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ALERT
**JOHNSON AND JOHNSON TO STOP SELLING TALC-BASED BABY
POWDER GLOBALLY IN 2023**

The COMESA Competition Commission (the “Commission”) has become aware that Johnson & Johnson Services, Inc. (“Johnson and Johnson”), announced on 11 August 2022, that it will discontinue its talc-based Johnson Baby Powder product globally in 2023, as it transitions to cornstarch-based baby powder¹. This follows the earlier decision of the company announced in May 2020, that it would end sales of its talc-based baby powder in the U.S. and Canada due to declining demand resulting from changes in consumer habits, fueled by misinformation around the safety of the product and a constant barrage of litigation advertising.

The decision of Johnson and Johnson to discontinue its talc-based powder comes at the backdrop of the several lawsuits² accusing the company of selling products contaminated with asbestos which causes cancer. In 2018, a St. Louis jury awarded \$4.69 billion to 22 women who sued Johnson & Johnson alleging their ovarian cancer was caused by using its powder. In June 2020, the Missouri Appellate Court upheld the judgment of the St. Louis jury but adjusted the award of damages against to \$2.1 billion. In June 2021, the Supreme Court rejected an appeal by Johnson & Johnson seeking to undo a \$2.1 billion damages award against it by Missouri Appellate Court³. The company faces several other lawsuits from consumers claiming that its talc-based powder caused cancer due to contamination with asbestos.

Further, the International Agency for Research in Cancer, which falls under the World Health Organization, classifies the perineal (genital) use of talc-based body powder as “possibly carcinogenic to humans.”

¹ <https://www.jnj.com/johnson-johnson-consumer-health-to-transition-global-baby-powder-portfolio-to-cornstarch>

² According to Asbestos.com and the Mesothelioma Centre , the lawsuits

³ [U.S. Supreme Court Rejects J&J Appeal of \\$2 Billion Talc Verdict \(asbestos.com\)](https://www.asbestos.com/news/2021/06/21/us-supreme-court-rejects-j-j-appeal-of-2-billion-talc-verdict/)

The consumer concerns on the talc-based powder have been based on various studies which established that talc contaminated with asbestos causes cancer, including the following:

- I. Steffen, J.E., et al., 2020 a study on serous ovarian cancer caused by exposure to asbestos and fibrous talc in cosmetic talc powders established that eight out of 10 cases included asbestos.
- II. Johnson, K.E., et al., 2020, a study on analytic comparison of talc in commercially available baby powder and pelvic tissues resected from ovarian carcinoma patients established that talc particles in the baby powder were similar in sizes and shapes to talc particles in resected tissue and that talcum powder could migrate deep inside the uterus, increasing the ovarian cancer risk.
- III. Moline, J., et al., 2020, a study on Mesothelioma associated with the use of cosmetic talc established that all six evaluated cases involved asbestos from talcum powder and that talcum powder exposure may cause mesothelioma, a type of cancer that develops from the thin layer of tissue that covers many of the internal organs.
- IV. Gordon, R.E., 2019 a study on Cosmetic Talcum Powder as a Causative Factor in the Development of Diseases of the Pleura concluded that previous studies “strongly implicate[d]” talcum powder as a “causative factor” in granuloma, fibrosis, and tumor development.



In October 2019, the US Food and Drugs Administration⁴ advised consumers to stop using Johnson and Johnson Baby Powder after a sample was found to contain asbestos. This led to the recall of the product, Lot #22318RB, from the market by Johnson and Johnson.

Further, information available⁵, indicates that in 2018 it was found that Johnson & Johnson knew for decades that asbestos, a carcinogen, was present in its talc products at least from 1971 to the early 2000s. In addition, it has been reported⁶ that a handful of talcum powder companies have put warning labels on their products, but Johnson & Johnson argued that such a label would be confusing because it stood by its product. Johnson and Johnson maintains that its talc-based Baby Powder is safe based on the confirmations of decades of independent scientific analysis by medical experts around the world.

The Commission wishes to alert consumers of the ongoing developments surrounding the decision by Johnson and Johnson to stop selling its talc-based baby powder in 2023. The Commission has established that the talc-based Johnson's Baby Powder is widely distributed in the Common Market.

Should you require more information regarding this subject matter, kindly contact the Commission on +265 (0) 1 772466 or contact the undersigned on mdisasa@comesa.int; or Mr. Steven Kamukama, Manager Consumer Welfare and Advocacy Division on skamukama@comesa.int.



Meti Demissie Disasa
Registrar

COMESA Competition Commission
5th Floor, Kang'ombe House
P.O. Box 30742, Lilongwe 3, Malawi
Office Phone: +265 (0) 1 772466

Email: mdisasa@comesa.in or compcom@comesa.int

⁴ <https://www.fda.gov/news-events/press-announcements/baby-powder-manufacturer-voluntarily-recalls-products-asbestos>

⁵ <https://www.reuters.com/business/healthcare-pharmaceuticals/jj-stop-selling-talc-based-baby-powder-globally-2023-2022-08-11/>

⁶ Report available at: <https://edition.cnn.com/2022/08/12/business/johnson-and-johnson-powder-change/index.html>