In the case of Brown v. Mixit, the fact of the case is that Brown bought a cough mixture from Mixit for his son, which Mixit then confirmed is safe for children by checking his own label on the cough syrup. However, Mixit was not privy to the fact that the cough mixture he bought in bulk from Careless, the chemist who made the cough syrup, had included an ingredient which made the cough syrup dangerous for children. This ingredient was not reflected on the Careless’s own label content, which Mixit then copied for his own labels. Thus the question arises, is the defendant liable for a serious mistake by another party, which cannot be attributed to him.

The defendant should not be at fault for providing Mr Brown the cough medicine to use as there is no indication other misfeasance by the defendant and no indication of fraud either.

This case is very similar to that in *Longmeid v. Holliday* (1851) 6 Ex. 761 where the defendant was also a vendor selling a product which causes serious consequences due to mistakes in construction by others using parts purchased from third parties. In *George v. Skivington* (1869) L.R. 5 Ex. Rep. 1, Kelly B. also noted that the jury from *Longmeid v. Holliday* found *bona fides* and no negligence on the part of the vendor Holliday. The defendant in this case was only a vendor for the cough syrup which he bought in bulk from Careless. Based on Parke B’s *Orbiter Dictum* in *Longmeid v. Holliday* there should be no duty on the defendant to conduct safety checks on the products. Since the content of his label was directly copied from Careless’s label, the defendant would have no information that the cough syrup contains the ingredient which would make it dangerous for children. The defendant, upon knowing that the cough syrup was for the plaintiff’s son, did his due diligence in checking the ingredients on his label to ensure that the cough syrup was perfectly safe for children. Hence the defendant should not be considered guilty for Careless’s mistake of having a wrong label.