

Johnson & Johnson Statement on United States Supreme Court Decision

December 13, 2021

New Brunswick, NJ – The decision by the Court to not review the *Fitch* case leaves unresolved significant legal questions related to cross-cutting circuit splits and FDA regulatory authority over cosmetic labeling. The filing by the State of Mississippi could set a dangerous precedent, allowing states to impose unnecessary, competing and even retroactive labelling requirements as well as disrupting a number of federally regulated industries. Through its lawsuit, the State is now attempting to circumvent the FDA’s expertise, disregarding both Supreme Court precedent and Article VI of the United States Constitution.

The nation’s experts at the FDA were asked – twice – to require warning labels on talcum products and ultimately rejected those requests after careful review of the scientific evidence. The claims raised by the State are also at odds with decades of independent scientific evaluations confirming Johnson’s Baby Powder is safe, does not contain asbestos and does not cause cancer. More information about our position and the safety of cosmetic talc is available at www.FactsAboutTalc.com.

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