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J&J must pay \$72 million for cancer death linked to talcum powder: lawyers

BY JONATHAN STEMPEL



Bottles of Johnson & Johnson baby powder line a drugstore shelf in New York October 15, 2015. REUTERS/LUCAS JACKSON

Johnson & Johnson ([JNJ.N](#)) was ordered by a Missouri state jury to pay \$72 million of damages to the family of a woman whose death from ovarian cancer was linked to her use of the company's talc-based Baby Powder and Shower to Shower for several decades.

In a verdict announced late Monday night, jurors in the circuit court of St. Louis awarded the family of Jacqueline Fox \$10 million of actual damages and \$62 million of punitive damages, according to the family's lawyers and court records.

The verdict is the first by a U.S. jury to award damages over the claims, the lawyers said. Johnson & Johnson faces claims that it, in an effort to boost sales, failed for decades to warn consumers

that its talc-based products could cause cancer. About 1,000 cases have been filed in Missouri state court, and another 200 in New Jersey.

Fox, who lived in Birmingham, Alabama, claimed she used Baby Powder and Shower to Shower for feminine hygiene for more than 35 years before being diagnosed three years ago with ovarian cancer. She died in October at age 62.

Jurors found Johnson & Johnson liable for fraud, negligence and conspiracy, the family's lawyers said. Deliberations lasted four hours, following a three-week trial.

Jere Beasley, a lawyer for Fox's family, said Johnson & Johnson "knew as far back as the 1980s of the risk," and yet resorted to "lying to the public, lying to the regulatory agencies." He spoke on a conference call with journalists.

Carol Goodrich, a Johnson & Johnson spokeswoman, said: "We have no higher responsibility than the health and safety of consumers, and we are disappointed with the outcome of the trial. We sympathize with the plaintiff's family but firmly believe the safety of cosmetic talc is supported by decades of scientific evidence."

Trials in several other talc lawsuits have been set for later this year, according to Danielle Mason, who also represented Fox's family at trial.

In October 2013, a federal jury in Sioux Falls, South Dakota found that plaintiff Deane Berg's use of Johnson & Johnson's body powder products was a factor in her developing ovarian cancer. Nevertheless, it awarded no damages, court records show.

Valeant Pharmaceuticals International Inc (VRX.TO) now owns the Shower to Shower brand but was not a defendant in the Fox case.

The case is Hogans et al v. Johnson & Johnson et al, Circuit Court of the City of St. Louis, Missouri, No. 1422-CC09012.

(Reporting by Jonathan Stempel in New York. Additional reporting by Jessica Dye in New York; editing by Steve Orlofsky and Alan Crosby)