."

The article was alleged to be misbranded further in that the statement of the quantity of contents appeared in fine print and was not prominently placed upon the carton with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use. It was alleged to be misbranded further in that the containers were so made, formed, or filled as to be misleading.

On January 3, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**63. Adulteration of brilliantine and skin cream; adulteration and misbranding of hair dressing. U. S. v. 30 Bottles of Brilliantine, et al. Default decrees of condemnation and destruction. (F. D. C. Nos. 3222, 3340. Sample Nos. 34522-E, 34525-E, 36453-E.)**

Examination of these products disclosed the presence of hairs, insect fragments, splinters, and nondescript dirt. One product was also short of the declared weight.

On October 15 and November 5, 1940, the United States attorneys for the District of New Jersey and the District of Massachusetts filed libels against 30 bottles of brilliantine and 39 jars of Spark'l Medicated Skin Cream at Newark, N. J.; and 348 bottles of Paulette Hair Dressing at Boston, Mass., alleging that the articles had been shipped by the Spark'l Co. from Brooklyn, N. Y., within the period from on or about January 24 to on or about September

11, 1940; and charging that they were adulterated and that the Paulette Hair Dressing was also misbranded. The brilliantine was labeled in part: "Brilliantine Roland \* \* \* Toilettries Moderne."

All of the products were alleged to be adulterated in that they consisted in part of filthy substances; and in that they had been prepared or packed under insanitary conditions whereby they might have become contaminated with filth.

The Paulette Hair Dressing was alleged to be misbranded in that the statement "Cont. 8 Fl. Ozs.," appearing on the label, was false and misleading since it was incorrect.

On December 9, 1940, and April 18, 1941, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

#### MISCELLANEOUS

- 64. Misbranding of Quinlan Pore Cream and Quinlan Skin Stimulant. U. S. v. 101 Jars of Quinlan Pore Cream and 597 Bottles of Quinlan Skin Stimulant. Default decree of condemnation and destruction. (F. D. C. Nos. 4393, 4395. Sample Nos. 56258-E, 56762-E.)**

The labeling of these products contained false and misleading representations regarding their efficacy, as indicated below.

On April 18, 1941, the United States attorney for the Eastern District of New York filed a libel against 101 jars of Quinlan Pore Cream and 597 bottles of Quinlan Skin Stimulant at Brooklyn, N. Y., alleging that the articles had been shipped within the period from on or about January 15 to on or about February 20, 1941, by Pond's Extract Co. from Clinton, Conn.; and charging that they were misbranded. The articles were labeled in part: "Quinlan Pore Cream [or "Quinlan Skin Stimulant"] Kathleen Mary Quinlan, Inc. Distributor \* \* \* New York."

Analysis showed that the pore cream consisted essentially of petrolatum, zinc oxide, lanolin, water, and perfume; and that the skin stimulant consisted essentially of alcohol, water, glycerin, perfume, and coloring matter.

The articles were alleged to be misbranded in that the following statements appearing in the labeling were false and misleading since they represented that they were efficacious for the purposes recommended; whereas they were not efficacious for such purposes: "Pore Cream \* \* \* coarse pores and texture," and "Skin Stimulant."

On July 16, 1941, the case having been called and no claim or answer appearing of record, judgment of condemnation was entered and the products were ordered destroyed.

- 65. Misbranding of "nutrient" and "youth" creams. U. S. v. 12 Dozen Packages of California Nutrient Cream and 17½ Dozen Packages of Sue Sorrell Texture of Youth Cream. Default decree of condemnation and destruction. (F. D. C. No. 3604. Sample Nos. 31525-E, 31526-E.)**

These products contained no ingredient or combination of ingredients which would produce the improvement in skin nutrition or texture implied on their respective labels.

On December 28, 1940, the United States attorney for the Eastern District of Michigan filed a libel against the above-named products at Detroit, Mich., alleging that they had been shipped in interstate commerce by Jeanne Tredway from New York, N. Y., the nutrient cream on or about October 31 and December 8, 1940, and the texture of youth cream on or about June 27, 1940; and charging that they were misbranded.

Examination showed that both articles consisted essentially of hydrocarbon oils, lanolin, and perfume material. The nutrient cream was also found to contain sodium borate.

The California Nutrient Cream was alleged to be misbranded in that the designation "Nutrient Cream" was false and misleading.

The Sue Sorrell Texture of Youth Cream was alleged to be misbranded in that the statement "\* \* \* an aid in warding off fine lines and wrinkles," appearing on the label, was false and misleading.

On February 5, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.