at Atlanta, Ga., alleging that the articles had been shipped on or about September 16, 1942, by Wells and Harris from Norfolk, Va.; and charging that the cosmetic items were adulterated in that they had been held under insanitary conditions whereby they might have become contaminated with filth.

The food items were alleged to be adulterated under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 5764. The drug items were alleged to be adulterated and misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 954.

On October 12 1942, John W. Harris, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the products were ordered released under bond for segregation and destruction of the unfit portion, and for reprocessing and relabeling of the good portion, under the supervision of the Food and Drug Administration.

COSMETICS ACTIONABLE BECAUSE OF ADULTERATION WITH UNCERTIFIED COAL-TAR COLORS

101. Adulteration of lemon color. U. S. v. 15 Pounds of O. S. Lemon #401. Default decree of condemnation and destruction. (F. D. C. No. 12364. Sample No. 52309-F.)

Examination showed that this product consisted of dimethylamino-azobenzene, a coal-tar color which is more commonly known as "butter yellow" (Colour Index, No. 19) and which is known to possess carcinogenic properties. The product was intended for use as a component in cosmetics.

On May 12, 1944, the United States attorney for the District of Massachusetts filed a libel against 15 pounds of O. S. Lemon #401 at Boston, Mass., alleging that the article had been shipped on or about May 11, 1943, by the Interstate Color Co., Inc., from New York, N. Y.; and charging that it was adulterated.

The article was alleged to be adulterated in that it was a cosmetic that was not a hair dye, and it contained a coal-tar color known as "butter yellow" that has not been listed for use in cosmetics in accordance with the regulations, and it was other than one from a batch that had been certified.

On July 11, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

102. Adulteration of cleansing cream. U. S. v. 21 Jars and 16 Jars of Cleansing Cream (and 1 other seizure action against same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 12362, 12374. Sample Nos. 51660-F, 51666-F, 51667-F, 59816-F.)

On May 12 and 20, 1944, the United States attorneys for the District of Massachusetts and the Northern District of Illinois filed libels against the following quantities of cleansing cream: 21 2-ounce jars and 16 4-ounce jars at Boston, Mass., and 16 2-ounce jars, 8 4-ounce jars, 21 8-ounce jars, and 30 16-ounce jars at Chicago, Ill., alleging that the article had been shipped from New York, N. Y., by Alexandra de Markoff, Inc., within the period from on or about December 27, 1943, to March 22, 1944; and charging that the article was adulterated. It was labeled in part: "Alexandra de Markoff Cleansing Cream."

Examination disclosed that the article contained, among other coal-tar colors, "butter yellow" (Colour Index, No. 19), a non-permitted coal-tar dye which is known to possess carcinogenic properties.

The article was alleged to be adulterated in that it was a cosmetic that was not a hair dye, and it contained a coal-tar color known as "butter yellow" that has not been listed for use in cosmetics in accordance with the regulations, and it was other than one from a batch that had been certified.

On July 11 and 24, 1944, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

103. Adulteration and misbranding of Oliv-Tone. U. S. v. 35 Bottles and 180 Packages of Oliv-Tone. Default decrees of condemnation and destruction. (F. D. C. Nos. 12365, 12366. Sample Nos. 52251-F, 52316-F.)

Examination of samples disclosed that this product was a liquid with two layers. One layer consisted of water colored with dye known as D&C Yellow #8. The other layer consisted of mineral oil and small portions of essential oils and was colored with dimethylamino-azobenzene, a coal-tar color which is more commonly known as "butter yellow" (Colour Index, No. 19), and which is not a dye certified as safe for use in cosmetics since it is known to possess carcinogenic properties.