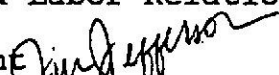


# PENNSYLVANIA STATE COUNCIL of SENIOR CITIZENS

P. O. Box 1052 • Harrisburg, Pennsylvania 17108 • (717) 232-1965

JIM JEFFERSON  
President

DATE: Thursday, December 14th, 1989  
TO: The House Judiciary and Labor Relations Committes  
FROM: Jim Jefferson, President 

Senior Citizens of Pennsylvania would once again like to express their strong opposition to the proposed changes in our Commonwealth's product liability laws. House Bill 916 would infringe upon our rapidly diminishing individual rights, rights which we as senior members of this community have cherished and values longer than any other citizen in the state we call home.

Product Liability affects us all. Product Liability lawsuits, in addition to providing compensation to victims of defective products, offer vital protection to the public by; exposing the hazards of products on the market, promoting manufacturers to redesign or recall dangerously defective products, and creating incentives for manufacturers to concern themselves with product safety.

Of particular interest to the elderly community is the case involving Icy Hot. A diabetic Indiana man used Icy Hot on his foot to relieve pain, wrapping the foot in a heating pad. The analgesic desensitized his foot which was already desensitized due to the diabetes. His foot was severely burned, and ultimately amputated. The lawsuit that resulted from this case forced the manufacturer of Icy Hot to place a warning on its package, thereby providing the necessary precautions to insure that this kind of needless tragedy never happen again.

Another dangerous product which consumers should be aware of is the anti-arthritis drug. A man who took phenylbutazone, the anti-arthritis and anti-inflammation drug, suffered an extreme reaction which caused him to shed most of his skin and eventually killed him. The manufacturer, Danbury Pharmacal Inc., settled the case by agreeing to pay his widow \$800,000 and to stop the production, distribution, and sales of this drug as well as a sister drug called oxyphenylbutazone. In 1983, experts claimed that these drugs, sold to an estimated 135 million persons, have caused over 10,500 deaths worldwide. Internal memos from the drug's original manufacturer show that the manufacturer knew of these fatalities and that "newer," less toxic, and "equally effective," drugs were available. Although the U.S. Department of Health and Human Services refused to ban the drugs, Ciba-Geigy Corporation ended worldwide distribution in 1985. Generic drug companies including Danbury Pharmacal, however continued to market the products.

Senior citizens have worked a lifetime to make Pennsylvania a better state for ourselves and our children. We cannot stand idly by and watch our efforts be in vain. Let's learn from all the horrible tragedies which are a direct result of manufacturers placing profits above safety.