

Pennsylvania Association for Justice  
 Mass Torts: What's Hot and What's Not In 2020  
Talcum Powder and Ovarian Cancer

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MDL Overview

- U.S.D.C. (Trenton, NJ)
  - Judge Freda Wolfson
- 13,500+ plaintiffs in MDL
  - 2,000+ state court cases nation-wide: NJ, CA, IL, MO, GA, FL, PA
- Case-specific discovery has not commenced
- **Daubert Hearing – July 2019**
  - 5 Plaintiffs experts
  - 3 Defense experts

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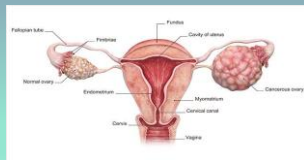
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Types of Ovarian Cancers

- **Epithelial Ovarian Cancer**
  - Subtypes:
    - Serous- 90%
    - Endometrioid
    - Clear Cell
    - Undifferentiated
    - Borderline tumors
  - Primary Peritoneal
  - Primary Fallopian Tube
  - ~~Small Cell~~
  - ~~Germ Cell~~
  - ~~Stromal Tumors~~



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### Statistical Significance

**Plaintiffs experts-** Women who use talcum powder in the perineal area regularly have a statistically significant 24%-39% increased risk of developing ovarian cancer.

**Defense experts-** There is no statistically significant association between use of powder in the genital area and incident of ovarian cancer.

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### Institute of Medicine (2016)

#### Ovarian Cancers

EVOLVING PARADIGMS IN RESEARCH AND CARE

Committee on the State of the Science of Ovarian Cancer Research

Based on Health Care Services

INSTITUTE OF MEDICINE

The National Academies of  
SCIENCES • ENGINEERING • MEDICINE

THE NATIONAL ACADEMIES PRESS  
Washington, DC  
www.nap.edu

"... [IARC] determined that there was sufficient evidence to support a causal relationship between asbestos exposure and ovarian cancer (Straif et al., 2009). This has led to studies of talc use, which is chemically similar to asbestos and can cause an inflammatory response. The use of perineal talcum powder has been associated with a 20 to 30 percent increased risk of ovarian cancer, although it also has been shown to vary by histologic subtype (Cramer et al., 2015; Terry et al., 2013)" (p. 110)

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### U.S. Food & Drug Administration



- Talcum powder is a cosmetic product
- Cosmetics products like talc do not require FDA approval
- Cosmetics manufacturers are legally responsible for ensuring that its product and ingredients are safe for use.
- Cosmetics manufacturers are not required to test to demonstrate safety
- Cosmetics manufacturers are not required to share safety information with the FDA

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Pathogenesis and Carcinogenesis

- Talc particulates migrate from perineum and vagina to the peritoneal & endometrial cavity-fallopian tubes, ovaries, and peritoneum.
- Talc particles contact healthy cells and elicit a foreign body reaction/inflammatory response causing cell mutation that may progress to epithelial cancers.

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Oct. 2019-J&J Recalls 33,000 bottles of talcum powder finding asbestos



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Upcoming Talc Ovarian Cancer State Trials

- Philadelphia:
  - Kleiner case set for March 2020
  - Farra case set for April 2021
- Illinois:
  - Driscoll case set for March 2020
- Florida
  - Matthey case set for April 2020
- City of St. Louis, Missouri

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Talc and Asbestos

- Some mined talc contains asbestos, naturally
- In the United States, talc is primarily mined in the Southeast part of our nation
- Those at risk for industrial talc exposures: talc miners, ceramic industry, industrial/factory settings with ceramic electrical components, industrial/factory settings with any kind of asbestos components

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Mesothelioma in Industrial Talc Settings

- There have been diagnoses of mesothelioma in individuals who worked in industrial settings, through the inhalation of talc particles that were infiltrated with asbestos
- Mesothelioma is a malignant cancer that can occur in the lining of organs – pleura of lungs (primary spot), peritoneum, pericardium
- Asbestos and now talc infiltrated with asbestos is the only known cause of mesothelioma
- Those who worked in an industrial setting might also have exposures from other industrial products

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