

HEALTH

Johnson & Johnson to Pay \$117 Million Over Surgical Device Marketing

Multistate settlement follows allegations the company misled patients, health care providers about transvaginal mesh products



Attorneys general claim J&J and its subsidiary Ethicon misrepresented the safety and effectiveness of surgical mesh devices.

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By Dave Sebastian

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Johnson & Johnson [JNJ 0.54% ▲](#) and its subsidiary Ethicon Inc. have reached a settlement of about \$116.9 million with 41 states and the District of Columbia for allegedly misleading marketing of transvaginal surgical-mesh devices.

Attorneys general claim J&J and Ethicon misrepresented the safety and effectiveness of the devices and didn't sufficiently disclose associated risks.

J&J and its subsidiary were allegedly aware of the possibility for medical complications from the devices but didn't adequately warn consumers or surgeons, South Carolina Attorney General Alan Wilson said Thursday about the multistate settlement.

The settlement involves no admission of liability or misconduct on the part of Ethicon, a spokeswoman said in an email, adding that the company “remains focused on meeting the significant surgical care needs of health care providers and patients.

J&J stopped selling transvaginal mesh in 2012. Lawsuits over such products are part of a large caseload of litigation facing the company about the safety and marketing of a range of products including baby powder and opioids. J&J has had costly losses at trials for some of these lawsuits, while winning some and settling others.

Transvaginal surgical mesh is a material that could support pelvic organs of women who suffer from stress urinary incontinence or pelvic organ prolapse.

Among the risks the companies allegedly didn’t disclose include pain and inflammation, mesh erosion through the vagina and painful sex, the South Carolina attorney general’s office said.

“Women in South Carolina and across the country were injured by the deceptive marketing of this product when they trusted that they were being helped,” Mr. Wilson said. “This settlement holds the companies accountable for violating state law and will prevent this deception from continuing.”

Other states involved in the settlement include Alabama, Connecticut, Indiana, Ohio and Wisconsin.

“Patients can’t make the best decision for their health unless they and their health care providers know all the pros and cons of a product,” Ohio Attorney General Dave Yost said. “These companies didn’t paint a clear picture of the device’s medical risks, preventing patients from making well-informed decisions.”

—*Peter Loftus contributed to this article.*