

DISPOSITION: March 14, 1949. The A. Breslauer Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency. It was relabeled by labels which omitted the recommendation for use about the eyes.

166. Adulteration and misbranding of eye shadow. U. S. v. 24 Cartons, etc. (F. D. C. No. 24620. Sample Nos. 15162-K to 15164-K, incl.)

LIBEL FILED: May 4, 1948, Western District of Michigan.

ALLEGED SHIPMENT: On or about July 10, 1947, and March 2, 1948, by Solo Laboratories, Inc., from Chicago, Ill.

PRODUCT: 24 cartons of blue eye shadow, 21 cartons of grey eye shadow, and 22 cartons of green eye shadow at Kalamazoo, Mich. Each carton contained 12 units of $\frac{1}{16}$ ounce each.

NATURE OF CHARGE: Adulteration, Section 601 (e), each article bore or contained a coal-tar color which had not been listed as harmless and suitable for use in cosmetics and was other than one from a batch that had been certified in accordance with the regulations.

Misbranding, Section 602 (b) (1), the article failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: June 8, 1948. Default decree of condemnation and destruction.

COSMETICS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

167. Misbranding of Doris Drake Egg Shampoo. U. S. v. 24 Dozen Bars * * *. F. D. C. No. 25158. Sample No. 4708-K.)

LIBEL FILED: August 3, 1948, District of Massachusetts.

ALLEGED SHIPMENT: On or about May 28, 1948, by Doris Drake, Inc., from New York, N. Y.

PRODUCT: 24 dozen bars of Doris Drake Egg Shampoo at Boston, Mass. Examination showed that the product did not contain whole egg and that it contained not more than 0.07 percent, if any, of egg white.

LABEL, IN PART: "Doris Drake Featherweight Egg Shampoo."

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "Egg Shampoo" was false and misleading as applied to an article which contained not more than 0.07 percent, if any, of egg white; and, Section 602 (b) (2), the label of the article failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: September 27, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

168. Misbranding of Helene Curtis Egg Shampoo. U. S. v. 13 Jugs, etc. (F. D. C. No. 24605. Sample No. 19718-K.)

LIBEL FILED: April 21, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 11, 1948, by the Helene Curtis Industries, Inc., from Chicago, Ill.

PRODUCT: 13 1-gallon jugs and 12 1-quart jugs of Helene Curtis Egg Shampoo at Cincinnati, Ohio. Examination showed that the product contained not more

than 2.67 percent of whole egg and that it had been colored to resemble egg, with D&C Yellow No. 10.

LABEL, IN PART: "Helene Curtis Egg Shampoo Highly Concentrated."

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "Egg Shampoo Highly Concentrated" was false and misleading since the article was not an egg shampoo.

DISPOSITION: August 27, 1948. The Helene Curtis Industries, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

169. Misbranding of LaMaur Egg and Lanolin Shampoo. U. S. v. 20 Bottles, etc.
(F. D. C. No. 24498. Sample Nos. 25545-K, 25546-K.)

LABEL FILED: March 19, 1948, Southern District of Iowa.

ALLEGED SHIPMENT: On or about January 19 and February 6, 1948, by LaMaur Products, Inc., from Minneapolis, Minn.

PRODUCT: 20 1-gallon bottles and 48 8-ounce bottles of LaMaur Egg and Lanolin Shampoo at Burlington, Iowa. Examination showed that the product contained not more than 0.8 percent of dry egg, which was equivalent to approximately one-fifth of an egg in each eight-ounce bottle.

LABEL, IN PART: "LaMaur Egg and Lanolin Shampoo."

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "Egg * * * Shampoo" and the egg-shaped label were false and misleading since the article was not an egg shampoo.

DISPOSITION: April 29, 1948. LaMaur Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

170. Misbranding of Caryl Richards Eggfoam Shampoo. U. S. v. 11 Jars * * *.
(F. D. C. No. 24688. Sample No. 451-K.)

LABEL FILED: March 26, 1948, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about February 5, 1948, by Caryl Richards, Inc., from Brooklyn, N. Y.

PRODUCT: 11 1-gallon jars of Caryl Richards Eggfoam Shampoo at Greensboro, N. C. Examination showed that the product was colored yellow with D&C Yellow No. 10 and that it contained not more than 0.56 percent of egg.

LABEL, IN PART: "Caryl Richards Eggfoam Shampoo."

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statements "Eggfoam * * * With Egg * * * Eggfoam Shampoo incorporates the use of whole egg to produce a richer more luxurious shampoo treatment * * * Highly concentrated" were false and misleading since the article was not an egg shampoo.

DISPOSITION: June 28, 1948. Default decree of condemnation and destruction.

171. Misbranding of Caryl Richards Eggfoam Shampoo. U. S. v. 17 Deals * * *.
(F. D. C. No. 25157. Sample No. 476-K.)

LABEL FILED: August 9, 1948, Western District of South Carolina.

ALLEGED SHIPMENT: On or about June 10, 1948, by Caryl Richards, Inc., from Brooklyn, N. Y.