

Court: Can generic makers be sued for drug flaws?

November 30 2012

(AP)—The Supreme Court will decide whether generic drug manufacturers can be held responsible in state courts for possible design defects that are in the brand-name medicine they are copying.

The high court on Friday agreed to hear an appeal from Philadelphia-based Mutual Pharmaceutical, manufacturer of the generic, anti-[inflammatory drug](#) sulindac.

Karen Bartlett was awarded \$21.6 million after claiming a design defect in sulindac caused blindness and severe burning of her skin and [mucus membranes](#). But Mutual says they shouldn't have to pay because they made sulindac exactly the same way as its brand-name equivalent, Clinoril, as required by federal law.

The court last year said [generic manufacturers](#) are not responsible for failing to warn consumers of possible side effects if they copy the exact warnings from their brand-name equivalents.

Copyright 2012 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

Citation: Court: Can generic makers be sued for drug flaws? (2012, November 30) retrieved 1 May 2024 from <https://medicalxpress.com/news/2012-11-court-makers-sued-drug-flaws.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is

provided for information purposes only.