

Johnson & Johnson Recalls 33,000 Bottles of Signature Product
By Sara Brown J.D. Candidate 2022 | October 28, 2019

Recent discovery of the carcinogen asbestos in a bottle of baby powder has led Johnson & Johnson (J&J) to issue a [massive recall of 33,000 bottles](#) of its signature product. Of the 100,000 lawsuits currently being brought against J&J, over 15,000 involve plaintiffs claiming that the baby powder and other talc-based products have caused them to develop cancer.

The allegedly contaminated bottle was discovered after a Food and Drug Administration (FDA) test showed trace amounts of chrysotile asbestos in a bottle purchased from an online retailer. J&J maintains that the subsequent recall was only cautionary and that the results of the FDA test do not align with the results of the [“thousands of tests over the past 40 years”](#) that the company has continuously performed internally to ensure consumer safety. The company went so far as to question the validity of the FDA test which, of course, the FDA countered by affirming the adequacy of its testing processes and the accuracy of the results. Further, J&J attempted to underscore the test by claiming that [the amount of asbestos detected was “very low.”](#) But isn't the concern not how much of the lethal carcinogen was present but the fact that it was present at all?

This is not a new battle for J&J, but this finding has the potential to severely weaken the company's defensive position in current lawsuits about the alleged harm caused by its talc-based products. While it is not outrageous for the company to question the validity of expert testimony and testing procedures that have been brought forth by plaintiffs over the course these ongoing lawsuits, it is going to be far more difficult for J&J to push back against or [effectively contest the findings of a federal regulatory body](#).

J&J's stance remains that the mines it sources talc from [exceed industry standards for safety](#). Further, the company has not yet been able to confirm that the contaminated sample came from a non-counterfeit product or that the seal was properly in-tact.

[Talc and asbestos form under the same conditions](#) in underground deposits, leaving talc vulnerable to contamination when extracted. Maybe it is tempting to sympathize with J&J's argument that it has taken all of the possible steps to protect customers and that this one sample is not representative of the safety of its products. However, the detrimental effects of asbestos on the human body are well-known and even trace amounts should be unacceptable to consumers. Trust is the foundation of the consumer-product relationship. People purchasing these products to use on their bodies and the bodies of their children trust that Johnson & Johnson is providing a safe product, not one that's linked to cancer. An incident like this one is a prime opportunity to raise questions about the adequacy of current testing procedures and the possible need for increased regulation of manufacturing for talc-based products.

