

174. Misbranding of Adde Hair Pomade. U. S. v. 11 Cases * * *. (F. D. C. No. 24739. Sample No. 40202-K.)

LIBEL FILED: August 19, 1948, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about March 12, 1948, by the Adde Co., from Baltimore, Md.

PRODUCT: 11 cases, each containing 24 3½-ounce cans, of Adde Hair Pomade at Norfolk, Va. Examination showed that the product consisted essentially of perfumed petrolatum and contained not more than 0.21 percent of saponifiable oil, such as olive oil.

LABEL, IN PART: "Adde Hair Pomade With Olive Oil."

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "With Olive Oil" was false and misleading since the article was a petrolatum pomade.

DISPOSITION: November 1, 1948. Default decree of condemnation and destruction.

175. Misbranding of Yuth. U. S. v. 58 Dozen Cartons * * *. (F. D. C. No. 24763. Sample No. 3842-K.)

LIBEL FILED: May 6, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about January 27 and 29 and March 6, 1948, by Jessop Products, Inc., from New York, N. Y.

PRODUCT: 58 dozen cartons, each containing a circular entitled "Yuth Toiletries" and "The Story of Yuth" and one 8-ounce bottle of Yuth at Baltimore, Md. Examination showed that the product consisted of lead acetate, sulfur, pilocarpine, cantharides, glycerin, water, and perfume.

NATURE OF CHARGE: Misbranding, Section 602 (a), the label statement "Contains * * * plumbi acetate" was misleading since the use of the Latin title failed to reveal the material fact that the article was a lead acetate hair dye. Further misbranding, Section 602 (a), certain statements on the labels of the article and in the circulars were false and misleading since they represented and suggested that the article would bring about youthful appearances of the hair and scalp and would cause the original color of the hair to be restored. The article would not bring about youthful appearances of the hair and scalp and would not cause the original color of the hair to be restored, but would dye the hair.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2540.

DISPOSITION: June 21, 1941. Default decree of condemnation and destruction.

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FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

176-183

COSMETICS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency. Published by direction of the Federal Security Administrator.

PAUL B. DUNBAR, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., August 21, 1950

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