

## Identifying Dangerous Drugs and Devices

Every year, thousands of people suffer from serious, even fatal, side effects of some pharmaceuticals – medication they believed to be safe. Still more are injured by dangerous or defective drugs and medical devices.

The expectation of safety is not unfounded: these drugs and devices have been approved by the U.S. Food and Drug Administration (FDA). They are prescribed by doctors people know and trust. Unfortunately, many are inadequately tested or have insufficient warnings on their labels, leaving doctors and patients in the dark.

### Determining Liability

A pharmaceutical company or medical device manufacturer can be held accountable for injuries under the legal theory of product liability. In this field, two main arguments are used: design defect and inadequate instructions or warnings.

A company can only be held liable for design defect if the FDA and the health care providers find the drug or device's known risks (or risks that reasonably should have been known) outweigh its potential benefits.

Manufacturers are liable for inadequate warnings if the medical providers are not adequately warned or if manufacturers fail to notify consumers of known or knowable risks involved with taking the drug.

**If you believe you are taking a drug or have a device that may fit into one of these categories, please contact us for a free legal consultation.**

Learn more about dangerous drugs and devices:

- Avandia
- Chantix
- DePuy Hip Implant
- Darvocet/Darvon
- Fentanyl
- Heparin
- Reglan
- Yaz