

Emerging Tort Liabilities Arising from Groundwater and Surface Water Contamination

Pharmaceutical EHS Counsel Roundtable

Susan Smith

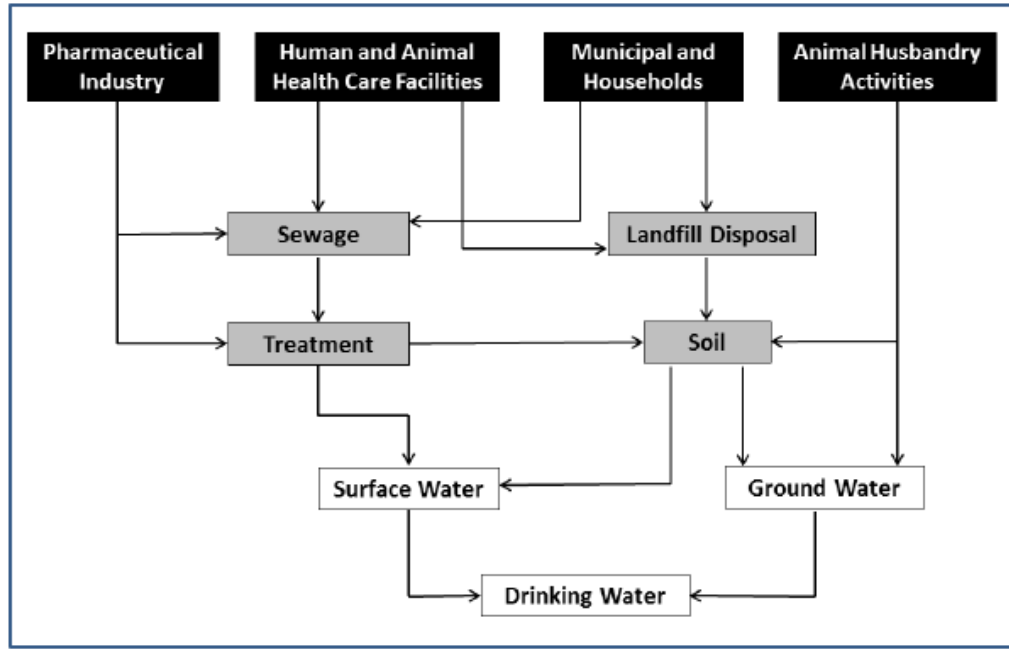
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Pharmaceutical Pathways

Figure 1: Chief pathways for pharmaceuticals to enter the environment and drinking water supplies



Source: Eckstein, G., *Drugs on Tap: Managing Pharmaceuticals in Our Nations Drinking Waters*

6 Lifecycle Stages



Source: Eckstein, G., *Drugs on Tap: Managing Pharmaceuticals in Our Nations Drinking Waters*

Unknowns

- Toxicology
 - Extremely Low Concentrations
 - Combinations (“Toxic Soup”)
- Environmental Impact

Risk Factors

- Recent Events, Heightened Scrutiny
- Advances in Science and Technology
- Shifting Culture, New Fears and Expectations
- Shifting Legal Landscape

NOW IT COMES WITH A LIST OF INGREDIENTS.



What's in your tap water besides water? A short new report from your water supplier will tell you where your water comes from, what's in it, and how safe it is. Look for the report in your mail, and read it. Because when it comes to understanding your drinking water, the most important ingredient is you.



DRINKING WATER. KNOW WHAT'S IN IT FOR YOU.

Call your water supplier or the Safe Drinking Water Hotline at 1-800-426-4791.
Or visit www.epa.gov/safewater/

Shifting Legal Landscape

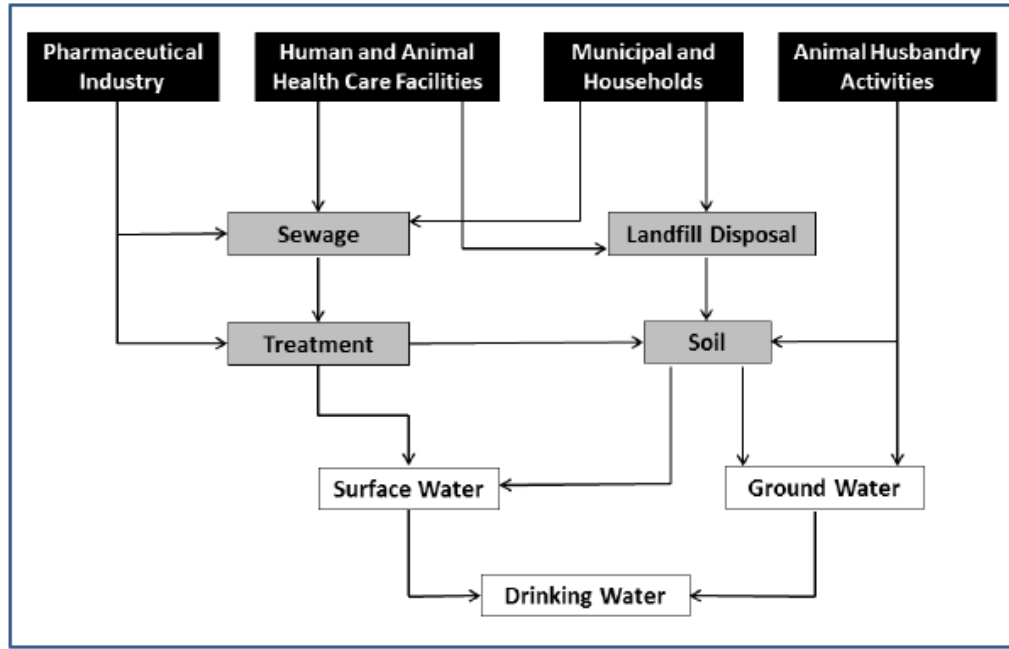
- “New” Litigation Framework, Proven Success
- Sophisticated, Energized Plaintiffs’ Bar
- Trends in Toxic Tort and Product Liability Litigation
- Recent Examples, Lessons Learned

Risk Management Considerations

- Modification of Drug Design
- Revision of Manufacturing Processes
- Promotion of Responsible Disposal Practices

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Question and Answer

Thank You!



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