

panying brochures headed "Darrell Foremost authority on hair and scalp care * * * asks * * * Are You One Of These?"

LABEL, IN PART: (Bottle) "Darrell's RD-5 Formula The Scientific Formula for Hair & Scalp Active Ingredients Liquid Carbonic Detergens (Coal Tar Derivative), Resorcinol, Alcohol 40%."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying brochures were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for scalp conditions associated with scaling, itching, and baldness, whereas the article was not an adequate and effective treatment for such conditions.

Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to state the kind of alcohol present in the article and failed to bear the common or usual name of the ingredient listed as "Liquid Carbonic Detergens."

DISPOSITION: September 10, 1952. Default decree of condemnation and destruction.

3815. Misbranding of Marvel's hair and scalp conditioner. U. S. v. 112 Cartons * * *. (F. D. C. No. 31932. Sample No. 16045-L.)

LIBEL FILED: October 23, 1951, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about July 17 and September 20, 1951, by Marvel Industries, Inc., from San Antonio, Tex.

PRODUCT: 112 cartons, each containing 1 bottle, of *Marvel's hair and scalp conditioner* at Oklahoma City, Okla. Analysis showed that the product contained a lead salt, sulfur, alcohol, and a small proportion of quinine.

LABEL, IN PART: (Bottle) "Marvel's Nature Hair and Scalp Conditioner."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, on the bottle and carton labels, in a folder entitled "Marvel's Nature's Hair and Scalp Conditioner is keeping hair healthy for thousands," and in a leaflet entitled "Facts you should know about Marvel," which were shipped with the article, were false and misleading. The statements represented and suggested that the article was effective to stop the falling of hair, to make new hair grow, to remedy premature baldness, to restore hair to its natural color, to cure dandruff, and to keep hair and scalp healthy and protect one from contagious hair and scalp diseases. The article was not effective for such purposes.

Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient.

DISPOSITION: September 11, 1952. Marvel Industries, Inc., claimant, having filed a motion for dismissal of the libel and later having withdrawn its motion and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

3816. Misbranding of Glycolator devices. U. S. v. 12 Cases, etc. (F. D. C. No. 33321. Sample No. 38743-L.)

LIBEL FILED: June 27, 1952, District of Columbia.

ALLEGED SHIPMENT: On or about May 20, 1952, and subsequent dates, by the Pittsburgh Chemical Laboratory, from Mars, Pa.