225. Eye liner pencils. (F.D.C. No. 45945. S. Nos. 38–749/52 R.)

QUANTITY: 12 gross (blue color), 11 gross (green color), 12 gross (violet color), and 12 gross (turquoise color), at Bloomsbury, N.J.

SHIPPED: 5–16–60 and 6–15–60, from Lewisburg, Tenn., by Koh-I-Noor, Inc.

LABEL IN PART: (Pencil) "Platinized (color) Debutante Eyeliner Pencil."

LIBELED: 6–13–61, Dist. N.J.

CHARGE: 601(e)—when shipped, the article contained synthetic organic colors, namely, Hansa Yellow, C.I. No. 11680, and Rhodamine B, C.I. No. 45170, which were unsafe within the meaning of 706(a), since such synthetic organic colors had not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 8–11–61. Default—destruction.

226. Eye liner pencils. (F.D.C. No. 45731. S. No. 83–252 R.)

QUANTITY: 15,000 pencils at New York, N.Y.

SHIPPED: 3–10–61, from Shelbyville, Tenn., by Jensen's, Inc.

LABEL IN PART: "Avon Eye Liner Violet."

LIBELED: 4–20–61, S. Dist. N.Y.

CHARGE: 601(e)—when shipped, the article contained a synthetic organic color, namely Rhodamine B, C.I. No. 45170, which was unsafe within the meaning of 706(a), since such synthetic organic color had not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: On or about 5–16–61. Default—destruction.

227. Liquid eye liner. (F.D.C. No. 45818. S. No. 47–682 R.)

QUANTITY: 3 1-gal. bulk containers, and 30 ctns., each containing 6 btls., at Toledo, Ohio.

SHIPPED: 4–28–60, from Matamoras, Pa., by Kolmar Cosmetic Specialties, Inc.

LABEL IN PART: (Btl.) "New Smartee Eye Liner Shadow Mink Brown."

ACCOMPANYING LABELING: Display cards reading in part "New Smartee Eyeliner and Eye Shadow * * * Cameo, Inc., Toledo, Ohio."

RESULTS OF INVESTIGATION: The dealer at Toledo, Ohio, had repacked bulk liquid eye liner into retail bottles and attached the bottles to display cards.

LIBELED: 6–5–61, N. Dist. Ohio.

CHARGE: 601(e)—when shipped and while held for sale, the article contained a synthetic organic color, namely, Toluidine Red, C.I., 12120, which was unsafe within the meaning of 706(a), since such synthetic organic color had not been provisionally listed for cosmetic use in the area of the eye on the basis of prior commercial sale pursuant to Section 203 of the Color Additive Amendments of 1960.

DISPOSITION: 7–6–61. Default—destruction.

COSMETICS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

228. Robert's Nail Tone. (F.D.C. No. 46046. S. No. 85–841 R.)

QUANTITY: 2,068 ⅛-oz. btls. at Kansas City, Mo., in possession of Peck's.