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Bendectin and Birth Defects: The Challenges of Mass Toxic Substances Litigation

Michael D. Green

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Benedictin was prescribed to more than thirty-five million American women from its introduction in 1956 until 1983, when it was withdrawn from the market. The drug's manufacturer, Merrill Dow Pharmaceuticals, a major U.S. pharmaceutical firm, joined a list of other companies whose product liabilities would result in precedent-setting litigation. Before it was over, the Benedictin litigation would involve 2,000 claimants over a fifteen-year period. Michael D. Green offers a comprehensive overview of the Benedictin case and highlights many of the key issues in mass toxic substances litigation, comparing individual and collective forms of litigation, and illustrating the misunderstandings between scientists and lawyers about the role of science in providing evidence for the legal system.

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