

Johnson & Johnson Agrees to Pay \$263 Million in New York Opioid Settlement

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Global Research, July 09, 2021

[Medical Tyranny](#) 3 July 2021

Region: [USA](#)

Theme: [Law and Justice](#), [Science and Medicine](#)

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Johnson & Johnson on Saturday, June 26, agreed to pay \$263 million [to resolve claims that it fueled an opioid epidemic](#) in New York state and two of its largest counties.

The settlements removed the pharmaceutical company from a jury trial that started Tuesday, June 29, on Long Island, New York. Several big opioid makers and distributors are also defendants in the case.

Johnson & Johnson did not admit liability or wrongdoing in settling with New York state and with Nassau and Suffolk counties, but the \$229.9 million settlement with the state also called for the company to stop selling the painkillers nationwide.

Johnson & Johnson fuels opioid epidemic

New York Attorney General Letitia James said in a statement that “the opioid epidemic has wreaked havoc” across the nation and that “Johnson & Johnson helped fuel this fire.” James said her focus remains “getting funds into communities devastated by opioids as quickly as possible.”

Johnson & Johnson said the settlements were consistent with its prior agreement to pay \$5 billion to settle opioid claims by states, cities, counties and tribal governments nationwide. The company and the largest U.S. drug distributors – AmerisourceBergen Corp., Cardinal Health Inc. and McKesson Corp. – have proposed paying a combined \$26 billion to end thousands of opioid lawsuits.

Tuesday’s opioids trial was one of several scheduled for this year, with others underway in California and West Virginia. Drugmakers AbbVie Inc. and Teva Pharmaceutical Industries Ltd. and several distributors are among the defendants. Pharmacy chain Walgreens Boots Alliance Inc. is also a defendant, though it was sued only by the counties. (Related: [Kentucky sues WALGREENS for promoting opioid epidemic](#).)

Walmart Inc., Rite Aid Corp. and CVS Health Corp. were detached from the trial during jury selection. CVS reportedly settled with Nassau and Suffolk counties although terms of the

settlement have not been disclosed.

Johnson & Johnson has also been appealing an Oklahoma judge's 2019 ruling that the New Jersey-based company pay that state \$465 million for its [deceptive marketing of opioids](#). The *Centers for Disease Control and Prevention* has said nearly 500,000 people died from opioid overdoses from 1999 to 2019.

Johnson & Johnson causes all sorts of health problems

The pharmaceutical giant knew for decades that its baby powder was tainted with carcinogenic asbestos and chose to keep that information from regulators and the public. A government-funded study from the mid-1990s found that Johnson's baby powder caused cancer in rats and other studies have found an increased risk of cancer in women who used the company's talc-based products.

In 2018, the company was ordered to pay \$4.7 billion to thousands of victims who reportedly developed cancer from using Johnson & Johnson's products. In that case, 22 women alleged the company's talc-based products, including its baby powder, contained the known carcinogen, asbestos, which caused them to develop cancer. According to reports, there are over 9,000 similar talc lawsuits against the company.

These cases may have contributed to the hesitancy of many Americans to take the coronavirus (COVID-19) vaccine manufactured by Johnson & Johnson – one of the three COVID-19 vaccines to receive emergency use authorization (EUA) from the *Food and Drug Administration* (FDA). The other two were manufactured by Pfizer and Moderna.

Pfizer has long history of misleading public about its drugs

Pfizer also had a long history of misleading the public about its drugs.

In 2000, the *Washington Post* published a major exposé accusing Pfizer of testing a dangerous new antibiotic called Trovan on children in Nigeria without receiving proper consent from their parents. The experiment occurred during a 1996 meningitis epidemic in the West African country.

In 2001, Pfizer was sued in U.S. federal court by thirty Nigerian families, who accused the company of using their children as human guinea pigs. (Related: [MAKING A KILLING: Pfizer demands global indemnity against lawsuits before it provides Wuhan coronavirus vaccines.](#))

Interestingly, the *Washington Post* is now defending the same company in regards to COVID-19 vaccine.

Pfizer pays \$2.3B in largest health care fraud settlement

The pharmaceutical giant also paid out \$2.3 billion in 2009 to resolve criminal and civil liability arising from the [illegal promotion of certain pharmaceutical products](#). It was the largest health care fraud settlement in the history of the *Department of Justice*.

Pharmacia & Upjohn Company Inc., a subsidiary of Pfizer, has agreed to plead guilty to a felony violation of the Food, Drug and Cosmetic Act for misbranding Bextra with the intent to defraud or mislead. Bextra is an anti-inflammatory drug that Pfizer pulled from the

market in 2005.

The company agreed to pay a criminal fine of \$1.195 billion, the largest criminal fine ever imposed in the U.S. for any matter. Pharmacia & Upjohn also forfeited \$105 million, for a total criminal resolution of \$1.3 billion.

In addition, Pfizer has agreed to pay \$1 billion to resolve allegations under the civil False Claims Act that the company illegally promoted four drugs – Bextra; Geodon, an anti-psychotic drug; Zynovox, an antibiotic; and Lyrica, an anti-epileptic drug.

The federal share of the civil settlement is \$668,514,830 and the state Medicaid share of the civil settlement is \$331,485,170. Pfizer has gotten all those money back and more as its COVID-19 vaccine became the first to get EUA from the FDA.

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