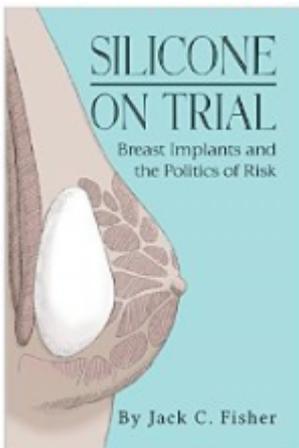


Silicone on Trial: A Review

By ACSH Staff — February 23, 2015

ACSH trustee Dr. Jack Fisher's new book on the story of one of the sad chapters in American legal history the unwarranted attack by the tort industry, ably abetted by the FDA under David Kessler, against Dow Corning for damages supposedly caused by their silicone breast implants has just been published.



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The book, *Silicone on Trial* (Sager Group LLC, 2015) provides a very detailed history backed by copious references of a public health travesty that never should have happened in the first place. Fisher's book speaks to more than this one incident. It also tells the story of a legal system that is so badly broken that even the most jaded readers will be left shaking their heads in disbelief.

ACSH's Dr. Josh Bloom has reviewed the book on Science 2.0. He is able to capture only a minute fraction of the wrongs that were committed against Dow Corning and other companies that also made implants, and also against the many women who unnecessarily suffered grievous harm, both mental and physical, thanks to this misguided crusade.

Following are select passages from his review.

So, is justice really blind? Who knows?"

"But, with the right recipe it can become deaf and dumb rather quickly. Here is the public recipe. Mix the following in equal quantities: Junk science and medicine, a misguided and politically-driven regulatory agency, a flawed legal system, predatory trial lawyers, a self-anointed know-nothing

consumer "advocate," greed, and a company with deep pockets, and voila: the perfect mix. Fisher focuses his ire on two particular culprits Dr. David Kessler (the FDA commissioner at the time), and Sidney Wolfe, a professional busybody, who seems to get just about everything wrong, yet still commands attention in the press.

Kessler had an astounding ability to talk out of both sides of his mouth. Within two days of his decision, he appeared on daytime TV saying that there was "no [safety] data...simply no data after thirty years on the market," only to retract his own lie shortly thereafter, instead claiming that he had received " a lot of data but none of it was acceptable."

Fisher's relationship with Kessler is, however, an absolute love fest compared to that with Dr. Sidney Wolfe a self-appointed guardian of the American consumer with a superlative track record of being wrong so much of the time it may prompt the reader to revisit the old question of how many times per day a stopped clock is necessarily correct.

The book is eye opening on many levels, and some of it is quite disturbing.

Suggestion: Before you start reading, I recommend that you keep a bottle of Mylanta nearby, since you may very well suffer from gastric distress as you read. But, fear not. Mylanta contains a very effective ingredient to make you feel better. It's called simethicone. AKA silicone.

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