

29. Druggists ⚡9

Any significant increase found to exist in reaction rate of particular drug must be disclosed by manufacturer.

30. Druggists ⚡9

Where manufacturer of vaccine had noted that study revealed that seven per cent of children inoculated with vaccine suffered fevers of 104 degrees and above, manufacturer was under duty to timely amend brochure included with its product in order to inform medical profession of information which would reasonably be expected to affect doctor's decision to use vaccine.

31. Druggists ⚡9

Manufacturer of vaccine marketed in 1959 was under duty to warn medical profession of possibility of allergic reaction.

32. Damages ⚡1

Under New York law damages are compensatory, not punitive.

33. Parent and Child ⚡7(1)

Father is entitled to recover for loss of injured child's services and for medical attendance and expenses.

34. Damages ⚡60

"Collateral source" doctrine has been severely limited in its application.

35. Damages ⚡60

Where liability for care of mentally defective infant may be asserted by state against infant and his father, doctrine of "collateral source" does not apply. Mental Hygiene Law N.Y. § 24 and subds. 5(b), 9(b).

36. Mental Health ⚡32

Where state has provided care for mentally defective infant, damages awarded father for past period of institutionalization are subject to lien of state and defendant may move to have lien determined. Mental Hygiene Law, N.Y. § 24 and subds. 5(b), 9(b).

37. Damages ⚡43

In absence of proof that nursing services performed by infant's mother were other than would normally have been rendered by mother to her child, damages for such services would not be awarded.

38. Damages ⚡133

Father was entitled to damages in amount of \$2,500 for loss of services of infant who became mentally retarded as result of receiving vaccine at age of three months.

39. Damages ⚡32, 37, 43

Infant who became mentally retarded from being administered vaccine at age of three months was entitled to damages to cover future medical expenses, to reimburse him for future loss of wages, and to cover past, present and future pain and suffering.

40. Damages ⚡135

Evidence established that \$160,000 would be fair amount to insure adequate future medical care for infant who became mentally retarded from administration of vaccine at age of three months.

41. Damages ⚡133

Infant who became mentally retarded from administration of vaccine at age of three months was entitled to \$50,000 as damages for loss of future earnings even though he would be confined to institution during most of his life and would not start work until age 21.

42. Damages ⚡132(3)

Infant who as result of being administered vaccine suffered from high fever, underwent two spinal taps and craniotomy, was partially paralyzed and subject to seizures and was mentally retarded was entitled to \$400,000 as damages for pain and suffering.