

Johnson & Johnson's TOXIC TALC

A timeline toward victory

On August 11, 2022, Johnson & Johnson announced they will stop the global sale of talc-based baby powder and finally transition to a safer corn-starch based formula for all its customers by 2023. This victory is a long time coming and is the result of a global-wide movement of health and justice organizations, government agencies, investigative journalists and concerned people who took action to hold Johnson & Johnson (J&J) accountable for the sale of asbestos-contaminated talcum powder and its links to ovarian cancer and mesothelioma. The following timeline is a snapshot of this tragedy and of the path toward victory.

BACKGROUND: Talc can become contaminated by asbestos during the mining process because naturally occurring veins of asbestos can run through talc deposits. Johnson & Johnson KNEW since the late 1950s that the talc used in its iconic baby powder was sometimes contaminated with asbestos, known to cause ovarian cancer and mesothelioma. For decades, J&J kept this contamination a secret from the public and regulators. In May of 2020, J&J announced it would stop selling its talc-based baby powder in the United States & Canada (although sell-downs of remaining product continued). This announcement was followed shortly with public statements from J&J acknowledging the leadership of Black Lives Matter and committing to racial equity in response to the unjust police killings of George Floyd, Breonna Taylor, and hundreds of other Black men and women. These statements proved to be superficial and hollow: for two more years, the healthcare giant belittled health, and racist targeting & marketing concerns from the global community, and refused to initiate a worldwide ban on its toxic talc, choosing instead to expose Black and Brown communities around the world to this hazardous product. Until now.

FEBRUARY 2020

Ahmaud Arbery is stalked and murdered while jogging in Satilla Shores, Georgia

MARCH 2020

J&J faces over 20,000 lawsuits related to its talc-based baby powder and links to cancer

Breonna Taylor is shot and killed in her apartment by police officers in Louisville, Kentucky

Media exposé reveals that J&J ramped up marketing to "African American" and "overweight women" knowing the asbestos-related health concerns linked to use of their baby powder as U.S. sales dropped

One specific J&J memo suggests investigating "ethnic (African American/Hispanic) opportunities in order to grow the franchise," while also referring to "negative publicity from the health community on talc," including "inhalation, dust, negative doctor endorsement, cancer linkage."

APRIL 2020

J&J announces it will stop selling its talc-based baby powder in the **United States & Canada**

J&J continues to sell-down its remaining inventory in stores in the US and Canada, and refuses to stop selling its talc-based baby powder throughout the rest of the world.

George Floyd is murdered on the sidewalk by a police officer in Minneapolis, Minnesota

JUNE 2020

J&J issues a formal statement "in solidarity with Black Lives Matter"

The statement is released to J&J employees and its global customers in response to the protests spurred by the violent deaths of George Floyd, Breonna Taylor and Ahmaud Arbery "affirming (the) company's commitment to justice and equality" and "unequivocally stating that racism in any form is unacceptable, and that black lives matter."

India officials questions why J&J's baby powder isn't banned in India

Noting J&J's announcement to withdraw its baby powder from North America "is aimed at safeguarding the health and human rights of residents and citizens of North America but not the residents and citizens of India."

Black Women for Wellness (BWW) organizes leading U.S. health and justice organizations, and advocacy groups to call-out J&J's racist double standards and harmful practices related to the sale of its talc-based baby powder

Outraged by J&J's hypocrisy and its superficial commitment to racial equity, the groups launch a powerful campaign, demanding the multinational giant end its racist double standard of protecting North Americans from - while exposing women of color around the world to - its toxic talc.

JULY 2020

BWW sends a letter to J&J, signed by 170+ NGOs from around the world, urging the corporation to commit to stop selling their talc-based powder globally

The groups also urge a voluntarily recall - and safely dispose of - any existing inventory to protect people from the potential, serious adverse health effects presented by asbestos contaminated talc ranging from ovarian cancer to mesothelioma.

J&J responds 3 days later with a dismissive, condescending email that ignores the important issues raised by BWW's letter.

AUGUST 2020

BWW sends a second letter to J&J, this time signed by over 200 orgs from 51 countries around the world demanding J&J stop global sales of its toxic talc.

BWW concurrently launches a global week of action to draw worldwide attention to J&J's misconduct. NGO partners join in from all over the world raising public awareness and generate global media coverage.

NOVEMBER 2020

Congo-Brazzaville: Gov't suspends the importation and sale of J&J's talc-based baby powder

JUNE 2021

J&J is ordered to pay \$2.2 billion to 22 women who got ovarian cancer after using its talc-based products

The Missouri court states the company's decision not to warn people when it knew its baby powder could be contaminated with asbestos was driven by "evil motive or reckless indifference."

JULY 2021

NGO, the National Council of Negro Women, files a lawsuit against J&J

The group accused the company of "knowingly deceptive marketing to Black women" for decades — with free samples at beauty salons, radio campaigns and other efforts — despite internal concerns that the product might be harmful.

J&J files for bankruptcy and creates a subsidiary to hold all of the liabilities associated with the 40K lawsuits filed against them

This legal maneuver is referred to as a "Texas Two-Step" and is used by companies to circumvent jury trials involving allegations of misconduct and avoid financial liability for court-issued judgments against them.

Court documents reveal J&J's 1970s testing of talc predominantly on Black people while incarcerated

Previously unsealed, trial documents show the company funded experiments mainly on Black men comparing the effects of talc and asbestos on their skin. In one study, inmates were injected with potentially cancer-causing asbestos so J&J could compare its effect on their skin versus that of talc.

OCTOBER 2021

MARCH 2022

APRIL 2022

HBO Max documentary NOT SO PRETTY spotlights J&J's toxic talc

J&J shareholders vote in favor of company-wide racial audit

In a resolution introduced by Mercy Investment Services addressing on-going concerns about J&J's history of racist targeting, shareholders vote overwhelmingly in support of requiring the company to partake in a third-party racial audit.

J&J prevents shareholders from seeking video testimony on health concerns linked to use of the company's talc-powder

Produced by NGO Tulipshare, J&J bans video testimony from health-impacted people and concerned scientists, justice-leaders and legislators from shareholder meeting where a vote to stop sales of baby powder is on the agenda.

AUGUST 2022

VICTORY! Johnson & Johnson announces it will discontinue talc-based baby powder **globally** in 2023

While the company continues to deny any wrong-doing and defends the safety of their product, Johnson and Johnson announces it will start using cornstarch, not talc, in all the baby powder it sells around the world.

Today, ~~Johnson & Johnson~~ faces over 40,000 lawsuits and trillions of dollars in civil penalty claims and settlements

Companies like Johnson & Johnson have long created, and capitalized off cultural norms, actively targeting Black and Brown women without disclosing the potential risks associated with use of this product, even as internal J&J documents reference concerns linked to carcinogenic effects of its talc-based powders. This is an important victory, but also one filled with decades of tragedy, and outrageous actions and practices from an industry that continues to put profit and bottom-line over the health and safety of people.

To learn more about the campaign, references, the history, and how you can get involved in action campaigns to hold corporations accountable visit:

<https://bwwla.org/johnson-johnson/>

U.S. Organizing Committee

Alliance of Nurses for Healthy Environments ** Asbestos Disease Awareness Organization ** Black Women for Wellness
** Breast Cancer ** United Justice Partners ** Campaign for Researcher Solutions ** Campaign for Safe Cosmetics ** Clean Water Action
** Coming Clean ** Until Justice Data Partners ** Materials for Healthier ** Mind the Store Campaign ** National Women's Health Network
** Sierra Club Gender, Equity & Environment Program ** U.S. Public Interest Research Group
** WE ACT for Environmental Justice ** Women's Voices for the Earth

references & links

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MAY 2020: <https://www.nj.com/story/johnson-johnson-consumer-health-announces-discontinuation-of-talc-based-johnsons-baby-powder-in-us-and-canada>
JUN 2020: <https://www.nj.com/latest-news/a-message-from-johnson-johnson-ceo-alex-gorsky-about-recent-events-in-the-united-states>
JUL 2020: <https://www.beasleyallen.com/article/india-official-questions-why-jj-baby-powder-sales-will-continue-in-india/>
JUL 2020: https://bwwprod.wpengine.com/wp-content/uploads/2020/07/BWW-JJ-Consumer-group-letter_FINAL_updated.pdf
MAR 2021: <https://www.bloomberglaw.com/news/articles/2021-03-07/jj-s-controversial-prison-testing-resurfaces-in-baby-powder-lawsuits>
APR 2021: <https://www.insider.com/johnson-and-johnson-2-billion-verdict-awarded-ovarian-cancer-patients-2021-06>
JUL 2021: <https://www.nytimes.com/2021/07/27/business/johnson-baby-powder-black-women.html>
OCT 2021: https://www.americanbar.org/groups/health_law/section-news/2021/10/tex-two/
MAR 2022: <https://www.bloomberglaw.com/news/articles/2022-03-07/jj-s-controversial-prison-testing-resurfaces-in-baby-powder-lawsuits>
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