On May 1, 1934, a jury having been waived and a plea of not guilty having been entered on behalf of the defendant company, the case came on for trial before the court. On May 2, 1934, the taking of testimony having been completed, the court adjudged the defendant company guilty on the first count and imposed a fine of $200, and not guilty on the second count.

M. L. WILSON, *Acting Secretary of Agriculture.*

22362. Misbranding of O. J.'s Beauty Lotion. U. S. v. 172 Packages of O. J.'s Beauty Lotion. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31271. Sample no. 17983-A.)

Examination of a sample of O. J.'s Beauty Lotion showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On October 28, 1933, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 172 packages of O. J.'s Beauty Lotion at Beaumont, Tex., alleging that the article had been shipped in interstate commerce, on or about September 15, 1933, by O. J.'s Beauty Lotion Co., Inc., from Shreveport, La., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of water, alcohol (32.8 percent), and small quantities of mercuric chloride, zinc sulphate, salicylic acid, and witch hazel.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Carton and bottle) "Will positively remove Pimples * * * Liver Spots * * * and other Facial Blemishes. * * * Stimulates Circulation Nourishes Skin Tissues"; (circular) "Obstinate cases, even eczema, respond amazingly. * * * comes to the rescue by purging the complexion of disfiguring pimples * * * Liver-spots and other facial blemishes. * * * for abrasions which might be followed by infection * * * prevents soreness and pimples caused by close shaving. * * * Dandruff * * * For eczema, ring worm, tetter. * * * itch and all skin pimples or other skin infections * * * If your skin has any disease or impurity beneath the surface, do not be alarmed if this Lotion draws it to the surface, for this it will certainly do, as it is the only way to obtain satisfactory results."

On March 22, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22363. Misbranding of Musbro Skin Ointment. U. S. v. 103 Jars of Musbro Skin Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31311. Sample nos. 21388-A, 21389-A.)

Examination of a sample of Musbro Skin Ointment showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 2, 1933, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 103 jars of Musbro Skin Ointment at Englewood, N. J., alleging that the article had been shipped in interstate commerce, on or about May 3, 1933, by the Standard Veterinary Products Co., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted of petrolatum, sulphur, and a fatty material of the nature of lard.

It was alleged in the libel that the article was misbranded in that the following statement regarding its curative and therapeutic effect, borne on the jar label, was false and fraudulent: "A sedative and healing ointment for eczema." The libel also charged a violation of the Insecticide Act of 1910, reported in Notice of Judgment no. 1323, published under that act.

On July 20, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*