# FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

# NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

71–95

COSMETICS

The cases reported herewith, commenced prior to June 30, 1940, were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Secretary of Agriculture; and those commenced on and after that date were similarly instituted upon reports submitted by direction of the Federal Security Administrator.

PAUL V. MCNUTT, *Administrator, Federal Security Agency.*

*Washington, D. C., December 8, 1942.*

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## COSMETICS ACTIONABLE BECAUSE OF ADULTERATION WITH POISONOUS OR DELETERIOUS SUBSTANCES

**Nos. 71 to 75** report the seizure and disposition of a permanent waving method each unit of which consisted of a cardboard box holding one bottle each of a shampoo hair conditioner, a curling solution, and a neutralizing solution. The curling solution contained ammonium hydrogen sulfide, which would be injurious to users under customary conditions of use.

**71. Adulteration of heatless method of permanent waving. U. S. v. 18 Cases and 6 Boxes of Willat Method of Heatless Permanent Waving (and 51 other cases against Willat method). Default decrees of condemnation and destruction.** (F. D. C. Nos. 4246, 4271 to 4276, incl., 4278, 4336, 4337, 4340 to 4343, incl., 4354 to 4357, incl., 4381, 4382, 4385, 4420, 4427, 4447, 4448, 4496 to 4501, incl., 4561, 4563, 4564, 4567, 4568, 4570 to 4583, incl., 4641 to 4677, incl., 4680 to 4691, incl., 4761, 4832, 4837. Sample Nos. 28276–E, 31172–E, 31173–E, 44387–E, 44388–E, 46942–E to 46944–E, incl., 46946–E to 46952–E, incl., 47262–E to 47265–E, incl., 47818–E to 47821–E, incl., 50229–E, 50230–E, 53812–E to 53814–E, incl., 55464–E, 56152–E to 56154–E, incl., 56226–E to 56228–E, incl., 56230–E to 56236–E, incl., 56240–E, 56405–E to 56408–E, incl., 56411–E, 56413–E, 56529–E to 56532–E, incl., 56534–E to 56537–E, incl., 56539–E, 56540–E, 56543–E to 56551–E, incl., 56630–E, 56632–E, 56633–E, 62309–E, 69026–E to 69033–E, incl., 69122–E to 69125–E, incl., 69401–E, 69402–E, 69404–E to 69417–E, incl.)

Between April 5 and May 29, 1941, the United States attorneys for the District of Arizona, District of Connecticut, Northern District of Illinois, District of Maryland, Eastern and Western Districts of Michigan, District of New Jersey, Eastern and Southern Districts of New York, Western District of Texas, District of Utah, Eastern District of Virginia, and the Western District of Washington filed libels against the following quantities of Willat Method of Heatless Perma-

nent Waving: 15 units at Phoenix and 21 units at Tucson, Ariz.; 65 units at Bridgeport, 88 units at Bristol, 29 units at Darien, 89 units at Greenwich, 36 units at Meriden, 68 units at New Britain, 40 units at New Canaan, 38 units at New Haven, 28 units at Newington, 82 units at Stamford, 21 units at Waterbury, 127 units at West Hartford, and 58 units at Westport, Conn.; 1,116 units at Chicago, 18 units at Cicero, 189 units at Evanston, 85 units at Glencoe, 81 units at Highland Park, 1 unit at La Grange, 57 units at Lake Forest, 25 units at Northfield, 5 units at North Winnetka, 89 units at Oak Park, 20 units at Ravinia, 60 units at River Forest, and 12 units at Winnetka, Ill.; 46 units at Frederick, Md.; 45 units at Battle Creek, 291 units at Detroit, 56 units at Flint, 199 units at Grand Rapids, 24 units at Grosse Pointe, 112 units at Jackson, and 72 units at Pontiac, Mich.; 16 units at Elizabeth, 70 units at Englewood, 34 units at Maplewood, 20 units at Montclair, 35 units at Morristown, 67 units at Passaic, and 123 units at Ridgewood, N. J.; 822 units at Jackson Heights, L. I., 96 units at Kingston, 45 units at Newburgh, 70 units at New Rochelle, 1,147 units, 377 cartons each containing 12 bottles of curling solution, and 834 bottles of curling solution at New York, 83 units at Poughkeepsie, and 60 units at Scarsdale, N. Y.; 270 units at San Antonio, Tex,; 82 units at Salt Lake City, Utah; 82 units at Richmond, Va.; and 19 units at Seattle, Wash.

The libels alleged that the article had been shipped in interstate commerce by the Heatless Permanent Wave Co. from San Francisco, Calif., within the period from on or about January 12, 1940, to on or about April 19, 1941; and charged that it was adulterated in that it contained a poisonous or deleterious substance, ammonium hydrogen sulfide, which might have rendered it injurious to users under such conditions of use as are customary or usual.

Between May 24 and December 30, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**72. Adulteration of heatless method of permanent waving. U. S. v. 19 Cartons and 270 Units of Willat Method of Heatless Permanent Waving. Default decrees of condemnation and destruction.** (F. D. C. Nos. 4305, 4710 to 4713, incl. Sample Nos. 35187–E to 35190–E, incl., 56225–E.)

On April 11 and May 8, 1941, the United States attorneys for the Southern District of New York and the Western District of Texas filed libels against the following quantities of Willat Method of Heatless Permanent Waving: 19 cartons at New York, N. Y., and 270 units at San Antonio, Tex., all lots of which had been consigned by the Heatless Permanent Wave Co. from San Francisco, Calif., within the period from on or about December 24, 1940, to on or about March 20, 1941.

The libels charged that the article was adulterated in that it contained a poisonous or deleterious substance, ammonium hydrogen sulfide, which might have rendered it injurious to users under such conditions of use as are customary or usual.

On September 15 and November 18, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**73. Adulteration of heatless method of permanent waving curling solution. U. S. v. 4 Cases and 1 Case of Willat Sulfolene Curling Solution No. 2. Default decree of condemnation and destruction.** (F. D. C. No. 4352. Sample No. 62123–E.)

On April 21, 1941, the United States attorney for the Northern District of Illinois filed a libel against 4 cases each containing 12 bottles and 1 case containing 9 bottles of Willat Sulfolene Curling Solution No. 2 at Chicago, Ill., alleging that the article had been shipped on or about March 12, 1941, by Sophia Co., Inc., from New York, N. Y.; and charging that it was adulterated in that it contained a poisonous or deleterious substance, ammonium hydrogen sulfide, which might have rendered it injurious to users under such conditions of use as are customary or usual. The article was labeled in part: (Bottles) "Willat Sulfolene * * * Distributor Heatless Permanent Wave Co. San Francisco, Calif."

On September 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**74. Adulteration of heatless method of permanent waving. U. S. v. 12 Units and 60 Units of Willat Method of Heatless Permanent Waving. Default decrees of condemnation and destruction.** (F. D. C. Nos. 4569, 4584. Sample Nos. 69403–E, 69418–E.)

On May 3, 1941, the United States attorney for the District of Connecticut filed libels against the following quantities of Willat Method of Heatless Permanent