

**COSMETIC ACTIONABLE BECAUSE OF ADULTERATION WITH POISON-
OUS OR DELETERIOUS SUBSTANCE OR SUBSTANCES**

206. Nail polish (2 seizure actions). (F.D.C. Nos. 41448, 41520, S. Nos. 3-983 P, 37-209 P.)

QUANTITY: 997 kits at Baltimore, Md., and 60 boxes, 12 kits each, at St. Louis, Mo.

SHIPPED: Between 10-24-57 and 12-31-57, from New York, N.Y., by Harrison Laboratories, Inc.

LABEL IN PART: "4 Complete Manicures TenDay Press-On Nail Polish."

ACCOMPANYING LABELING: Each kit contained an instruction book which read, in part, as follows: "TenDay Press-on Nail Polish * * * How To Apply Use 2 sheets of TenDay for each manicure—1 sheet for each hand. Choose the 5 petals on each sheet that best fit your 5 fingers. Measure for width only—length doesn't matter. Start with thumb. Take largest petal on sheet and point rounded end towards cuticle. Correct size will give almost full nail coverage and will not touch cuticle. If too big, take the next smaller petal. Lift petal by center tab and slowly pull off backing. Try not to touch adhesive. Fit rounded end close to cuticle. If one side touches cuticle, petal is on wrong. Lift and re-position but don't try to remove petal by pulling or stretching. File away excess length by using fine side of emery board. Use downward stroke all around the tip until excess is cut away. Don't try to tear away excess. Keep filing until it comes off. Use light pressure otherwise end is ragged. Slant emery board as picture shows."

RESULTS OF INVESTIGATION: Examination showed that the kits consisted of a white plastic folder, covered with a clear plastic-like material, and containing an emery board or manicure file, a booklet of instructions, and the press-on nail color, which was a red, plastic-like material with a white plastic backing that had been cut to represent the shape of finger nails.

Investigations revealed a significant number of nail injuries from use of the nail polish. Such injuries were manifested by peeling of the surface of the nail in that it was thinner, split, and cracked, and lacking luster, and in many cases resulting in loss of a significant portion of the distal end of the nail to the extent that normal use of the hands was prevented for varying lengths of time.

LIBELED: 2-26-58 and 4-17-58, Dist. Md. and E. Dist. Mo.

CHARGE: 601(a)—when shipped, the article contained a poisonous or deleterious substance or substances which may have rendered the article injurious to users under the conditions of use prescribed in the labeling.

DISPOSITION: 5-29-58 and 7-16-58. Default—destruction.

COSMETIC ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

207. Hair brushes. (F.D.C. No. 41930. S. No. 31-721 P.)

QUANTITY: 25 cases, some containing 432 hair brushes and others containing 648 hair brushes, in cartons, at New York, N.Y.

SHIPPED: 5-2-58, from Husqvarna, Sweden, by Aktiebolaget Husqvarna Borstfabrik.

LABEL IN PART: (Carton) "Royal Sweden Hair Brush."