

IN THE MATTER OF
GUSTAVE GOLDSTEIN TRADING AS HUMANIA HAIR
GOODS & SPECIALTY CO.

COMPLAINT, AND MODIFIED FINDINGS AND ORDER IN REGARD TO THE AL-
LEGED VIOLATION OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26,
1914

Docket 5249. Complaint, Nov. 21, 1944—Decision, June 16, 1950

Where an individual engaged in the interstate sale of certain cosmetic prepara-
tions for the skin, hair, and scalp; in advertising in catalogs distributed
throughout the United States by the mails and by other means in commerce—

- (a) Represented that his "B. Paul's Compound" for coloring the hair was com-
posed of harmless ingredients and could be used without harmful effects;
notwithstanding the fact that by virtue of its pyrogallic acid content, a
caustic, use thereof would under certain conditions irritate the skin and
mucous membranes;
- (b) Falsely represented that "Herolin Skin Cream" provided a competent and
effective treatment for superficial pimples and skin marks of external origin;
- (c) Represented that "Henry's Super-Light Working Oil," "Working Oil," and
"Henry's Sulphur Lanolin Treatment for Hair and Scalp" were competent
and effective treatments for itchy scalp and dandruff, and that "Henry's
Sulphur Lanolin Treatment" for hair and scalp was a competent and effec-
tive treatment for baldness, falling hair, itchy scalp, and dandruff;

The facts being that while said preparations might in most cases temporarily
relieve itching of the scalp caused by minor scalp disorders and might make
loose dandruff scales less noticeable by matting them to the hair and scalp,
none of them was a competent, effective, or adequate treatment for many
of the underlying causes of itching scalp or dandruff; use thereof would not
relieve itching in some scalp conditions; and use of said last-named prep-
aration would not prevent falling hair or baldness and was not a competent
or effective treatment therefor; and

- (d) Falsely represented that "Humania Dandruff Treatment" was a competent
and effective treatment for dandruff and would cure it;

With tendency and capacity to mislead and deceive a substantial portion of the
purchasing public into the erroneous belief that such representations were
true and thereby induce its purchase of substantial quantities of his said
preparations:

Held, That such acts and practices, under the circumstances set forth, were all
to the prejudice and injury of the public and constituted unfair and decep-
tive acts and practices in commerce.

In said proceeding in which the complaint also charged, and in which the Com-
mission had theretofore found, as set forth in its prior findings issued on
April 27, 1945, 40 F. T. C. 466, that respondent's advertisements concerning
certain of his preparations constituted false advertisements for failure to
reveal certain potential dangers in the use thereof, in that—

1. Said "B. Paul's Compound," when applied to the skin was potentially
dangerous by reason of its pyrogallic acid content—as to which it appeared,

