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Attorney: Talcum powder use linked to ovarian cancer; company responds

Julie Brown
STAFF WRITER

Attorney Eileen Kröll of Livonia's Cochran, Kröll & Associates is focused on women with ovarian cancer and their use of Johnson & Johnson products, including Baby Powder.

In February 2016, a jury in St. Louis, Missouri, awarded \$72 million to the family of a woman who died from ovarian cancer after using Johnson & Johnson's talcum powder products for feminine hygiene. In May 2016, a jury in St. Louis, Missouri, awarded \$55 million to a woman who was diagnosed with ovarian cancer after using Johnson & Johnson's talcum powder products for feminine hygiene for approximately 40 years.

"Juries are getting just so angered about the knowledge that Johnson & Johnson had for decades," said Kröll, also a registered nurse who earned her bachelor of science in nursing degree from then-Madonna College in Livonia. "To this moment, they still have not placed any warnings on their products."

Products such as Johnson & Johnson Baby Powder as well as Shower to Shower (since sold by J&J to another business) have been advertised to women for use in the genital area for many years. Said Livonia resident Kröll, a partner in the firm, "I really believe we're just at the infancy of this litigation and it's going to explode."

She recently attended a South Carolina conference that involved a series of law firms involved in the Missouri verdicts. Kröll noted some 140 similar cases pending in New Jersey state court, along with some 1,400 in Missouri.

A New Jersey judge used a "global discovery order" for test cases, she explained, three for plaintiffs and three for the defense. Trials in New Jersey are set to start this October, with Kröll noting work to "keep them out of the federal courts." She praised state court judges there



Attorney Eileen Kröll of Livonia, also a registered nurse, represents clients who've used Johnson & Johnson products, such as Baby Powder, for feminine hygiene.

"who have done a very good job thus far."

COMPANY RESPONDS

Johnson & Johnson's Marc Boston wrote in an email to this newspaper, "For over 100 years, Johnson & Johnson has provided consumers with a safe choice for cosmetic talc powder products. Johnson & Johnson believes in the safety of cosmetic talc. That is why we continue to market Johnson's Baby Powder containing cosmetic talc today. A very extensive recent review of all the data on talc safety was reviewed by an independent expert panel, the Cosmetic Ingredient Review (CIR)

Expert Panel, and published in 2015. The CIR Expert Panel concluded that 'talc is safe in the present practices of use and concentration described in this safety assessment'. Importantly, no new data has become available since this review which would change their assessment," Boston said.

Boston's LinkedIn lists him as Johnson & Johnson's North America Media & Issues Management Leader Consumer and Consumer Devices.

Kröll, who is accepting cases from impacted women, noted the U.S. Food and Drug Administration classifies the products as cosmetics and has no say on this matter. "It's truly

a corporate decision of what to do with this product," she said.

She referenced "translocation" of talc particles up through the genital region into the reproductive system, reaching the ovaries at the end of the Fallopian tubes. Inflamed tissue can cause cancer cells to grow, she noted.

"I sprinkled it on my son with diaper changes," Kröll said of the Baby Powder. The risk appears less with regular skin, such as the buttocks of a baby, and limited time of use. Kröll agreed a child would often urinate into a diaper before it's changed again, adding liquid.

"It was marketed specifically for the scent, the smell," she said of the feminine hygiene ads targeted at women. Kröll, a graduate of the University of Detroit Law School, cited 21 studies over the last two decades "that show this statistically significant risk."

PRODUCT MARKETING ISSUES

Added Kröll, "Women aren't going around sprinkling Gold Bond into their panties. Women specifically like that scent and Johnson & Johnson knows it." Some women use the products on sanitary napkins as well.

She noted a 1992 company decline in sales, followed by marketing reports and advertising campaigns targeting African American and Hispanic women. Those ads began the same year, Kröll said.

"They absolutely knew they were targeting those two ethnicity groups," she added, a practice she calls "horrible." J&J's Boston did not respond to this newspaper's question regarding advertising aimed at minority groups.

The American Cancer Society's website references the International Agency for Research on Cancer, a part of the World Health Organization. That site notes perineal (genital) use of such products is "possibly carcinogenic to humans."

Attorney-nurse finds work rewarding, challenging

Julie Brown
STAFF WRITER

Says Livonia resident Eileen Kröll, "I'm a nurse through and through."

She's now a partner at the Cochran, Kröll & Associates law firm of Livonia, focusing on medical malpractice. Kröll, a 1981 Livonia Franklin High School graduate, finds her law and nursing degrees both serve her well.

She grew up in Westland in the Franklin attendance area, and headed to then-Madonna College in Livonia for her bachelor of science in nursing degree. While in college, she worked as a nursing assistant at Children's Hospital of Detroit.

"It helped me pay for school; \$8 an hour was a heck of a lot of money," recalled Kröll, whose father had earlier passed away. She also had college scholarships, and noted minimum wage back then was far below that \$8.

After earning her nursing degree, Kröll was at Detroit's Sinai Hospital in the surgical intensive care unit. At Madonna, a professor had noted her analytical mind and asked if she'd considered being a lawyer.

"That nursing background really lends itself well to medical malpractice," she noted. She said every nurse strives "to advocate for her patients. It's something we learn in nursing school."

Kröll, now an attorney for 25 years, enrolled at the University of Detroit Law School. She worked in law school as a full-time registered nurse as well as a full-time law student. A nursing manager of hers helped in scheduling around law school classes.

"I never planned on being a lawyer," said Kröll, whose nursing school classmates voted her most likely to earn a Ph.D. and write a nursing theory.

She started at Detroit's large Sachs Waldman firm, which began with the organized labor movement here. Kröll tips her hat to mentor Barry Waldman at that firm, and to colleagues there.

"He literally is one of the best lawyers and one of the best human beings," she said of Waldman. Her son's schooling called for a career change at that time, explained Kröll, now a partner at Cochran, Kröll also has a Flint office.

She and husband Doug Kröll have a son who is graduating from Livonia Stevenson High School this year. The Krölls are marking their 20th wedding anniversary.

Doug is also a Franklin High graduate, although they didn't meet there.

"It's been great living and working in Livonia," she said.