



## PATENT MEDICINES

The term “patent medicine” is wrong. These products were not patented. They were not medicines. They were mixtures of vegetable extracts, chemicals, alcohol and addictive drugs. The term “patent medicine” came from 17<sup>th</sup> century England where the British Crown granted “Letters of Patent” to manufacturers who provided medicines to the royal family. Soon, any merchant could apply for and receive a Letter of Patent to make and sell remedies to anyone. This practice came to North America with the colonists in the 17<sup>th</sup> and 18<sup>th</sup> centuries.

By the beginning of the Civil War, patent medicines in the United States were big business. Most patent “cures” contained 15% to 75% alcohol. Many manufacturers added drugs such as morphine, cocaine or heroin as painkillers. There were no laws that required proof of a manufacturer’s claims. Makers of patent medicines simply omitted the harmful contents from bottle labels. By 1900, there were 1,000,000 patent medicines for sale in the United States. Newspapers were a key factor in their popularity.

Literacy in the United States rose after the Civil War. Newspapers also grew rapidly. In 1900, the makers of patent medicines paid over twenty million dollars per year for newspaper advertising. The largest patent medicine companies formed “The Proprietary Association of America.” It required newspapers to sign “Contracts of Silence” containing “Red Clauses.” These ended advertising contracts if any state passed a law that restricted or prohibited the manufacture or sale of patent medicines. As a result, newspapers did not speak out against the false claims and damaging effects of patent medicines.

The “Medicine Show” was another popular method of advertising. It consisted of a traveling troupe of performers who provided the entertainment that could attract a crowd. When a group had assembled, a self-proclaimed “Professor” or “Doctor” appeared to laud the healing properties of his particular elixir. Shills in the audience would come forward to be “healed” by taking a spoonful of the “cure.” This supposedly “proved” its effectiveness. These medicine shows flourished in the Midwest and the South between the end of the Civil War and the beginning of World War I.

The vast majority of patent medicines were harmful to a person’s health or did nothing at all. The end to their popularity began when journalist Samuel Hopkins Adams exposed the dangerous ingredients and harmful effects of patent medicines in a *Collier’s Magazine* series entitled, “The Great American Fraud.” These articles combined with Upton Sinclair’s *The Jungle*, led to the passage of the Pure Food and Drug Act of 1906, which began the process of eliminating unlabeled or unsafe ingredients and prohibiting misleading advertising.