

ration of thyroid, but its label failed to bear a statement of the quantity or proportion of the preparation of thyroid.

DISPOSITION: May 10, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200 on each count, a total fine of \$400.

1583. Misbranding of Contour-Molde "Face Lifting" Bandage. U. S. v. Eunice Skelly (Eunice Skelly House of Youth). Plea of guilty. Fine, \$300 and 6 months' suspended jail sentence. Defendant placed on probation for 6 months. (F. D. C. No. 11349. Sample No. 2273-F.)

INFORMATION FILED: August 4, 1944, Southern District of New York, against Eunice Skelly, trading as Eunice Skelly and the Eunice Skelly House of Youth, New York, N. Y.

ALLEGED SHIPMENT: On or about November 27, 1942, from the State of New York into the State of Illinois.

PRODUCT: A device known as the *Contour-Molde "Face Lifting" Bandage*, which was a part of a so-called "Deluxe Rejuvenating Kit" which contained various cosmetic preparations to be used in conjunction with the device.

The device was a strip of flesh-colored, elastic-weave cloth 17 inches long and 4 inches wide and stretching lengthwise only. Shipped with the device were certain circulars entitled "The Eunice Skelly Contour Molde," "Eunice Skelly presents her," and "Eunice Skelly's Brochure."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading since they represented and suggested that the device would be efficacious to lift the face, restore youthful contours to the face, and produce a passive massage action which would stimulate and support the muscles and thereby help prevent sagging of the muscles; that it would be efficacious to prevent and overcome sagging muscles, double chin, crepy throat and crepy neck; and that it would be efficacious to rejuvenate one physically and mentally. The article would not be efficacious for the purposes recommended and suggested.

The information also alleged that certain cosmetics which were to be used in conjunction with the device were misbranded under the provisions of the law relating to cosmetics, as reported in notices of judgment on cosmetics, No. 122.

DISPOSITION: August 10, 1944. A plea of guilty having been entered, the defendant was fined \$300 and sentenced to 6 months' imprisonment. The jail sentence was suspended and the defendant was placed on probation for 6 months.

1584. Misbranding of Bonquet Tablets. U. S. v. 1 Dozen Bottles and 9½ Dozen Bottles of Bonquet Tablets. Tried to the court. Case dismissed on motion. Appeal taken to United States Circuit Court of Appeals. Reversed and remanded. Consent decree of condemnation and destruction. (F. D. C. No. 8086. Sample Nos. 24605-F, 24606-F.)

LIBEL FILED: August 10, 1942, District of Maryland; libel amended September 10, 1942, to cover seizure of additional lot of 2 ½ dozen bottles.

ALLEGED SHIPMENT: On or about April 1 and May 8, 1942, by the Bonquet Laboratories, from Glendale, Calif.

PRODUCT: 3½ dozen 400-tablet bottles and 9½ dozen 150-tablet bottles of *Bonquet Tablets* at Baltimore, Md. Accompanying the product were a number of booklets entitled "Adds New Fighting Blood in 9 days." They had been shipped sometime prior to the shipment of the product.

Microscopic examination indicated that the product consisted essentially of dried brewer's yeast, milk sugar, dried leafy plant material, and approximately 1 grain of mineral matter per tablet.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements appearing in the labeling of the article were false and misleading in that they implied that the article, when taken as directed, would be a consequential supplement to the ordinary diet with respect to the minerals, fat, protein, carbohydrate, and caloric content, whereas it would not be a consequential adjunct to the diet with respect to those nutritional requirements: "Nutritional Data For Physicians And Dietitians Moisture . . . 10.11% Ash (Mineral Matter) . . . 10.81% Fat (Ether Extract) . . . 2.91% Protein (N x 6.25) . . . 33.25% Crude Fiber . . . 4.84% Carbohydrates other than crude fiber (by difference) . . . 38.08% Calories per pound . . . 1414 Total Alkalinity of Ash . . . 193 (No. of c.c. of 0.1 Normal acid required to neutralize the ash from