

johnson & johnson

a hidden danger

BY ADAM J. LANGNO, ESQ.

Ms. Jackie Fox died of ovarian cancer in 2015. She was 62. It was two years after being diagnosed with ovarian cancer. Her family said she used Johnson & Johnson's talcum powder for years and claimed her death was a direct result. They said J&J had a duty to warn its consumers that talcum use could increase a person's risk of ovarian cancer.

This past February, a jury in St. Louis, Missouri, agreed and awarded her \$72 million in damages. J&J denied the claim and is said to be considering an appeal.

So, how did we get here?

Talcum or "Talc" is a very soft mineral that is mined from the earth. In the late 1890s Johnson & Johnson first started to sell baby powder with talcum as an ingredient. Almost a century later, in 1971, a doctor named W.J. Henderson began to study an association between talc and ovarian cancer. For the next decade, a British medical Journal, The Lancet, published letters and editorials discussing the link between talc and ovarian cancer.

In 1982, an epidemiological study was performed by a doctor named Daniel Cramer. His study found there was a 92% increased risk of ovarian cancer with women who reported genital talc use. Shortly thereafter, J&J sent its own doctors to meet with Dr. Cramer in

attempt to downplay the risks that were uncovered. Dr. Cramer was not dissuaded and urged J&J to warn its consumers about the risks associated with its product. J&J refused to do so.

In 1986, J&J internally expressed concerns about its talc products admitting that its safety has been a concern amongst health professionals. In 1992, the National Toxicology Program conducted a study on the effects of talc inhalation on rats. That study showed clear evidence of carcinogenicity activity. By 1992, J&J's talc powder based products began to decline in sales.

In August of 1992, J&J decided to increase its sales by targeting African American and Hispanic women. Marketing studies had demonstrated these ethnicities used talc at higher rates. Despite the science supporting a link between talc use and cancer J&J wanted to put more of its product into the marketplace.

In 1994, a doctor named Samuel Epstein, Chairman of the Cancer Prevention Coalition, wrote J&J requesting it to withdraw its talc products from the market or, at a minimum, warn users of its risks. Again, J&J refused to do so.

Around this time, other industries started to stop the use of talc. In 1995, the condom

industry voluntarily elected to stop dusting condoms with talc. Their concern? The increased risk of ovarian cancer.

Two years later, in 1997, J&J's own head Toxicologist, Dr. Whener, wrote internally to a J&J manager. Dr. Whener said that anybody that denies talc can cause ovarian cancer risks that the talc industry will be perceived by the public like it perceives the cigarette industry – denying the obvious in the face of all evidence to the contrary. Again, J&J refused to warn of the risks.

In 2005, the International Agency for the Research of Cancer (IARC), which is part of the World Health Organization, voted to declare perineal use of "cosmetic grade talc a group B carcinogen." Still, J&J refused to warn users of the risk.

Despite all of this, and much more, to this day Johnson & Johnson refuses to warn on its talcum powder products that talcum use may increase the risk of ovarian cancer. J&J continues to deprive consumers the opportunity to make an educated decision about whether to use its powder products. It is this denial – despite decades of scientific evidence – that led a jury to conclude that Johnson & Johnson should be punished and

ultimately resulted in that \$72 million dollar verdict, the majority of which were punitive damages.

If you or a loved one has used a Johnson & Johnson powder product for feminine hygiene for more than 10 years and suffered from either ovarian or fallopian tube cancer you should contact an attorney immediately.

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