

Laboratories, Inc., from Buffalo, N. Y., within the period from on or about December 1, 1938, to on or about March 15, 1939; and charging that it was adulterated and misbranded.

It was alleged to be a misbranded drug for the reasons stated above. It was also alleged to be an adulterated cosmetic as reported in C. N. J. No. 20.

On April 24 and May 1, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**70. Misbranding of Soule's External Lotion. U. S. v. 5 Bottles and 8 Bottles of Soule's External Lotion. Default decrees of condemnation and destruction. (F. D. C. Nos. 221, 229. Sample Nos. 10474-D, 13696-D.)**

This product contained mercuric chloride, a poisonous or deleterious substance. It would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling in which it was recommended as a treatment for moth, tan, freckles, and pimples. For the treatment of moth it was directed that a soft cloth be moistened with the lotion, that the face be bathed morning and evening for 2 or 3 weeks or until a slight roughness is experienced and then that it be applied evenings until the face becomes clear; that for tan it be applied every evening; that for freckles it be used in the same manner as for tan unless the case was severe, in which event it should be applied as for moth; and that for pimples it should be applied every evening but if it proved stronger than was pleasant for the face, the cloth should be dampened in water, the lotion applied to the damp cloth, and the applications made less frequently. Its labeling failed to bear adequate directions for use and such adequate warnings against use in those pathological conditions or by children where its use might be dangerous or against unsafe dosage or methods or duration of administration or application in such manner and form as are necessary for the protection of users.

On April 17 and May 13, 1939, the United States attorney for the Southern District of Florida filed libels against 13 bottles of the above-named product at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about February 1 and April 18, 1939, by L. M. Brock & Co. from Lynn, Mass.; and charging that it was a misbranded drug for the reasons appearing hereinbefore. The article was also alleged to be an adulterated cosmetic, as reported in C. N. J. No. 22.

On June 22, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**71. Adulteration and misbranding of Miller's Anti-Mole. U. S. v. 21 Packages of Miller's Anti-Mole. Default decree of condemnation and destruction. (F. D. C. No. 228. Sample No. 66601-D.)**

This product contained nitric and acetic acid. It would be dangerous to health, and its labeling failed to reveal the consequences which might result from its use.

On May 16, 1939, the United States attorney for the Western District of Missouri filed a libel against 21 packages of Miller's Anti-Mole at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about March 13, 1939, by the Miller Manufacturing Co. from Lincoln, Nebr.; and charging that it was adulterated and misbranded.

The article was alleged to be misbranded in that it was a drug which affects the body structure and would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in its labeling, which bore directions that it be applied with a hardwood toothpick and used very sparingly so that all the liquid applied would be absorbed; that small warts on the scalp usually could be rubbed off with the first application, a large one requiring more thorough treatment, and that one application was sufficient to remove warts when used properly. It was directed further that the user pick gently so that the liquid would penetrate the skin if the growth treated was very small, that when the skin turned yellow no more should be applied; but that with a large wart enough should be used to turn it dark; that about 2 hours after applying the growth should be greased with vaseline to keep it soft and to prevent soreness. Users were cautioned not to use the preparation on themselves unless the growth was on arm, leg, or where freely accessible; that the scab should not be picked off, that a little vaseline should be placed around the growth to keep the liquid from spreading, and that the product should not be permitted to enter the eye. The labeling also bore the word "Poison" and external and internal antidotes. Its labeling did not bear adequate directions for use and such adequate warnings against use in those pathological

conditions or by children where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration or application in such manner and form as are necessary for the protection of users.

It was also alleged to be adulterated under the provisions of the law applicable to cosmetics as reported in C. N. J. No. 18.

On July 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**72. Adulteration and misbranding of O. J.'s Beauty Lotion. U. S. v. 428 Bottles of O. J.'s Beauty Lotion. Default decree of condemnation and destruction. (F. D. C. No. 242. Sample No. 62843-D.)**

This product contained mercuric chloride, a poisonous and deleterious ingredient.

On August 8, 1939, the United States attorney for the Northern District of Texas filed a libel against 428 bottles of O. J.'s Beauty Lotion at Dallas, Tex., alleging that the article had been shipped in interstate commerce by O. J.'s Beauty Lotion Co. from Shreveport, La. (consigned about May 8 and June 8, 1939); and charging that it was adulterated and misbranded. It was labeled in part: "O. J.'s Beauty Lotion, Cleanses, Clears, Bleaches, Beautifies \* \* \* Manufactured and guaranteed by O. J. Parham for O. J.'s Beauty Lotion Co., Shreveport, La."

Misbranding was alleged in that the article was a drug and was dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in its labeling, and the label did not bear adequate directions for use and such adequate warnings against use in those pathological conditions, or by children where its use might be dangerous to health or against unsafe dosage or methods or duration of administration or application in such manner and form as are necessary for the protection of users. It was recommended in its labeling for the removal of externally caused pimples, freckles, superficial discoloration, tan, and sunburn. Its circular bore directions that in the beginning of the treatment the preparation be used sparingly once or twice a day and that the frequency of application be increased, if desired, until a roughness or slight reddening of the skin be experienced; that if the skin were supersensitive and the irritation became annoying, a small amount of cold cream should be applied and the treatment discontinued for 24 hours; that it be used daily as a cleansing agent, its astringent and beneficial qualities making it especially desirable for such purposes; that its frequent use would remove superficial imperfections, contract the pores and correct oiliness; that it contained ingredients recognized and used by physicians and prescription druggists as a bleaching agent; that it had gained supremacy in the most difficult country—the South and if used full strength daily would remove freckles and similar spots or blemishes and the coarsening effects of tan by sun and wind; that it be used full strength as an application to the scalp before shampooing and should be used three or four times a week on the scalp in solution of one part of the lotion to three parts of water applied with fingertips or brush; that it was a delightful after-shaving lotion; would tend to close large pores and leave the face clean and cool; that it was a desirable application for cuts, scratches, and abrasions of the skin for which it should be used full strength; that its astringent properties would prevent collection of foreign matter and excessive oily secretions. Its labeling bore the word "Poison" and directions that it should not be taken internally and should be kept out of the hands of children.

It was also alleged to be an adulterated cosmetic as reported in C. N. J. No. 19.

On September 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**73. Misbranding of dental cream. U. S. v. 3 Gross Packages of Dental Cream. Default decree of condemnation. Product delivered to charitable organization. (F. D. C. No. 547. Sample No. 67651-D.)**

The labeling of this product bore the false and misleading claim that it would make the gums healthy and firm.

On September 6, 1939, the United States attorney for the Southern District of New York filed a libel against 3 gross packages of dental cream at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 11 and August 11, 1939, by Trade Laboratories, Inc., from Newark, N. J.; and charging that it was misbranded. It was labeled in part: