“Made in Germany” was Made in Britain (1887)

Abstract

The original impulse for the label “Made in Germany” came from Britain, which was the premier industrial country in the nineteenth century. Increasingly challenged by the German upstart and German imported goods, British tradesmen and politicians hoped to appeal to the patriotism of their countrymen. This economic nationalism found cold, clinical language in the original law.

Source

[...]

By far the larger number of offences against the [Merchandise Marks] Act will fall under the head of a false description as to the place or country in which any goods are made or produced, and as the indication may be direct or indirect a very large proportion of the marks ordinarily used in trade will come under this head.

The marking of goods with the names of places in this country, whether as the address of a manufacturer or alone, will be an offence against the section, but as the illegality of the mark arises from its falseness, this false character will be removed by the addition of a definite indication of the place or country in which the goods were produced; as, however, the simple addition of the name of a foreign place to the English address, such as London and Paris, would not indicate in which place the goods were made, it will be necessary, in order to comply with the section, that a definite statement should be added, such as “manufactured in Germany,” to indicate the origin of the goods.

With regard to direct false indications of origin the matter is simple enough. If knives are imported marked Sheffield when they have been manufactured in Germany, it will be evident that a fraud has been committed.

But in the case of indirect indications of origin the matter is not so simple. The use of the English language in descriptive expressions such as “superfine make” on a label applied to goods coming from a foreign-speaking country is undoubtedly, under the Act, a false indication of manufacture in the United Kingdom, and so possibly would the use of single words, such as “patent,” “registered,” or “warranted,” or English measures, such as yards, feet, inches, dozens, or any usual abbreviations of such words. In the event of such words being applied to goods, a counter-statement as to manufacture abroad should be added to secure the goods from detention.

Similarly, any words which might imply manufacture by English firms, such as “& Co.,” would bring any goods so labelled within the section if the goods came from foreign-speaking countries, and would also require a definite indication of manufacture abroad.

In addition to these indications of British manufacture, there are many other words used on goods in other languages which might be false or not according to the country from which they are imported. Such words, for instance, as “Mode de Paris,” on goods brought from Germany would clearly be a misdescription, but such words would be legal if the goods came from France. This is in exact accordance with the law at present existing in France on the subject. It may be, therefore, clearly laid down that the use of the language of any particular country on labels, or in any other way applied to goods, will be considered as evidence that the goods are the produce of the country in which that language is spoken, and any goods so marked, coming from other countries than that so indicated, must bear, in addition to such language, a distinct indication as to the country in which they were

produced.

But in addition to the English language there may be other indirect indications, such as V. R., the Royal Arms, the Queen's Crown, the Lion of Scotland, the Harp of Ireland, or any similar device which might imply a national character; and, generally speaking, it may be stated that any such mark applied to goods must have some such counter-statement, as "manufactured abroad," added to it in order to prevent an infringement of the section.

The English language applied to goods from America, or other English-speaking country, would not appear to be illegal so long as the description does not contain any other British indication or the name of a place not being the actual place or country of production; but goods bearing the names of towns having similar names to towns in this country must have their origin distinctly indicated. In the case of such American towns, the letters U.S.A. would be a sufficient indication of the country of origin.

[…]

Source: *The Merchandise Marks Act of 1887, with Special Reference to the Importation Stations and the Customs Regulations & Orders Made thereunder*, […] by Howard Payn. London: Stevens and Sons, 1888, pp. 16–19. Available online at: https://archive.org/details/merchandisemark00payngoog

Recommended Citation: "Made in Germany" was Made in Britain (1887), published in: German History Intersections, <https://germanhistory-intersections.org/en/germanness/ghis:document-230> [October 12, 2024].