

taneous Hair Coloring at Philadelphia, Pa.; alleging that the article had been shipped on or about December 9, 1938, by the Gullmard Co., Inc., from New York, N. Y.; and charging that it was adulterated. The article was labeled in part: (Carton) "Jet Black No. 1 Eau Sublime Instantaneous Hair-Coloring Net Weight 2 Ounces \* \* \* Caution:—This product contains an aniline derivative which may cause skin irritation on certain individuals, and a preliminary test according to accompanying directions should first be made. \* \* \* Manufactured by The Gullmard Co., Inc. New York."

Adulteration was alleged in that the article contained hydrogen peroxide and paraphenylenediamine, which might have rendered it injurious to users under the conditions of use prescribed in the labeling, and the carton label and the label of bottle "B" did not bear the statement, "Caution—this product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows. To do so may cause blindness," required by the act.

On February 24, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**14. Adulteration of Madam Marva Hair Coloring. U. S. v. 62 Packages of Madam Marva Hair Coloring. Default decree of condemnation and destruction. (F. D. C. No. 108. Sample No. 46330-D.)**

This product was a hair dye containing paraphenylenediamine and was not labeled in the manner required by law in the case of such preparations.

On January 7, 1939, the United States attorney for the Northern District of Illinois filed a libel against 62 packages of Madam Marva Hair Coloring at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about October 27, 1938, by the Madam Marva Products Co. from St. Louis, Mo.; and charging that it was adulterated.

The article was labeled in part: (Carton) "Important. Because a few people cannot use certain foods or drugs with immunity the instructions and directions on the enclosed folder must be read and followed carefully. Beauty operators using this preparation in their shops must comply specifically with the conditions on the enclosed folder. The perishable nature of the contents of this package makes it necessary that for the most efficient results it should be used prior to Sep. 39"; (circular) "This Preparation Is Not Intended For Use On Eyelashes Or Eyebrows. Important Instructions A few people according to medical authorities have an idiosyncrasy towards certain foods, drugs and chemicals. As an example, so harmless a food as Strawberries may cause certain people to 'break out' with a rash. Likewise, Quinine a very widely used drug will occasionally cause a rash or 'breaking out'. To determine whether you are susceptible to this type of dye, mix same as stated in directions, now moisten a piece of cotton with this mixture and apply it to a washed surface of the skin on the inside fold of the elbow. Allow this cotton to remain in place by bandaging over night, and if at any time during this period irritation should occur, remove the cotton immediately and wash with soap and water. This indicates that you cannot use this type of dye, and it should not be applied to the hair. If no reaction occurs proceed to dye hair as stated in the directions. Notice To Hairdressers Beauty operators using this preparation in their establishments must instruct their customer as to the properties of this dye, and must require the customer to sign this direction and instruction sheet, after carefully reading and making the test as called for. Failure to do so will place responsibility for its use with you. Madame Marva Products Co. St. Louis, Mo."

Adulteration was alleged in that the article contained paraphenylenediamine, which might have rendered it injurious to users under conditions of use prescribed in the labeling, its label did not bear the statement, "Caution—This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness," and its labeling did not bear adequate directions for such preliminary testing.

On March 6, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.