COSMETIC ACTIONABLE BECAUSE OF ADULTERATION WITH POISONOUS OR DELETERIOUS SUBSTANCES

176. Adulteration of Deo Deodorant. U. S. v. 74 Jars * * *. (F. D. C. No. 26937. Sample No. 2777–K.)

LIBEL FILED: March 21, 1949, District of Columbia.

ALLEGED SHIPMENT: On or about July 30 and December 9, 1948, by the Elmo Sales Corp., from Philadelphia, Pa.

PRODUCT: 74 1¼-ounce jars of Deo Deodorant at Washington, D. C.

LABEL, IN PART: "Deo Deodorant Special."

NATURE OF CHARGE: Adulteration, Section 601 (a), the article bore or contained a poisonous or deleterious substance which may have rendered it injurious to users under such conditions of use as are customary to the use of deodorant cream. (Tests of the article showed that it was a primary irritant.)

DISPOSITION: April 27, 1949. Default decree of condemnation and destruction.

177. Adulteration of Deo Deodorant. U. S. v. 176 Jars * * *. (F. D. C. No. 26982. Sample No. 3187–K.)

LIBEL FILED: On or about April 15, 1949, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about April 1, 1948, by the Elmo Sales Corp., from Philadelphia, Pa.

PRODUCT: 176 1¼-ounce jars of Deo Deodorant at Richmond, Va.

LABEL, IN PART: "Deo Deodorant Special."

NATURE OF CHARGE: Adulteration, Section 601 (a), the article bore or contained a poisonous or deleterious substance which may have rendered it injurious to users under such conditions of use as are customary to the use of deodorant cream. (Analysis indicated that the product was a primary irritant.)

DISPOSITION: October 21, 1949. Default decree of condemnation and destruction.

COSMETICS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

178. Adulteration and misbranding of Blanche White Make-Up Creme, Blanche White Special Cleansing Creme, Blanche White night cosmetic cream, Blanche White Powder, and Blanche White Formula No. 3. U. S. v. Fred B. Bergholt (Bergholt Laboratories). Plea of guilty. Fine of $250 on count 1, sentence suspended on remaining counts, and defendant placed on probation for 3 years. (F. D. C. No. 25587. Sample Nos. 28387–K, 28390–K, 28556–K, 28557–K, 28560–K, 29901–K.)

INFORMATION FILED: December 17, 1948, District of Minnesota, against Fred B. Bergholt, trading as Bergholt Laboratories Minneapolis, Minn.

ALLEGED SHIPMENT: On or about May 14, June 24, and July 1, 1948, from the State of Minnesota into the States of Colorado and Texas.

LABEL, IN PART: "Blanche White Make-Up Creme [or "Special Cleansing Creme," "Powder," or "Formula No. 3"]" and "Blanche White * * * Apply regularly and generously every night."

NATURE OF CHARGE: Adulteration, Section 601 (b), the articles consisted in part of filthy substances by reason of the presence of insect fragments, rodent hairs, rodent hair fragments, unidentified hairs, mold, and nondescript dirt; and, Section 601 (c), the articles had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.