

## **Chapter 2**

### **Paper Labels and Early Logos**

Bill Lockhart and Bob Brown  
with Contributions by Chris Weide

We begin our analysis of the actual Seven-Up products with a study of the earliest labeling. This appears to be the least-studied segment of the Seven-Up bottling process and the one with the most potential pitfalls. Many labels appearing on online sources, notably eBay and other online auctions, were accidentally (or intentionally) mis-dated, and some were obvious forgeries. We have attempted to make good sense out of this mass of paper.

#### **Dating Labels and Logos**

Typically, we date bottle-related items that lack their own date codes by several methods, each of which has its limitations:

1. Postmarks and dates on letters and bills
2. Registered Trademarks
3. Copyright dates on ads, labels, and boxes
4. Advertisements

1. Postmarks and dates on letters and bills – When available, written items like letters, bills, orders, and envelopes with logos were usually dated along with postmarks on envelopes. These items give us a date when a logo was used, but it cannot tell when that use began (unless a letter states that information) or how long it was used.

2. Registered Trademarks – Trademarks were registered with the U.S. Patent Office, guaranteeing that no other business could use a registered trademark without the written permission of the trademark owner. These have three (occasionally four) dates associated with them, and most researchers choose the wrong one to publish. The registered date is the least helpful. It shows when a clerk at the patent office actually got around to making the registration official.

The application date is a bit better. It shows when the trademark user decided that the trademark was valuable enough to register. But, the important date (and the one least recorded by researchers) is the date of first use, usually referred to as “first used by . . .” or “used since . . .” or “in use since . . .” This tells us either when the company first used the logo or – in the case where the logo was registered a few years later – when the company thinks it first used the logo (generally based on someone’s memory). Even when this was a “best guess,” it is the best initial date for a logo that usually can be obtained. First used in the late 1940s, a fourth date is “date of first use in commerce” – but that generally matches the first use date. For more information, see Appendix C – Seven-Up Trademark Registrations.

3. Copyright dates on ads, labels, and boxes – A copyright protects wording and drawings (basically anything created) – the text of an advertisement, a label, a letterhead, an envelope – anything with a printed message. Although we find an occasional other use, the most important ones for bottle research are usually on paper or ACL labels. Although a copyright is generally not as precise (unless one has the date when the Library of Congress received the application), it does give us the year in which a label probably first was used. While a copyright could be sent in at any point (like a year after something was written), it was generally applied for soon after a company decided to adopt the wording or as soon as something was published (as in the case of a book).

4. Advertisements – Advertisements appeared in catalogs, newspapers, magazines, books, trade journals, and even could be handed out or tacked to a post – although newspapers generally carried the first ads for a new product in the pre-television days. Occasionally, a trade journal would announce the introduction of a new item, although those are less common in bottle-related venues. A newspaper ad could be run for a single issue, a week, a month, even one or two years, becoming cheaper per ad in the longer runs.

Difficulties with ads are twofold. First, each ad only gives you one date. Other ads could have appeared before and after that time. Only a comprehensive search can tell you when an ad began or ended, and, even then, it only tells you what we know from existing newspapers. The farther back in time you search, the fewer newspapers have survived. To make the issue more clouded, each newspaper database has a different set of papers.

Second, there is the issue of the length of the run. A set of ads could outlast the life of a logo, a product, or even a company. When one of the authors researched New Mexico soda bottlers, he found ads for one firm that continued for more than a year after the bottler bottling partnership had split up, and the company had ceased operations. So, a newspaper ad from December 25, 1931, shows a logo that may have been used that long – but it may have been discontinued earlier.

Finally, all of the early newspaper ads – ones that included illustrations – were hand drawn, many even after the advent of actual photos in the ads. The accuracy of the drawings was dependent on what – if anything – the artist used for a model. We have recorded several instances where artists invented the labels on bottles, creating a search for labels that never existed. Even if the drawing had been accurate, it could create a mistaken impression if the bottle style changed (e.g., when ACL was adopted) but the old ads continued for another six months or even a year.

### **Date Code Issues**

Using date codes on bottles and copyright dates on labels comes with its own potential pitfalls as well. If separated, each may be reliably dated, but, when a label is attached to a bottle, several pitfalls may occur. Unfortunately, some collectors have affixed paper labels to bottles – both legitimate labels and ones that have been reproduced via computer. Such forgeries confuse any study.

Even with original bottles and labels, soda bottlers tended to use up old labels beyond the span desired by the main company. Thus, an older label can appear legitimately on a newer bottle. Conversely, the bottles were returnable, so a newer label can appear on a much older bottle. Although the typical lifespan of a returnable soda bottle was about five years, any individual bottle may remain in use (or return) to a much later date.

### **The First Logos and Labels**

A total of four families of logos *may* have appeared on Seven-Up labels between 1929 and the advertising blitz of 1931 – a total of three years – although the evidence (see below)

strongly suggests that the first two of these only were used on caps (and ads), and the other two almost certainly were only used in advertisements. From various clues, we have determined an order for these logo families and the probable dates when they were used on signs, bottle caps, posters, one letter, and one trademark registration. Included in our discussion will be why we selected our dates for these logos and placed them in this order. However, it is likely that the use of the last two logos and ads overlapped, possibly the last three. All of these logos (with one possible exception) apparently disappeared when the Howdy Co. standardized Seven-Up labels in 1931 (see below).

While the exact trajectory of early affairs is unclear, it is apparent from the first use date of August 7, 1928, on the 1928 trademark for the words “SEVEN UP” that Grigg had the product developed and ready to go by that date. As noted in the history section, Grigg initially had several bottlers test the Seven-Up formula for taste and popularity – both the bottlers and some of their customers trying the drink and making suggestions. This apparently began in 1928 (probably near the middle or toward the end of the year) and extended into 1929.

All products undergo test marketing to determine how well the public will respond to them. Test markets may be short or long in duration, tried in one area or several, and may have follow-up test markets if initial sluggish reactions may have been triggered by a poor advertising campaign or other repairable problems. These are different from the experimental period described above; they consist of actual over-the-counter sales of the product to determine consumer reactions.

In the case of Seven-Up, a 1928 letter illustrated an initial possible logo noted to be “For 1929.” Grigg selected the bottler to run the initial test market because it apparently had been the test market site for Howdy Orange nine years earlier (As noted in Chapter 1, there may have been a second 1929 test market, operated earlier than or concurrent with the Carthage test.). Although we have not discovered the details leading to that original choice, the earliest ads we can find for Howdy Orange were from the Carthage Bottling Works, Carthage, Missouri, on June 21 and June 25, 1920, in the *Carthage Evening Press* (Figure 1). Therefore Carthage was the probable test market location for Howdy.

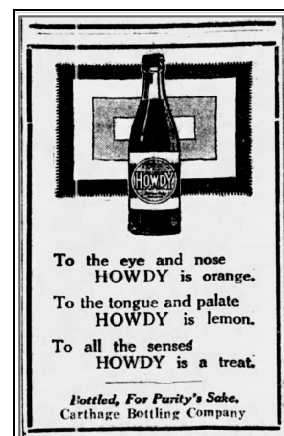


Figure 1 – Howdy ad  
(*Carthage Evening Press*  
6/25/1920)

It just makes sense that the Howdy Co. would choose Carthage again as a test market for Seven-Up, and, once more, the earliest ads we can find for Seven-Up come from Carthage. On March 22, 1929, the Carthage Bottling Works placed an ad for Seven-Up in the *Carthage Evening Press* (Figure 2). This ad featured the Flying 7 logo and noted that “Seven surprises await you—seven natural flavors blended into a brand-new drink delight.” This was apparently the beginning of the Seven-Up test market, continuing through April, although the wings had disappeared from the April 19 ad. We have found *no* other ads until June of 1930, over a year later, which means either that later issues of the newspaper have not survived or that the marketing campaign had ceased after just two months – perhaps a combination of both.

A National Register of Historic Places form (Miles 2004:5) stated that “two weeks before the market crashed in October 1929, Grigg introduced Seven-Up.” Again, this could be interpreted several ways. It could be a misunderstanding of the test market date, or it could mean that a second test market began in October. However, the advertising blitz that began with the June 3, 1931, ad in the *Carthage Evening Press*, (followed by other newspapers by mid-June of 1931) suggests that national sales began around that time.

All of the above discussion sets the timing for the first two caps and the first four logos, although the bottles during 1929 and 1930 probably had no paper labels, being identified only by the caps.

### 1. Block Letter Logo (1929)

The Howdy Co. received Trademark No. 252,350, filed on October 4, 1928, for “SEVEN UP” (including the quotation marks), claiming that the mark had been used from August 7, 1928 (Figure 3). We have discovered no advertising with this specific logo, but one bottle cap was gold in color with a

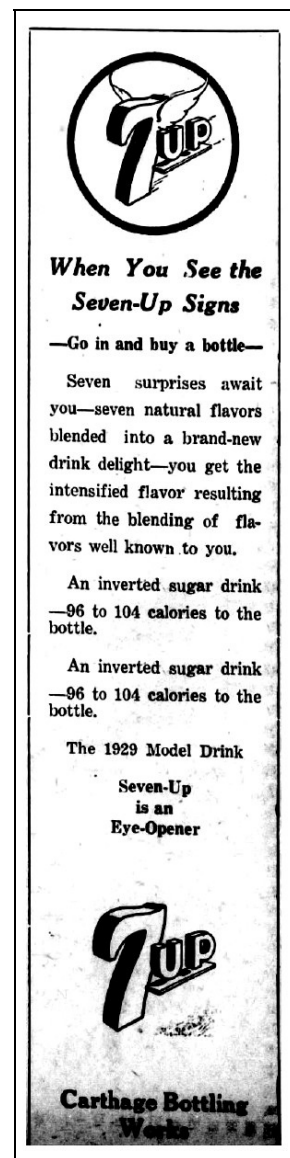


Figure 2 – First 7-Up ad (*Carthage Evening Press* 3/22/1929)



Figure 3 – Howdy 1928 Trademark

black bar across the center. The upper golden area had a black circle with a golden “7” followed by “SEVEN-UP / REG. U.S. PAT. OFF.” in the black bar. The lower golden area had “NATURAL / FLAVOR / & COLOR / 6½ OZ.” The skirt of the cap had “HUTCHINSON” in a yellow rectangle – made wavy by the pleats in the skirt (Figure 4).

Charles G. Hutchinson was the inventor of the Hutchinson Stopper in 1879 – an internal sealing device that was predecessor of the crown cap and the dominant closure for soda bottles between 1880 and ca. 1900. The adoption of the crown cap was a slow process, so the Hutchinson and Crown were both in use between 1892 and ca. 1912. Even though Charles and his older brother, George, operated William Hutchinson & Son, their grandfather, William H. Hutchinson, had founded the firm in 1840 (Hutchbook 2023).

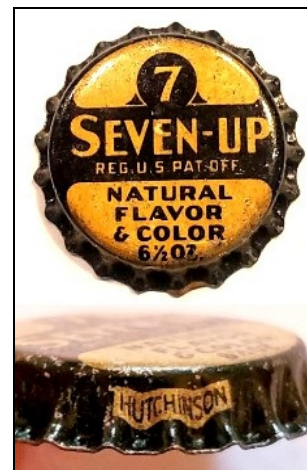


Figure 4 – Cap (eBay)

This cap almost certainly referenced the Block Letter Logo of August 7, 1928, making this the cap that was used in both the experimental period (late 1928 and early 1929) and the first test marketing, probably during March and April of 1929 (see above). Also note the “7” in the circle at the top half of the cap. As discussed below (Tilted “up” Logo), the only letter we have seen from 1928 used a circle motif and the words “For 1929.”

The *Beverage Journal* for December of 1928 included “Comments on the Detroit Exposition” – a trade show for the bottling industry held from November 12-16 of that year. Although his commentary on the show was too general to provide us with any new information, C.L. Grigg was in attendance and set up a display for the Howdy Co. Page 87 of the journal included an intriguing photo of Grigg’s display (Figure 5). The main display had the cryptic words “HOWDY / HI BOTTLES. / ‘EYE’ / DENTITY” – but two secondary features are most important to us. First, the display was bordered by two drawings of the “SEVEN-UP” bottle caps (unfortunately not very distinct in the photo).

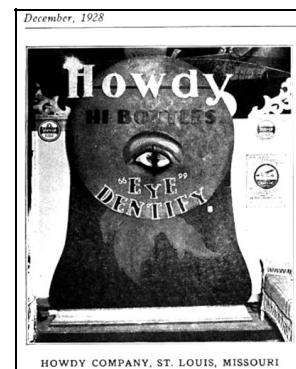


Figure 5 – Howdy Display (*Beverage Journal* 12/1929)

Second was an obvious ad below one of the caps. Although this, too, was blurry, it had the Seven-Up name and an airplane that looked very much like the Spirit of St. Louis, the airplane flown by Charles Lindberg. The timing was perfect – Lindberg had made his historic first solo crossing of the Atlantic via aircraft on May 21, 1927, recently enough to still have advertising value.

This was very likely the first logo used by Howdy for its new 7-Up *before* the Howdy Co. added Lithiated Lemon Soda to the name. As discussed in the history section (Chapter 1), it is virtually certain that the experimental period bottles and the test-market bottles were identified *only* by the caps – no paper label. A snippet from the *Beverage Journal* of 1929 announced: “Any Clean Bottle A Seven-Up Bottle. Use stock bottles for Seven-Up. The Identity Crowns compel the consumer to know Seven-Up and handle the crown—so a special bottle is not necessary.”<sup>1</sup> Stock bottles are those without embossing or any markings that identified the bottler or brand. The *Beverage Journal* snippet makes it quite clear that the crown cap was the *only* identifying mark for the early Seven-Up bottles.

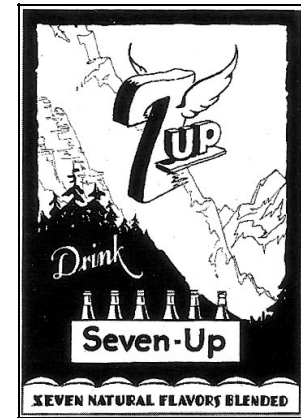


Figure 6 – Flying 7-Up (Rodengen 1995)

## 2. Flying 7 Logo (1929)

Until we discovered the earliest ads, the Flying 7 logo was best known from a reproduced drawing in Jeffrey L. Rodengen’s 7-Up book (Rodengen 1995). This showed a mountain scene in the background with a 7 sprouting two bird-like wings and a flat surface with “up” on it below the wings. The message below was “Drink / Seven-Up (on the side of a case with six bottles visible)” with “SEVEN NATURAL FLAVORS BLENDED” in a wavy box at the bottom (Figure 6).



Figure 7 – Flying 7-Up

The same logo (without the background or words) appears in numerous webpages with and without “REG. U.S. PAT. OFF.” below the board-like underline of “up” (Figure 7).

<sup>1</sup> Although we were able to search the *Beverage Journal* for 1929, the search would only give us small snippets, and we were unable to determine the month for any given snippet.

It would be interesting to know where some of the webpages discovered the winged seven with REG. U.S. PAT. OFF. The term means that a trademark (not a patent) was registered with the U.S. Patent Office – which also handles trademarks. Our searches discovered no trademark for the Flying 7 logo. These may be forgeries, although the registration *may* just indicate the early (1928) trademark. Many companies used “REG. U.S. PAT. OFF.” somewhat loosely, and Howdy certainly may have been one of them.

The ads during the 1929 test market (see Figure 2), showed the Flying 7 in a circle at the top and the same style of 7 at the bottom minus the wings and the circle – and included as well the words “seven natural flavors” in the text. However, there is no reason to suspect that the Flying 7 was used on either bottle caps or paper labels, although the Rodengen depiction was almost certainly an advertising or display poster. The Flying 7 logo was almost certainly only used in 1929 during the first test market in conjunction with the “SEVEN-UP” bottle cap, although a similar, rounded “7” appeared in a 1931 ad – without wings.

### 3. The Tilted “up” Logo (1930-1931)

In this family of logos, the “7” is a numeral, and “up” is lower case and tilted to about a 40-degree angle. The earliest of these appeared at the top of a letter sent by the Howdy Co., postmarked July 1928, the earliest solid evidence for 7-Up in any form. The “7” was upright, followed by a hyphen and “up” – both tilted to an upward slant. Below the logo was a rectangle enclosing “For 1929” – all surrounded by two circles, the inner one black (as were the logo and date), the outer circle red (Figure 8). This earliest form (7up in a Circle) probably was only used on the test market cap for March and April of 1929 (see above).



Figure 8 – July 1928 letter (eBay)

The other three examples of this style appeared in the same format – an upright “7” followed by “up” (lower case), sloped upward to ca. 40 degrees with “REG. U.S. PAT. OFF.” immediately below “up,” one slightly curved line above “up” and one below it – and a downwardly pointed triangle below the lower line. One example was an early bottle cap, the other two a sign and advertisements.



The earliest ads we could find for the Tilted “up” logo were by the Carthage Bottling Works in the *Carthage Evening Press* on November 4, 1930, and by the Birrell Bottling Co. in the January 14, 1931, issue of the *Salt Lake Tribune*. The logo in each case was identical and was enclosed in a circle to form the shape of a bottle cap (Figure 9).

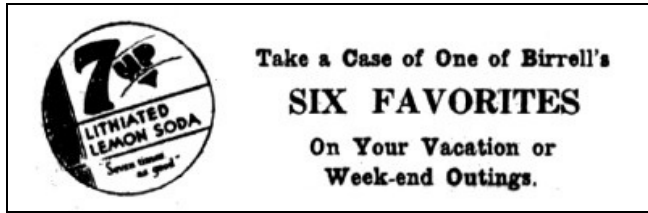


Figure 9 – Tilted “up” (*Salt Lake Tribune* 1/14/1931)

Another example was a most unusual “bib-label” card with a white

border and a bright orange background. At the base in a black background was “TAKES THE ‘OUCH’ / OUT OF GROUCH.” To the right, the drink was identified as “ANTI / ACID / LEMON / SODA.” But, the important part of the card was the logo, obviously intended to show motion from left to right. On a background of bubbles, a female figure – obviously an early version of the Slenderizing Lady – floated or soared along, her feet swept back. In her right hand, held like a shield but away from her body, was the Tilted “up” logo in a circular form like a bottle cap. Her left hand reached to the *new* 7up logo, the one used on all of the later Square Logos (Figure 10).

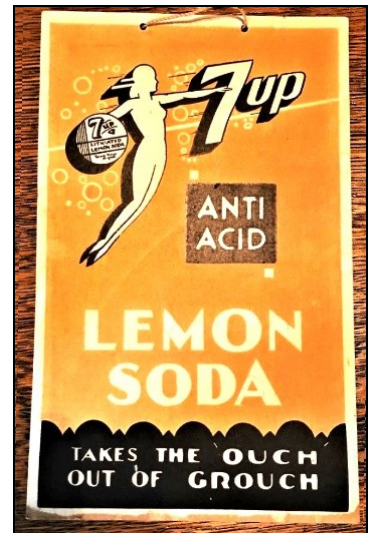


Figure 10 – Transition Bib-Label (eBay)

The symbology was very evident; this was a transitional format, shifting from the Tilted “up” logo to what would become the “standard” “7up” logo. The card also had two holes punched in the top with a string tied through them, obviously intended to hang over one of the bottles in a display case – one of the early Bib-Labels (see Chapter 1 for a discussion of Bib-Label). This Bib-Label was probably introduced in the early months of 1930, and the Tilted “up” logo was almost certainly only used between late 1930 and late 1931. Oddly, the Birrell Bottling Co. (Salt Lake City) continued to advertise using this same design until at least 1935 – although it seems likely that others had discontinued the Tilted “up” logo long before that time (Figure 11).



Figure 11 – Transition logos (*Utah Labor News* 5/24/ 1935)

Whether the Tilted “up” logo was used for a second test market or was the first “regular” logo is anyone’s guess at this point, but two things appear to be evident with our current data. First, the initial (maybe only) test market was carried out by the Carthage Bottling Works during March and April of 1929. Second, there seems to be a period where there were *no* Seven-Up sales between May of 1929 and November of 1930 – a year and a half. As with many of the finer points of this study, we can only speculate. The initial test market may have discovered that the formula of the drink needed to be tweaked or that the advertising and logos needed work. After 18 months of revising, a second test market could have produced the Tilted “up” logo and cap. As noted above, the drinks in both test markets (or the test and early national markets) almost certainly were identified *only* by the bottle caps.

### Tilted “up” Crowns

An important example of the Tilted “up” logo was one of the early bottle caps. This had the logo in the upper right section, with the number, letters, and triangle filled with dot stippling. A double vertical line separated a stippled section to the left, while two horizontal lines created a box for “LITHIATED / LEMON SODA” then “Seven times / as good” on the bottom (Figure 12). An “A” on the skirt likely indicated Armstrong Cork Co., a bottle cap manufacturer as well as a producer of corks for various uses – including the liners of crown caps. A second cap had “WHS” on the skirt – the initials of William Hutchinson & Son – discussed above in the section on the “SEVEN-UP” logo.

These caps also showed up on two 1931 advertising photos on the Missouri Historical Society webpage (see discussion below). These were used on bottles bearing the earliest known paper labels for Seven-Up. Although the caps were identical to the ones made by Armstrong and Hutchinson, the skirt had the initials “NP” – indicating the New Process Cork Co., located in New York (see Figure 12). The Crown Cork & Seal purchased New Process in December of 1927.



Figure 12 – Tilted “up” Cap (eBay; Missouri Historical Society)

As often happens in bottle or bottle-related research, the historical timing does not make sense. Aside from the date when Crown Cork & Seal bought New Process, there is absolutely *no* reason to believe that the Titled “up” crowns were used as early as 1927. The initial taste tests to determine whether to test market Seven-Up were not even conducted that early. The only rational explanation is that Crown Cork & Seal continued to use the New Process logo until at least November of 1930, the earliest date we have for the Tilted “up” logos in advertising. This could have been intentional or accidental, although which one cannot be determined and is of no consequence.

The above evidence also confuses the timing for the final use of these caps. Without the 1931 photos, the answer was simple. The crowns were only used during the advertising period of the Tilted “up” logo – 1930-1931. However, since these were used in conjunction with the initial paper labels, and those labels were used until 1935, does that extend the period of use? Not necessarily – but possibly. The fact that *three* different firms manufactured this style of Seven-Up cap argues that they were used for a longer period than from November of 1930 to late 1931 (see discussion below). The following crown, also containing the words “LITHIATED / LEMON,” was made by only one firm, so it was likely just used during the 1935-1937 period. Because of the federal agreement of 1936, the term could not be used after 1937.

Again, however, we have seen REG. U.S. PAT. OFF. included on at least one of these Tilted “up” logos – and once more we find no trademark registration. This registration almost certainly referred to what we now consider the “standard” “7up” logo that was first used in 1931.

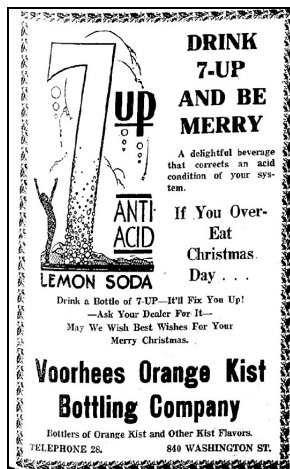


Figure 13 – Giant 7 Logo  
(*Burlington Hawk Eye*  
12/7/19310

#### 4. Giant 7 Logo (1931)

An ad in the Christmas edition (December 7, 1931) of the *Burlington Hawk Eye* featured an early slenderizing lady (but not the term “slenderizing”) with her hands held up in apparent worship to a giant “7” – its base filled with bubbles and an underlined

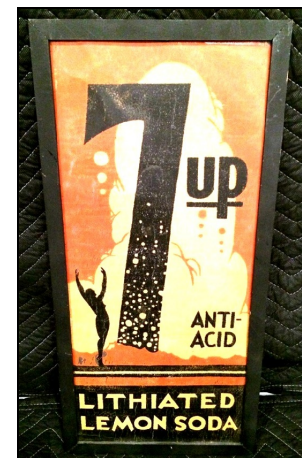


Figure 14 – Giant 7 Sign  
(eBay)

“up” beside it. The drink was labeled “ANTI-ACID LEMON SODA” (Figure 13). This was pretty clearly a transitional logo, used only in advertising in 1931. Along with the ad, a single sign has survived (Figure 14). Note that the term “Anti-Acid Lemon Soda” also appeared on the orange Bib-Label discussed above and one of the advertising photos – both almost certainly used during 1931.

### A Notice to Dealers

Chris Weide sent an ad from the *National Carbonator & Bottler* for November 15, 1931, that bragged: “7-Up is a Lithium Lemon . . . visibly pure . . . with an alkaline reaction in the blood that neutralizes the acidity . . . corrects hangovers common to grown ups. As a mixer or chaser it is a potent cover. . . . Ladies drink bottle after bottle as a beverage . . . and serve at their parties” and included a drawing we had not previously seen (Figure 15).

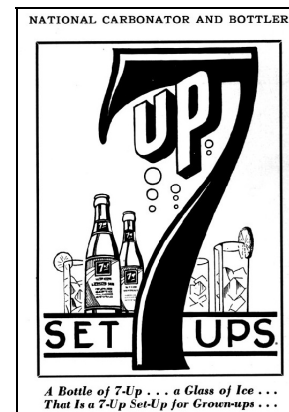


Figure 15 – Industry ad (*National Carbonator & Bottler* 11/15/1931)

Under the heading of “Fixed Lemon Flavor,” the ad continued, “The lemon flavor is stabilized by the reagents used in 7-Up. On September 1st we opened up 7-Up bottled in July, 1929. You would say it was almost two weeks old. This means a lot to bottlers of Lemon and justifies a try out.” This poorly written piece seems to have intended to show just how well the flavor had been stabilized by claiming that the folks at Seven-Up had bottled this particular sample in July of 1929 and opened it two *months* later – *not* two weeks – still finding it good. Although the blurb did not mention the bottling location, we know that the Carthage Bottling Works had run its test market in March and April, just three months earlier.

7-Up Finished Syrup Cost	
7 oz. bottles	15c per case to sell at 75c
12 oz. bottles	24c per case to sell at \$1.25
24 oz. bottles	24c per dozen to sell at \$1.20
One gallon of 7-Up with sugar and acid costs a bit less than \$50.00. This makes 320 cases of 7 oz. bottles—sells at \$240.	
<b>\$190.00 gross profit margin.</b>	

Figure 16 – Price guide (*National Carbonator & Bottler* 11/15/1931)

Finally, the ad listed dealer costs, including what appears to be a wide profit margin (Figure 16). However, bear in mind that these quotes were limited to the price of the Seven-Up syrup and did not include the cost of bottles, shells (wooden cases), advertising, and delivery. Still, it was apparently thought to be a tempting package.

## **Early Logo Conclusions**

It is clear that the earliest 7-Up bottles lacked any paper labels and were bottled in generic containers (no embossing). And this has precedence in the bottling world; some smaller bottlers (in general – *not* specifically 7-Up bottlers) used *only* bottle caps to identify the types of soda in their bottles. The two bottle caps described above were almost certainly the first used by the Howdy Co. on Seven-Up bottles. The Flying 7 was almost certainly associated only with the same two months of 1929 and was probably never used on a bottle cap or paper label.

The Tilted “up” Logo (3 above) appeared on the second bottle cap, likely the only identification for what was either the second test market or the initial national sales from late 1930 to late 1931. The shape of the logo in all sources we have found was circular – the exact shape of the cap. The Giant 7 was almost certainly used solely for advertising and only in 1931. In all but the first logo – “SEVEN-UP” – it is clear that each the intended logos never received a trademark registration from the U.S. Patent Office.

Dating the Tilted “up” crown, however, requires more discussion. Undoubtedly, the Tilted “up” was used between late 1930 and late 1931, appearing in the June 15, 1931, advertising photo (discussed below). Most advertising shifted to the “standard” 7up logo by the end of 1931; however, at least one franchise continued to use the transitional logo to 1935. Since we have no historical evidence for what caps were used during the 1931-1935 period, we can only speculate. Since the Birrell Bottling Co., covering four cities in Utah, continued to advertise the Titled “up” logo until 1935, and we know that the earliest paper-labeled bottles (in the 1931 advertising photo) had the Tilted “up” cap, it seems likely that cap continued in use in some places (at least in Utah) until the label change of 1935.

## **Standardized Paper Labels**

To our knowledge, no one has attempted a comprehensive study of Seven-Up paper labels – although some have gathered lists or tables in an attempt to bring light into this dusky area. Even though we have searched diligently, we make no guarantee that we have found all of the existing labels types. New bottles, labels, and even archival information pop onto the internet frequently.

This section on the standardized paper labels divides the labels according to copyright dates and trademark first use dates to form a sequence of probable use periods. Within and between each period, we also looked at differences and similarities, paying attention to details, especially noting when characteristics of each label came into use, changed, and/or disappeared. These characteristics included things like the number of bubbles in the “Square,” different slogans, contents, use of the word “Slenderizing,” and many other details. In addition, we looked at trends in sizes of bottles bearing paper labels, changes in terminology, and other ideas. We have divided these into seven different types plus a few subvariations:

1. Printed In U.S.A. (No Dates) – 1931-1935 [4 years]
2. © 1935 By The Howdy Co. – 1935-1939 [4 years]
3. © 1937 By The Seven Up Co. – 1937-1939 [2 years]
4. © 1939 By The Seven Up Co. – 1939-1949 [10 years]
5. © 1940 By The Seven Up Co. – 1940-ca. 1944? [4 years?]
6. © 1949 By The Seven Up Co. – 1949-1953 [4 years]
7. Shield label – 1953-1955 [2 years]<sup>2</sup>

See Tables 1 and 2 for label summaries.

### **A Note on Logos**

Along with the standardization of labels, the Howdy Co. also standardized the primary logos, making only one major change during the scope of this study. The first standardized logo never seems to have been named by Howdy, Seven-Up, or collectors, so we have called it the Square Logo. This one had “7up” as the central figure on a red background with eight rising bubbles in sets of 3:2:3, a three-dimensional line at a slant under “up,” and REG. US. PAT. OFF. below the line. By the 1935 copyrighted paper labels, the slanted line had been removed, although a slanted REG. US. PAT. OFF. remained. Four years later (1939), the patent information changed to two lines: REG. US. / PAT. OFF.

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<sup>2</sup> The Shield logo continued much longer on ACL bottles; the two-year limitation was for the final paper labels.

Then, ca. 1943 (see Chapter 3 for more about dating this change), someone recognized that *eight* bubbles was not appropriate for *Seven-Up*, so the firm reduced the bubble count by one in a new set of 2:2:3. The 1943 trademark for the first standardized label (see details below) claimed that the Square Logo was first used in April of 1931, but the first ad we have seen that showed the Square was June 3 of that year, just two months later – in the *Carthage (Missouri) Evening Press* (Figure 17).



Figure 17 – Square & Shield logos (eBay)

In 1953, the Seven-Up Co. adopted a new logo widely known as the Shield Logo. On March 5, 1953, the Seven-Up Co. received Trademark No. 595,635 for this new logo, claiming a first use on January 1 of that year. Still with the same “7up” as the central figure, and seven bubbles, the corners were now rounded with a bar above and below the “Square.” REG. U.S. PAT. OFF. became ®, sometimes concealed in one of the bubbles (see Figure 17). The Shield continued in use until 1967.

### **The Feds Step In**

Some of the original Seven-Up claims were pretty outlandish – Takes the Ouch out of Grouch, for example – or the brag that the drink would cure Seven kinds of hangovers. These outrageous claims brought out the Federal Trade Commission. On July 13, 1936, the Howdy Co. “agree[d] that in soliciting the sale and selling its product on interstate commerce to cease and desist from representing directly or otherwise” followed by a list of 17 phrases that included Settles the stomach, Energizes, Alkalizes, Dispers “hang-overs,” Slenderizes, Tunes up the stomach, and others (Federal Trade Commission 1939). Although Howdy almost certainly ceased ordering new ads and labels with any of these claims or phrases, they continued to be printed in newspaper ads until at least 1938. It was common for advertisers to place their ads for as long as two years to get a better rate, so the continuation was an ad “hang-over.”

This also gives us another dating tool for labels. As with ads, the franchisers certainly would have used up any older labels with the now-forbidden phrases, but all new ones would feature changes. The first © 1935 labels had “Seven-Up settles the stomach” and the word

“Slenderizing” across the legs of the Slenderizing Lady, and one variation had “Dispels hangovers, / takes the ‘ouch’ out of grouch.” Although these were certainly used until they ran out, the © 1935 labels printed after 1937 removed the offending sayings, changing to more acceptable ones. All of these slogans had disappeared from the © 1937 and © 1939 labels.

### Style 1. First Standardized Paper Label – No Copyright (1931-1935)

On October 26, 1943, the Seven-Up Co. received Trademark No. 403,990, claiming a first use for it in April of 1931. Although the claimed first use date *may* be correct, it is suspicious; the date was set 12 years and 6 months after the claimed first use. Often, after that many years, the first use date was determined by asking the oldest employees for their memories – i.e., best guesses. An actual record with the date would have included the day of the month rather than just a month. However, the background matches the examples of paper labels in newspapers, and April of 1931 is the best date for the beginning of these paper labels that we likely will ever find.

The label was almost square with a triangle extending from about the halfway point of the left side to a place about three-quarters of the way across the top, the lower section filled by three light colored bars or rays. A second triangle extended upward from a point about a third of the way across the bottom, tucked under the top triangle, mostly filled by the silhouette of a lady with arms extended above her head and numerous bubbles (impossible to count on the trademark drawing) rising upward from the lady into the top triangle. A black-outlined rectangle filled the center of the top half of the label with 7up centered within it and *seven* bubbles in a set of two, two, and three, rising below the left end (serif) of the 7 and below “up” (Figure 18). On actual labels, however, there were *eight* bubbles below the 7up logo in a set of three, two, and three and two rays instead of three – and the real label was the *only* one with a bar under “up.”

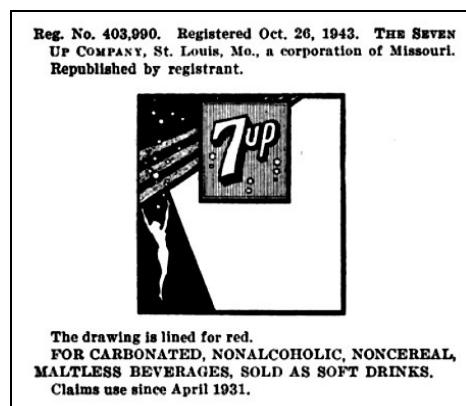


Figure 18 – Paper label trademark

This difference between seven and eight bubbles on the trademark and the actual labels is easy to explain. Remember that the Seven-Up Co. trademarked these labels in retrospect – a



lag of 12 years and six months between the actual use of the labels (April 1931) and the application for the trademark in October of 1943. By 1939, someone had finally realized that there should be *seven* bubbles for *Seven-Up* – not eight; therefore, the trademark registration showed the later number rather than the ones in use in the early 1930s. The same reasons explain why the bar under the “up” in our only example and the 1931 advertising photos – common in early ads – was absent from the trademark drawing and why there were *three* rays in the trademark and only two on the actual labels.

### The 1931 Advertising Photos

The Missouri Historical Society (2023) preserved two photos taken by Isaac Sievers on June 15, 1931, both showing Seven-Up bottle displays (Figures 19 & 20). These were obviously advertising photos, taken with high resolution – allowing us to zoom in on them to see really close details – even reading the labels and identifying the crown caps. The labels were identical with the only example of an early label we have discovered (see below).

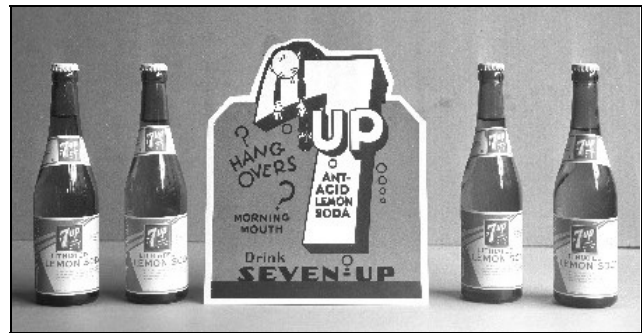


Figure 19 – 1931 advertising photo (Missouri Historical Society)

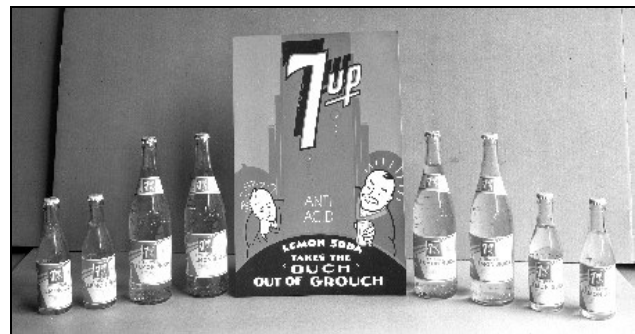


Figure 20 – 1931 advertising photo (Missouri Historical Society)

Each label was basically identical to the one shown in the 1943 copyright (first use 1931) *except* for eight bubbles in the main trademark

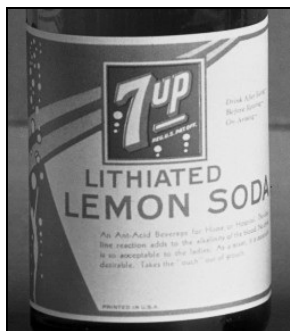


Figure 21 – Paper label (Missouri Historical Society)

instead of seven, two rays or bars in the upper triangle rather than three, a bar under “up,” and a printed message in the blank area. The main trademark had the usual three-dimensional “7up” with eight bubbles and a bar underlining “up” with “REG. U.S. PAT. OFF.” underlining the underline. As noted above, the underline was unique to these pre-copyright labels. To the right of the main logo, in fancy font,

the label read “Drink after eating — / Before retiring — / After rising —” with “LITHIATED / LEMON SODA” below the logo, followed by “An Ant-Acid Beverage for Home or Hospital. The alka- / line reaction adds to the alkalinity in the blood. No Drink / is so acceptable to the ladies. As a mixer it is especially / desirable. Takes the ‘ouch’ out of grouch” (Figure 21). Only the central part of the neck/shoulder labels showed in the photo – with the identical main logo.

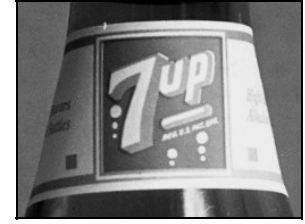


Figure 22 – Closeup of neck label (Missouri Historical Society)

“NATURAL FLAVORS / STERILIZED BOTTLES” appeared to the left of the logo, with “HIGH . . . / ALKALINE [REACTION]” to the right (Figure 22).

One of the photos showed four bottles – apparently green in color (black & white photo) and 23 ounces in size – with paper labels on the bodies and neck-shoulder areas. Between the two center bottles was a placard with a large central “7” with “UP” superimposed and “ANT- / ACID / LEMON / SODA” below it. A sick-looking cartoon figure was draped over the top of the “7.” To the left of the numeral was “? / HANG / OVERS / ? / MORNING / MOUTH” with “DRINK / SEVEN-UP” below and bubbles in empty spots.



Figure 24 – 23-oz bottle (eBay)

We even located one of the bottles. Just like in the 1931 photo, this one was green in color, generic, and 23 ounces. The base was embossed “FAUST BEVERAGES HOWDY BOT. CO. (arch) / 9 <(0)> 3 / 7up (underlined “up,” both slanted) / LEMON / 23 FL. OZ. / 1 (all horizontal) / ST. LOUIS, MO. (inverted arch)” (Figure 23). Since our example was made in 1933, the 23-ounce size continued at least that long – very likely until 1935 when we know that the large size shifted to 1 pint, 8 ounces (24 ounces). For a more thorough discussion of the bottles in the photos, see Appendix E.



Figure 23 – Green base (eBay)

The other photo showed eight bottles – apparently colorless, four seven-ounce, four larger. The paper labels were identical to the ones in the first photo and one described below. Although only visible at a slant, the caps were identical to the ones shown in Figure 12. The larger bottles had

cursive embossing on the shoulders: “Faust Brand / REG.” with an embossed drawing of the Faust character from the German legend and operas. Smaller embossing appeared in two lines on the heels: “HOWDY BOTTLING CO. / MIN. CTS. 23 FL. OZ.” on one side and “ST. LOUIS, MO.” on the other (Figure 24). All of the larger bottles we have found had bases embossed with “N” in a round-cornered rectangle – the logo of the Obear-Nester Glass Co. (Figure 25). Unfortunately, the glass house rarely (or never) embossed date codes on its bottles.

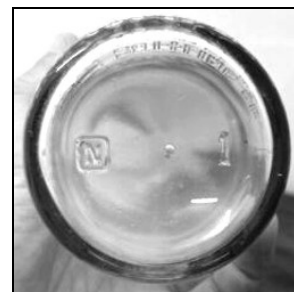


Figure 25 – N base (eBay)

The smaller bottles had “STR” (almost certainly STRAWBERRY) in large block letters on the reverse (Figure 26). Again, a placard appeared in the center of the photo – with the typical 7up logo with an underlined “up.” Below were two cartoon figures, one hung over, the other looking happy – with “ANTI- / ACID” between them. Below was “LEMON SODA (slight arch) / TAKES THE / ‘OUCH’ / OUT OF GROUCH.” Although this placard used the term “ANTI,” the other one and labels on the bottles used “ANT-ACID.” For more about the Faust bottles and the connection between Faust Brand, Anheuser-Busch, and the Howdy Bottling Co., see Appendix E.

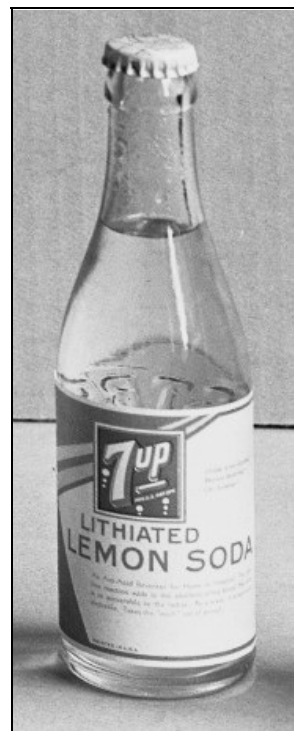


Figure 26 – Strawberry bottle (Missouri Historical Society)

### **An example of the First Standardized Label**

After serious searching, we have only found a single extant label with no copyright date that seems to be authentic. Unfortunately, there are numerous “early” labels on eBay and other online sources, but most of them appear either to be forged later labels lacking the typical copyright dates or very atypical labels (see discussion of copyrighted labels below). Things to look for that *could* be forgeries if a label is claimed to be early (1928-1937 period):

- too perfect; no wear, tear, or discoloration
- no border around label
- Slenderizing Lady missing

Swimsuit on Slenderizing Lady

the word Slenderizing later than 1937 or earlier than 1931

3 rays prior to © 1939

lack of copyright at bottom right (although the copyright date was absent on some genuine labels)

lack of “Printed in U.S.A.” at bottom left

no bottling company information (although this was lacking on some legitimate labels)

The only actual example of a pre-copyright label we have found was identical to the ones in both of the 1931 advertising photos (except that the orange-red color showed in the main trademark). Below the final line of the label – “Takes the ‘ouch’ out of grouch.” – was “SQUEEZE BOTTLING WORKS / Kokomo, Ind. / Contents 7 fl. oz. / Printed in U.S.A.” (Figure 27). The heel of the bottle was embossed “ROOT 32” – a date code for 1932 (Figure 28). Above the lady, we counted 41 bubbles, although that count may be off by one or two bubbles because of the condition of the label.



Figure 27 – Early standardized paper label (Rich Guilbault)

Unlike the earliest designs and trademarks discussed above, there is no question about this design being used on the paper label. The trademark document (No. 403,990) noted that “the drawing is lined for color, the background of the central square panel being red” even though the remaining sections of the label were black and white. The document also showed that “the collective mark is applied or affixed to the goods, or to the packages containing the same by placing upon the bottles containing the beverage a printed label on which the trade-mark is shown.”



Figure 28 – ROOT 32 heel (Rich Guilbault)

Our next question is: Why are there so few labels remaining from this period. The probable answer is that comparatively few drinks were sold during that time frame. These labels were used during the earliest period of national sales – 1931-1935 – about a four-year span. Since paper labels are quite ephemeral, deteriorating easily and rapidly, they would not survive

as well as embossing or ACL. To make matters worse, the only way to cool bottled sodas in the early 1930s (and later) was to immerse them in ice – which melted into icy water (Figure 29). Vending machines using icy water as a coolant survived to at least the early 1950s. Ice water dissolved the glue that held on the labels, again helping reduce the ones that would survive. See Tables 1 and 2 for summaries about paper label use and chronology.



Figure 29 – Early cooler (Jackie Brown)

### Table 1 – Chronology of Events Concerning Paper Labels

August 7, 1928 – block-letter trademark first use  
 1928-1929 – early test markets  
 March 22, 1929 – First test market we have found – Carthage, MO  
 1929 – block-letter logo/bottle cap  
 1930-1931 – Tilted “up” logo/bottle cap  
 1931 – Giant 7 logo  
 Mid-1931 – first national sales  
 April 1931 – trademarked standardized label first use  
 1931-1939 – REG. U.S. PAT. OFF (one line)  
 1931-1953 – Slenderizing Lady on paper labels (continued on ACL)  
 1931-ca. 1939 – two rays  
 1931-1939 – 8 bubbles in square logo  
 1931-1939 – square logo on paper labels  
 1935-1937 – word “Slenderizing” across lady’s legs  
 April 2, 1936 – first use claimed for ACL trademark  
 ca. 1939-1953 – third ray then end of rays  
 1939-1949 – REG. U.S. / PAT. OFF (two black lines)  
 ca. 1943-1953 – 7 bubbles in square logo  
 1949-1953 – REG. U.S. / PAT. OFF (two red lines)  
 1949-1955 – shield logo on paper labels  
 1953-1955 – shield paper label  
 1953-1955 – ® instead of REG. U.S. PAT. OFF  
 1955 – end of paper labels

#### Style 2. The 1935 Copyright Label (1935-1939)

The 1935 copyright label was basically the same as the 1931 (1943) trademark described above. The Slenderizing Lady with the bubbles above her head and outstretched arms

was identical, and some had the word “Slenderizing” across the lady’s legs. The 1935 label was the only one to include “Slenderizing” – although it appears on some of the possible forgeries with no copyright year.<sup>3</sup> The word “Slenderizing” only appeared on labels with “Seven-Up Settles the Stomach (see next paragraph) and only on seven-ounce bottles. Above the lady, there were two rays; the first of the additional third ray labels occurred with the © 1939 label (see below). The eight-bubble central “Square” logo remained the same.

During this period (1935 to 1937), there were three sets of slogans to the right of the central label. One of those (beginning Seven-Up Settles the Stomach) *only* appeared on the labels with the word “Slenderizing.” This likely replaced the pre-1935 labels. The second one (beginning Do Not Shake or Stir) was limited to seven-ounce bottles, and was intended to replace the Slenderizing labels when those had to be eliminated because of the Federal Trade Commission complaint of 1936 (see above). Since the label included “YOU LIKE IT – IT LIKES YOU,” the label could not have been used prior to March of 1937. But, since it also included “LITHIATED LEMON SODA,” and lithium was not an actual ingredient, the label had to have been withdrawn also by the end of 1937 – replaced by the © 1937 labels. The final slogan (beginning Pour Gently) only appeared on the larger sizes. All three slogans were used on © 1935 labels almost certainly concurrently until sometime in 1937.

Along with the paper label, the drink continued to be named on the crown cap. The 1935 cap was enameled with a yellow or golden background with black letters: “LITHIATED (arch) / Square Logo (sloped 7up with REG. U.S. PAT. OFF. and five bubbles) / LEMON / SODA (both horizontal)” (Figure 30). The reason for only five bubbles was space; the middle segment – another three-bubble grouping – was missing. A Circle-A logo was placed on the skirt, the identifying mark of the Armstrong Cork Co. (see the “SEVEN-UP” logo section above). This was the first crown to use the Square logo.



Figure 30 – First Square logo cap (eBay)

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<sup>3</sup> Note the importance of the word “possible” in this context. It *is* possible that some of the legitimate labels with the word “Slenderizing” and no copyright date.

## A. Slenderizing

Found only on the 1935 labels, one label variation had “Seven-Up / Settles the / Stomach” followed by “For Hospital / or home use” to the right of the Square. As noted above, this was the only label that included the word “Slenderizing” across the lady’s legs. Below the label was “7-Up is more than a mixer if you pour / gently. Do not stir out the CO<sup>2</sup>—it blends / out the heady fumes. / A very fine thirst drink . . . A Cooler / off—A Fresher Up.” Next came the local bottler’s name, city, and state, followed by the size then “PRINTED IN U.S.A.” to the left and “© 1935 BY THE HOWDY CO.” on the right (Figure 31). These appeared on at least 7-ounce and 12-ounce bottles. All labels promising to slenderize were doomed by the Federal Trade Commission’s 1936 complaint that resulted in such claims being removed in 1937.



Figure 31 – © 1935 label Style 2, Variation A (eBay)

1. A slight variant (Richmond, Virginia – 7-ounce) had “The added citrate neutralizes free acid. The sugar is / inverted, burns clean. 7-Up is more than a mixer. It / blends out the harsh features. Dispels hangovers, / takes the ‘ouch’ out of grouch.” Even though the bottom left of the label contained “PRINTED IN

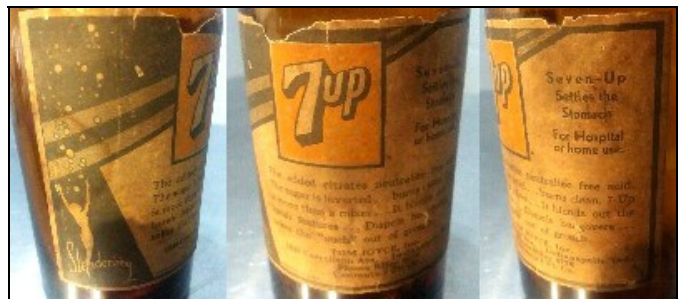


Figure 32 – © 1935 label Style 2, Variation A1 (eBay)

U.S.A.,” there was no copyright date on the right – although the Richmond factory was not established until 1936 – clearly showing that the label could not have been in use prior to that year (Figure 32). This means that not all of the 1935 labels included the copyright date. The label also could not have been printed later than 1937, the year the firm agreed to refrain from “Dispels hangovers, / takes the ‘ouch’ out of grouch” and other claims on the label.

2. Another slight variant was only used by the bottler in Seattle, Washington. The only differences were: 1) the word “Glaser” in red outlined Germanic letters superimposed at a slant over the writing below the 7up “Square”; and 2) the volume information (e.g., NET CONTENTS / 7 FLUID OZ.) in the upper right corner (Figure 33). All other labels had the volume designation below the name, city, and state of the bottler.

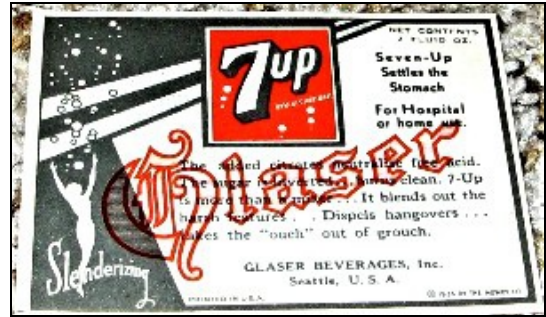


Figure 33 – © 1935 label Style 2, Variation A2 (eBay)

## B. LITHIATED LEMON SODA

The Howdy Co. probably intended for this example to replace the first one listed above. It was only found on 7-ounce bottles in our sample, and it was the only one to continue the subheading “LITHIATED LEMON SODA” from the 1931-1935 labels below the Square Logo. To the right of the Square was the slogan “Do Not / Shake or / Stir” followed by “For Hospital / or home use.” Below the label was “This is an uncolored crystal clear drink. It is / well carbonated; yet does not bite . . . Not too / sour—not too sweet. A splendid mixer. / YOU LIKE IT . . AND . . IT LIKES YOU.” Next came the name of the local bottler, city, and state then the size of the bottle. To the left was “PRINTED IN U.S.A.” and “© 1935 BY THE HOWDY CO.” (Figure 34). This was the final label to use the term “LITHIATED LEMON SODA” – therefore printed no later than 1937. Anything about lithia was forbidden in the 1936 agreement.

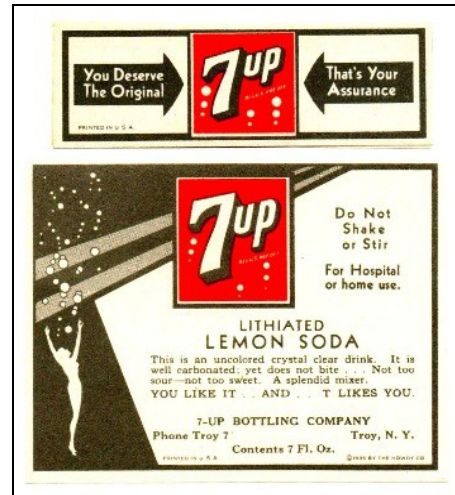


Figure 34 – © 1935 label Style 2, Variation B (eBay)

This was apparently the first use of what would become one of Seven-Up’s most important slogans – YOU LIKE IT IT LIKES YOU – although this label include the word AND between the two phrases. Despite the popularity of the slogan, it was not until June 24, 1955, when someone at Seven-Up finally applied for a trademark, receiving Registration No. 624,588



on April 3 of the following year. The document claimed March 1937 as the date of first use. Since the label could not have been legally used after 1937, the claim for 1937 is likely valid despite the 19-year gap between the application date and first use.

### C. **Pour Gently** (first line – 24-ounce)

The final variation of the 1935 paper label was found only on a 24-ounce bottle. Again, the basic label was the same (no “Slenderizing), but the slogan to the right was “Pour Gently” followed by “DO NOT STIR / OUT THE GAS.” Below the label was “YOU PROUDLY SERVE 7-UP / The clear uncolored ‘Fresh Up’ drink - well carbon- / ated, sparkling. As a mixer, it brings up flavor. A de- / lightful thirst beverage. / Contains: Carbonated Water, Sugar, Citric Acid, Lithia / and Soda Citrates. Flavor derived from Lemon and / Lime Oils. **YOU LIKE 7-UP, IT LIKES YOU.**” Next came the name of the local bottler, city, and state then the size of the bottle. To the left was “PRINTED IN U.S.A.” with “© 1935 BY THE HOWDY CO.” to the right (Figure 35). This label probably was printed in 1937 or later.

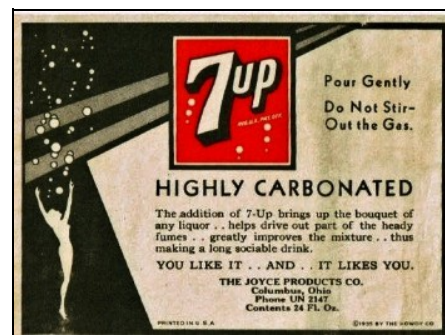


Figure 35 – © 1935 label Style 2, Variation C (eBay)

The term YOU LIKE 7-UP, IT LIKES YOU was an obvious variation of YOU LIKE IT – IT LIKES YOU – also used during this same period. Apparently, the management eventually chose the word IT over 7-UP. Because it took so many years to apply for a trademark (see above), the use of 7-UP in the slogan was long over by the 1955 application for the winning trademark – YOU LIKE IT – IT LIKES YOU.

This was the first label we have found that used “Fresh UP” (their quotation marks) in the text. This was another “late realization” trade mark. In this case, Howard E. Ridgeway, the firm’s vice president, applied for a trademark on August 29, 1947, and received Registration No. 504,531 on December 2 of the following year – claiming June 1939 as the date of first use. This label was created sometime between 1937 and 1939, so the first use date was at least fairly accurate, surprising since the application was made eight years later. On the back labels of green ACL bottles, however, the term first appeared in 1936, changing to THE “*Fresh Up*”

**Table 2 – Paper Labels**

Main Characteristics	Variations	Copyright Date (Dates of Use)
Labels for Seven-Ounce Bottles		
LITHIATED LEMON SODA; Drink after eating . . . slogan	none	none (1931-1935)
A. Slenderizing; Seven-Up Settles the Stomach . . . slogan	Description begins: 7-Up is more than a mixer	1935 (1935-1937)
	1. Description begins: The added citrate neutralizes free acid.	1935 (1935-1937)
	2. Same description (citrate) but with Glaser in large open red letters diagonally across the description	1935 (1935-1937)
B. LITHIATED LEMON SODA; Do Not / Shake or / Stir . . . slogan	none	1935 (1937)
No LITHIATED LEMON SODA or Slenderizing; Do Not / Shake or / Stir . . . slogan	none	1937 (1937-1939)
THE “Fresh Up” DRINK; Do Not / Shake or / Stir . . . slogan	none	1939 (1939+)
THE “Fresh Up” DRINK; Do Not / Shake or / Stir . . . slogan	none	1940 (1940+)
Labels for Larger Bottles		
No LITHIATED LEMON SODA or Slenderizing; Pour Gently . . . slogan	none (only 12-ounce)	1935 (1935-1939)
THE “Fresh Up” DRINK; Pour Gently . . . slogan	12-ounce and 1 pint 8 ounces	1939 (1939-1949)
SEVEN-UP; Pour Gently . . . slogan	1 pint 8 ounces and 1 pint 13 ounces	1949 (1949-1956)

DRINK in 1938 – the first actual use of “*Fresh Up*” in italics and quotation marks – as in the trademark drawing.

In summary, all of the 1935 copyright labels had two rays above the Slenderizing Lady, and one variation was the only one with “Slenderizing” across the lady’s legs. These were mostly seven-ounce bottles, and only the first two variations carried the Lithiated Lemon Soda name. All three of the slogans used on Seven-Up paper labels were developed for the 1935 copyright. Interestingly, Seven-Up trademarked the first ACL design (No. 406,182) on March 14, 1944, claiming a first use on April 2, 1936, a year or less after the first printing of the © 1935 paper labels. The last two variations (B & C) did not contain any of the sayings that had offended the Federal Trade Commission on July 12, 1936. The forbidden sayings only appeared on Variation A. The larger label, probably the last in the 1935 sequence, was the first to use “YOU LIKE 7-UP, IT LIKES YOU” – a slogan that survived several years (although with a slight shift – change of “7-UP” to “IT” on Variation B and all later labels).

### Style 3. The 1937 Copyright Label (1937-1939)

This label was in all ways identical to the second one with the 1935 copyright (the label with the “Do Not / Shake or / Stir” slogan), although the final printing at the lower right corner was “© 1937 by the Seven-Up Co.” (Figure 36). This was the first label using the Seven-Up Co. name rather than the earlier Howdy Co. In all likelihood, very few of these were used. As discussed below (© 1939 labels), the advent of ACL bottles in April of 1936 – clearly superior to the paper-labeled bottles – sounded the death knell for paper labels on the smaller (7-ounce) sized containers – although paper continued on the larger sizes until the 1950s.



Figure 36 – © 1937 label Style 3 (eBay)

### Style 4. The 1939 Copyright Label (1939-1949)

As with the 1935 copyright (discussed above), the 1939 copyright label was based on the 1931 trademark. In our search, we have only found one © 1939 label for the smaller 7-ounce bottles. This is unsurprising since the use of ACL bottles (trademark first used on April 2, 1936)

began three years before the 1939 copyright. By 1939, virtually all of the bottlers were using the far superior ACL labels for the small sized bottles. Unlike the paper labels, ACL did not wash off in the icy water baths of the vending machines in use at the time. Larger bottles (discussed below) were more likely to be used at home or at a bar – where refrigerators and/or ice in glasses replaced the need for submersion in icy water.

Our lone 7-ounce example was very similar to the earlier label – two rays and the “Do not shake or stir” slogan found on one of the 1935 labels. However, the text below the logo was different: “THE ‘Fresh Up’ DRINK . . . Uncolored / crystal clear 7 Up is approved by old / and young. This beverage contains Carbonated / Water, Sugar, Citric Acid, Lithia and Soda Citrates, / Flavor derived from Lemon and Lime oil. / YOU LIKE IT . . . IT LIKES YOU.” Below was the bottler, city, state, and 7-ounce size then “PRINTED IN U.S.A.” on the left and “© 1939 by Seven-Up Co.” on the right. For the first time, the © 1939 label – and all that followed – had only *seven* bubbles in the Square (Figure 37). By this time (as noted above), most bottlers had switched to the ACL bottles for the smaller sizes, so these labels represented one of the final holdouts.

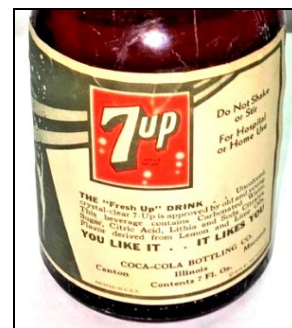


Figure 37 – © 1939 label Style 4, 7 oz (eBay)

Although we had seen it earlier (see above) in a 1937 context as YOU LIKE IT . . . AND . . . IT LIKES YOU, this was the first use of the final form of the slogan, claimed at 1937 in the trademark document. Again, as noted above, the sister slogan – YOU LIKE 7-UP, IT LIKES YOU – also began in 1937. Similarly, this is the first time “Fresh Up” was used as a slogan, adding more credence to the 1939 first use trademark date.

The remaining labels covered two sizes: 12-ounce and 1 pint 8 ounces (24 ounces). The slogan to the right of the logo was “Pour Gently / Do Not Stir / Out the Gas” with the same wording as on the 1935 label below the logo (except, of course, © 1939 BY THE SEVEN-UP CO.). The larger size (1 pint 8 ounces) could now have two or three rays above the Slenderizing Lady, the first time for the additional ray (Figure 38).

Two trends here are worth mentioning. First, as discussed above, most bottlers had switched to the ACL bottles (available by 1936) for the smaller sized 7-ounce bottles. Second,

the larger sized paper labels only appear to have remained on generic bottles. The largest size (1 pint 8 ounces) now moved into a third ray above the Slenderizing Lady. Most notably, this © 1939 label marked the change to *seven-bubbles* on the Square. The final change in 1939 was a shift to two lines for “REG. U.S. / PAT. OFF.” – usually (always?) in a slightly darker red than the background. Earlier labels had “REG. U.S. PAT. OFF.” in a single line.

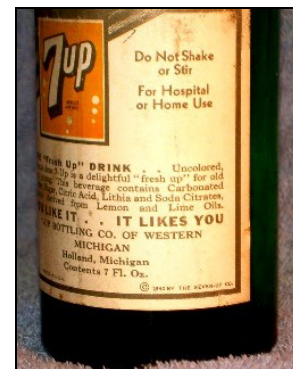


Figure 38 – © 1939 label Style 4, 12 oz (eBay)

#### Style 5. The 1940 Copyright Label (1940-1944?)

We have only found the 1940 copyright date on labels used by the 7-Up Bottlers of Western Michigan, Holland, Michigan, and only on 7-ounce bottles. The basic label again followed the 1931 (1943) trademark style with two rays and had the slogan “Do Not Shake / or Stir / For Hospital / of Home Use.” Below the logo was “The ‘Fresh Up’ Drink . . .Uncolored / crystal clear 7 Up is a delightful ‘fresh up’ for old / and young. This beverage contains Carbonated / Water, Sugar, Citric Acid, Lithia and Soda Citrates, / Flavor derived from Lemon and Lime oil. / YOU LIKE IT . . IT LIKES YOU.” This was almost the same as the © 1939 7-ounce label discuss above except that “approved by” was replaced with “a delightful ‘fresh up.’” Near the bottom of the label was the bottler, city, state, and 7-ounce size then “PRINTED IN U.S.A.” on the left and “© 1940 by Seven-Up Co.” on the right (Figure 39). The Michigan bottler was *really* the last holdout for paper labels on 7-ounce bottles. The double line “REG. U.S. / PAT. OFF.” continued on this label.

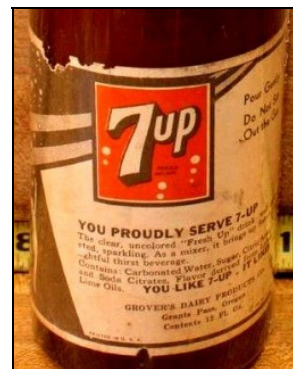


Figure 39 – © 1940 label Style 5 (eBay)

#### Style 6. The 1949 Copyright Label (1949-1953)

The 1949 copyright label appeared in only two sizes – 1 pint 8 ounces and 1 pint 13 ounces. Except for the two sizes, the labels had the same wording, and both still had the same basic 1931 (1943) trademarked style – three rays (two on one example), Slenderizing Lady with bubbles, the new 7-Up “Shield” in the upper center. This was actually the older “Square” logo with a bar added across the top and bottom (see Figure 17).

Unlike the early variations, these had no slogans to the right of the logo. Below the label on the smaller size, 1 pint 8 ounces (24 ounces), was “SEVEN-UP / THE ‘Fresh Up’ DRINK / Contains Carbonated Water, Sugar, / Citric Acid, Sodium Citrate, Flavor derived from / Lemon and Lime Oils. / YOU LIKE IT . . . IT LIKES YOU” (Figure 40). Of course, the bottler, city, state, and size information followed along with “PRINTED IN U.S.A” and “© 1949 BY THE SEVEN-UP CO.” The larger size, 1 pint 13 ounces (29 ounces), only differed in size information. At least one of these labels had only two rays. Some had additional printing dates in tiny letters, e.g., “C-7.49” (July 1949 – on the two-ray label) or “C-11-51” (November 1951) (Figure 41). A final change was the complete elimination of “REG. U.S. PAT. OFF.”



Figure 40 – © 1949 label Style 6 (eBay)

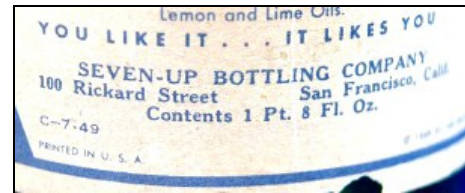


Figure 41 – Date Code (eBay)

### Style 7. The 7-Up Shield Paper Label (1953-1955)

This was the final change in paper labels and the only *major* change in design. Most of the label was emerald green with the newer 7-Up “Shield” at the top center. To the left of the Shield was “YOU LIKE IT / IT LIKES YOU” tilted 90 degrees to be read with the bottle on its side. The other side had “CONTAINS CARBONATED / WATER, SUGAR, CITRIC ACID, / SODIUM CITRATE, FLAVOR / DERIVED FROM LEMON AND / LIME OILS.” also rotated. Below was ““FRESH UP’ WITH SEVEN-UP” followed by the bottling company information and “CONTENTS 1 PT. 13 FL. OZ.” (Figure 42). At the side in tiny letters was “PRINTED (slight arch) / IN / U.S.A. (slight inverted arch) / C—1-53” – almost certainly a date code for January of 1953.

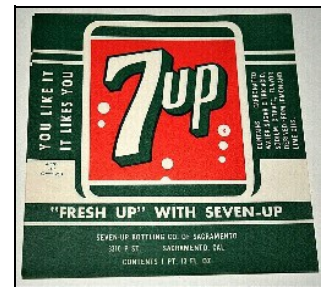


Figure 42 – Shield Label (eBay)

The term “REG. U.S. PAT. OFF.” – gone from the last label – had also vanished from this one, but a single “R” replaced it inside the highest bubble on the right side, using the bubble

to cleverly form the ® symbol, marking the label as registered in the U.S. Patent Office. This was the final paper label – again only for larger bottles – generally replaced by ACL in 1955 (although some bottlers undoubtedly used the generic bottles until their paper label supply was exhausted).

### **Crown Caps for Seven-Up Bottles**

During the period between 1936 and 1952, Seven-Up only used four styles of crown caps to identify the bottles. Although Seven-Up’s crown caps during World War II are addressed more thoroughly in Appendix D, a short summary of all the crowns is appropriate here. As noted above, ice water soaked off paper labels, so crowns remained important as a secondary identifier. In the sections above, we discussed the first three caps used on Seven-Up bottles by the Howdy Co. – the final one (Lithiated Lemon) ended in late 1936 or early 1937 because of the agreement with the federal government to stop using terms that could not be supported – including references to lithium.

In 1937, the Seven-Up Co. replaced the Lithiated Lemon cap with a white crown bearing the Shield Logo in black with 7up and five bubbles – three to the left of the 7up logo, 2 to the right – with REG. U.S. PAT. OFF. in a single line under “up” (Figure 43). This cap was almost certainly used until sometime during 1942. At that point, the War Production Board (WPB) declared that all the tin and steel used to make the caps were necessary for the production of military equipment. Recognizing that drinking sodas was important to the American people – including the military – the WPB provided a way out. Breweries and soda bottlers were allowed to collect (usually for a small fee) No. 10 cans – the gallon-size that was typically used by restaurants and large feeding operations (hospital kitchens, for example) – to use to make crown caps.



Figure 43 – Single-line Square cap (eBay)

The straightened can sides were sent to the cap manufacturers, where they stamped the caps, enameled them with the logo appropriate for the bottler, and sent them back. Because of the scarcity of the tinned steel, the cap makers stamped the caps more closely together, apparently no longer being able to center the logos correctly. Although we have not discovered

an actual document describing the process, the apparent method was to use multiple logos applied like a continuous wallpaper design – in the case of Seven-Up, the logo changed slightly – the typical Square Logo with 7up and eight bubbles (in the typical sequence of 3:2:3) but with REG. U.S. PAT. OFF. now in two lines.



Figure 44 – Wartime crowns (eBay)

At least three cap makers produced these wartime caps for Seven-Up: Armstrong Cork Co. (Circle-A), Hoosier Crown Corp. (HCC), and Crown Cork & Seal (CCS). All three typically applied logos large enough that four of them showed in a view of the top of the cap, flowing over onto the skirt (Figure 44). The cap background could be white or silver. However, Crown Cork & Seal also made a smaller pattern, so eight logos and parts of two others showed on the top – although this size apparently was only tried once (Figure 45). The use of these multi-logo caps continued from late 1942 or early 1943 until the end of the war in 1945. Of course, these multi-logo, wallpaper-like crowns were not restricted to Seven-Up. Coca-Cola, Royal Crown, Dr. Pepper, and the other national brands each had its own version (Figure 46).



Figure 45 – Wartime crown (eBay)



Figure 46 – Wartime crowns (eBay)

At war's end (1945), metal use quickly returned to normal, so the logo on the cap returned to its normal size, still with REG. U.S. PAT. OFF. in two lines but only one logo per cap (Figure 47). The duration of these caps is much more difficult to pin down. We would expect the next cap to be concurrent with the change to the Shield logo in 1953. However, the Shield logo cap appeared in ads as early as 1946, although they did not fully dominate the



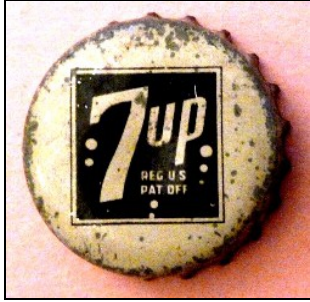


Figure 47 – Double-line Square cap (eBay)

advertisements until 1955 and continued in use until the uncola years – far beyond the scope of this study (Figure 48). Therefore, the black Square Logo caps were used from 1945 to 1954, the Shield caps from 1945 into the 1960s. Of course, the paper labeled bottles had been phased out by the early 1950s. See Table 3 for a look at all the Seven-Up crown caps .



Figure 48 – Shield cap (eBay)

### One Final Thought – The Foot (or Feet) and Hands on the Slenderizing Lady

As discussed in more detail in Chapter 3 (Colorless and Amber Bottles), the Slenderizing Ladies on ACL bottles originally only had one foot, but that quickly changed with the addition of a second foot. Initially, we had thought that *all* the ladies on paper labels were of the one-footed variety. However, on some labels (see Figures 31 and 32), the lady appears to have an indentation creating an additional foot. Figure 49 shows a comparison between the typical foot and the feet on one of the © 1935 labels.

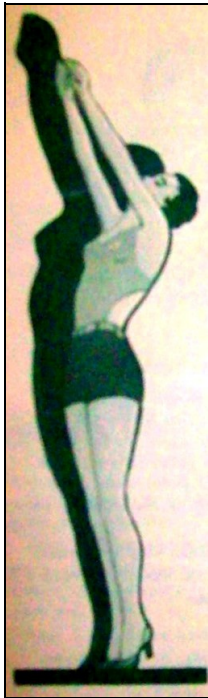


Figure 50 – Sister Slenderizes (booklet)

The possible two-footed labels were from post-1937 variations, so they were made *after* the switch to two feet on the 1936 ACL bottles. Was the indentation intended to create two feet? You be the judge. However, an undated booklet that was almost certainly published no later than 1936

included an illustration of a young woman in a one-piece swimsuit and high-heeled shoes with arms upstretched (Figure 50). The booklet had the Seven-Up Square Logo at the top with “Ma’s Metabolism Pa Keeps a Spa” on the front cover and “Grandma Laughs Sister Slenderizes” on the back (with the drawing of the swimsuited lady).

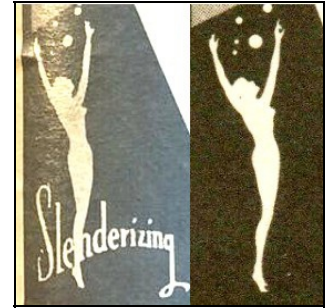


Figure 49 – 1 vs. 2 feet (eBay)

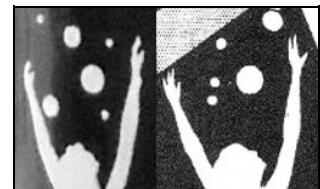


Figure 51 – Hand differences (eBay)

The drawing clearly showed two feet and was obviously based on the Slenderizing Lady on the label (or vice versa).

**Table 2 – Bottle Caps**

Crown	Features	Dates	Manufacturers
	7 in a circle; ; SEVEN-UP; NATURAL FLAVOR & COLOR	1929	William Hutchinson & Son
	Tilted “up” logo; LITHIATED LEMON SODA; Seven Times as Good	1930-1935	William Hutchinson & Son Armstrong Cork Co.
	Square logo; LITHIATED LEMON SODA	1935-1936 (poss. 1937)	Armstrong Cork Co.
	Square logo; REG. U.S. PAT. OFF. one line	1937-1942	unknown
	Multi-logo (large logos); REG. U.S. PAT. OFF. two lines	1942-1943	Armstrong Cork Co. Hoosier Crown Corp. Crown Cork & Seal
	Multi-logo (small logos); REG. U.S. PAT. OFF. two lines	1942-1943	Crown Cork & Seal
	Square logo (only one); REG. U.S. PAT. OFF. two lines	1945-1953	unknown
	Shield logo	1945-?	multiple

The original hands on the Slenderizing Lady showed her arms upraised with her hands turned inward, showing only the thumb and the side of each hand (and the thumb on each hand pointed the same way as if the figure had a right hand on both arms) – a total of two digits visible. As with the feet, that gradually shifted on later labels to the hands turned out, exposing more digits – typically a thumb and one to three fingers – still with both thumbs facing the same direction (Figure 51). Typically, the thumb on each hand faces the opposite direction.

### **Conclusions for the Paper Label Period**

The use of standardized paper labels continued from 1931 to sometime after 1940 on seven-ounce bottles, until 1955 on larger sizes. Very few of the original labels – 1931-1935 – have survived, only one that we have found plus two 1931 advertising photos. Later paper labels continued to follow the same pattern set in 1935 – with the slogan beginning “Do Not Shake or Stir” to the right of the logo on seven-ounce bottles and “Pour Gently” on the larger sizes.

The name “Lithiated Lemon Soda” continued from 1931 to 1937 – only on one of the three variations of the © 1935 labels. Also, one variation during the 1935-1937 period was the *only* paper label with the name “Slenderizing” across the legs of the Slenderizing Lady, removed because of the Federal Trade Commission complaint noted above. Neither the © 1937 nor © 1940 labels were used widely.

The © 1939 (and © 1940) labels marked the end of paper labels on the smaller (seven-ounce) bottles, doomed by the adoption of the much more durable ACL baked onto the surface of the glass – although the use of paper labels continued on the larger sizes. These included small design shifts mentioned above. Major changes in the © 1949 paper labels included the removal of the slogans to the right of the Square Logo and the shift from the Square to the “Shield” as the central motif. The final paper label, adopted by at least 1953, was a more significant adaptation that led – by 1955 – to the end of paper labels. From that point, ACL was the undisputed king.

The almost certain reason for the poor survival rate of paper labels on larger bottles returns to the discussion of how sodas were cooled during the 1930s. As mentioned above, the bottles were kept in icy water (or ice that then melted), creating an environment that dissolved

the glue that attached the paper labels. The development of ACL solved the problem. But, these were almost always the small, 7-ounce bottles, sold in stores in “coolers.” The larger bottles generally were used as mixers, thus being stored in refrigerators or on shelves – environments much more friendly to adhesives. As a result, there was no need to adopt ACL for these containers. Eventually, of course, most of the soda bottling industry – including Seven-Up – shifted to ACL for all sizes of bottles.

Any of these labels could have been used well beyond the dates we have provided. Bottlers frequently took advantage of sales to stock up on both labels and bottles. Often, when the main company adopted a new label, a local bottler would use up its supply of older labels and/or bottles before it began the use of new ones. Therefore, you can add one to four years to any set of dates to reach a reasonable use period. Remember that these were reusable bottles, so each bottle had a typical use life of five years, a shorter span for larger containers.

### **Annette Kellerman: Seven-Up’s Slenderizing Lady?**

Even though we have been collecting and researching soda bottles for over forty years, some aspects of the hobby are destined to remain a mystery. Such is the case with the origin of the Slenderizing Lady (see Figure 27 and others). We prefer the term “Slenderizing Lady” instead of the more common “Bathing Suit Girl” or “Bubble Girl” because the word “Slenderizing” is on many of the early paper labels (typically called “Swimmer Labels” by collectors) and advertising (1935-1939 period). The term “Bathing Suit” or “Bubble” girl seems to have originated by collectors and not the Seven-Up Co. But, regardless of what name you prefer, the bigger question is: What was the inspiration for her origin? There is no question that she was depicted as a woman in a bathing suit with arms stretched upward, apparently reaching for a multitude of bubbles. That imagery was used not only on the earlier paper labels but also on the later applied color label (ACL) bottles (from 1936 on). Even more risqué, there was *no* bathing suit on the paper labels. Because we have been unable to find anything in the various Seven-Up histories that mentions her origin, our only recourse was to journey back to the 1920s and see if we could find something there.

As it turned out, the only bathing beauty we could find who dominated the scene during the 1920s was a woman named Annette Kellerman. Kellerman was known as a high-dive



Figure 52 – Slenderizing Lady & Annette Kellerman (eBay & Les Deroutantes 2020)

champion as well as an expert swimmer, the first woman to swim the English channel in 1905. In an era when women wore long-sleeved swim suits that covered their bodies from neck to ankles, she was the first woman to wear a one-piece bathing suit that left her shoulders, arms, and legs revealed to anyone wishing to look – even being arrested for that effrontery once (Figure 52).



Figure 53 – Kellerman movie poster (Les Deroutantes 2020)

Kellerman performed her feats in live vaudeville performances around the world and eventually became a star in numerous silent movies (Figure 53). At one point she was described as the world’s “Perfect Woman.” Even though we have been unable to find a direct connection between Kellerman and Seven-Up, the similarity between her and the Slenderizing Lady is uncanny with one Kellerman ad even featuring bubbles (Figures 54 & 55). As we suggested previously, some things will forever remain a mystery. Apparently, such is the case with the Slenderizing Lady and Annette Kellerman.

However, who better to have been the inspiration for the

Slenderizing Lady than a woman who was not only a swimmer and diver but was the first to wear the one-piece bathing suit featured on Seven-Up ACL labels, and who was adored and loved worldwide – including in St. Louis, Missouri, where Seven-Up was born. Some of Kellerman’s live performances and all of her movies were presented in St. Louis, and either Charles or Hamblett Grigg (or both) may have been inspired by her beauty and grace.



Figure 55 – Kellerman plus bubbles (*St. Louis Globe-Democrat* June 15, 1928)

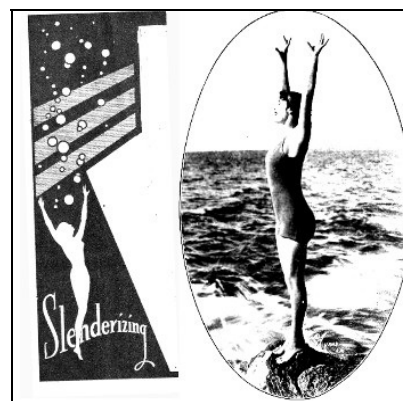


Figure 54 – Slenderizing Lady & Annette Kellerman (eBay & Femme Fashion Forward 1880-1940)

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