

Dr. GARB. Yes, sir, as we go along.

Thus the proper use of a brand name is fully consistent with the operations of a free competitive market.

Third, the proper use of the brand name helps the consumer choose new products. Let us imagine a consumer who has never eaten clam chowder, but who has eaten and enjoyed Campbell's tomato soup, vegetable soup, and other soups. That consumer, seeing a can of Campbell's clam chowder in a display would be more likely to buy it than to buy an unknown brand, because of previous satisfaction with Campbell's other soups.

Fourth, by a similar mechanism, the proper use of a brand name is a stimulus to a manufacturer to keep his customers satisfied, and to keep all his products up to the highest standards.

Fifth, this use of the brand name can be applied to mixtures as well as single products. Thus, vegetable soup is a mixture, and Campbell's vegetable soup and Heinz vegetable soup differ slightly in the kinds and proportions of vegetables included. Nevertheless, they are similar products and the similarity is evident to the consumer.

Finally, the proper use of a brand name does not make it necessary for the consumer to memorize a large new vocabulary. Beans are called beans, not sneabs, nabes, anebes, ebans, hi-pros, or lo-cals. This is a point which is quite obvious in relation to foods, but not in relation to drugs. I will return to this point later.

In the drug field, the proper use of the brand name involves exactly the same arrangement as the proper use in other areas—that is, the name of the manufacturer, plus the official or common name of the drug. Some examples are: Lilly—secobarbital, Armour—thyroid, Wyeth—meprobamate, Lederle—tetracycline.

It is also permissible to reverse the names, as follows: secobarbital—Lilly, thyroid—Armour, and so forth.

Let me reiterate that I am completely in favor of this sort of brand-name use for all products—drugs, beans, vegetable soup, tires, anything you want to name.

Now we come to the private product name, which many people also call “brand name.” I am using the term “private product” to distinguish it from the classical brand name discussed before.

The private product name is a noun which is substituted for the official, generic or common name, and which is the private property of the manufacturer who registers and uses it. Private product names are used primarily in the drug, detergent, and breakfast cereal industries, although a few other industries also use them occasionally. Their use for detergents and breakfast cereals is not particularly objectionable. After all, it hardly makes much difference if a housewife knows the names of the active ingredients in Duz, Rinso, Cheer, Fab, Bold, All, Dash, and so forth, nor is it necessary that she know the name of the manufacturer.

However, in the drug field, the use of private product names produces serious effects which work against the patient's best interests.

Let us look at some private product names for drugs. Here are some which are or have been in fairly common use: Achromycin, Seconal, Kynex, Miltown, Madribon, Equinal, Midicel.

Obviously, these names do not indicate the identity of the manufacturer or the nature of the active ingredient, unless you happen