11. Adulteration of Andree Eye Lash and Brow Colure. U. S. v. 72 Capsules of Andree Permanent Eye Lash and Eye Brow Colure. Default decree of condemnation and destruction. (F. D. C. No. 562. Sample No. 47483-D.)

This cosmetic contained paraphenylenediamine, a poisonous or deleterious substance, which might have rendered it injurious to users under the conditions of use prescribed in its labeling, or under such conditions of use as are customary or usual.

On September 7, 1939, the United States attorney for the District of Columbia filed a libel against 72 capsules of the above-named product at Washington, D. C.; alleging that the article was being offered for sale in the District of Columbia at the Metropolitan Beauty Shop, Washington, D. C.; and charging that it was adulterated. The article was received by the dealer in box labeled in part: "Andree Permanent Eye Lash and Brow Colure. This Colure Contains No Lead Nor Silver. Andree Laboratories P. O. Box 253 Coatesville, Penna."

On September 25, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12. Adulteration of Dark Eyes. U. S. v. 54 Boxes and 9½ Dozen Packages of Dark Eyes. Default decrees of condemnation and destruction. (F. D. C. Nos. 51, 74. Sample Nos. 19572-D, 19573-D, 21542-D, 21543-D.)

This cosmetic contained poisonous and deleterious substances—ammoniated silver nitrate and pyrogallol, which might have rendered it injurious to users under the conditions of use prescribed in the labeling quoted hereinafter.

On August 11 and September 16, 1938, the United States attorneys for the District of Minnesota and the Eastern District of Michigan filed libels against 54 boxes of Dark Eyes at St. Paul, Minn., and 9½ dozen packages of the same product at Detroit, Mich.; alleging that the article had been shipped in interstate commerce by Dark Eyes from Chicago, Ill., on or about July 12 and 20, 1938; and charging that it was adulterated.

It was labeled in part: (Carton) "'Dark Eyes' Eyelash and Eyebrow Indelible Darkener * * * Conforms with rulings of leading boards of health"; (bottles) "Read directions"; (on some bottles) "Black"; (on other bottles) "Brown"; (circular enclosed in the packages) "'Dark Eyes' Indelible Darkener Directions for use. 1. Cleanse lashes and brows carefully with luke warm water, using small amount of soap if lashes and brows are oily. 2. Apply cleansing cream to eyelids, below the eye and around the brows. Be careful not to allow the cream to touch either lashes or brows. 3. Apply 'Dark Eyes' No. 1 to the upper lashes with an upward stroke and to the lower lashes by gently stroking downward. 4. Now use the other brush to apply 'Dark Eyes' No. 2 to the upper and lower lashes in the same manner as 'Dark Eyes' No. 1. If after making this application you desire a darker shade, repeat the application of 'Dark Eyes' No. 1 and No. 2 until the desired shade is obtained. 5. Use moistened cotton to remove excess darkener from the lashes. 6. Now you are ready to darken the eyebrows. Apply 'Dark Eyes' No. 1 and 'Dark Eyes' No. 2 to both brows as you did the lashes and remove immediately. We suggest the use of a cotton swab and cleansing cream, removing the last traces of the darkener and the cream with cleansing tissues or cotton. 7. During the treatment should the skin accidentally become stained, apply cream and wash gently with soap and water. Never mix No. 1 and No. 2 and be sure to keep the brushes separate."

On October 12 and 15, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HAIR DYES

13. Adulteration of Eau Sublime Hair Coloring. U. S. v. 11 Dozen Packages of Eau Sublime Instantaneous Hair Coloring. Default decree of condemnation and destruction. (F. D. C. No. 144. Sample No. 42092-D.)

Each carton of this product contained two bottles, one labeled "A" contained paraphenylenediamine and the one labeled "B" contained a solution of approximately 6 percent of hydrogen peroxide. It was a hair dye and was not labeled in the manner required by law.

On January 30, 1939, the United States attorney for the Eastern District of Pennsylvania filed a libel against 11 dozen packages of Eau Sublime Instan-