

PRESS RELEASE

Bert Rein Urges Overhaul of Pharmaceutical Liability System in *Bloomberg BNA* Column

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In a column published today by *Bloomberg BNA's Toxics Law Reporter*, Wiley Rein founding partner Bert W. Rein says a recent state court decision in Alabama underscores the need to overhaul the nation's inadequate, inequitable pharmaceutical liability system.

In *Wyeth v. Weeks*, the Alabama Supreme Court ruled last month that manufacturers of brand-name drugs may be held liable for injuries caused by generic imitations of their products. The decision "adds another strand of complexity and irrationality to the already tangled web" of liability rules for prescription drug injuries, according to Mr. Rein.

He explains that the interplay of Food and Drug Administration (FDA) regulation and state law, and the incremental *ad hoc* accretion of judge-made remedial doctrines, have created needless inequities and expenses without making any significant contribution to patient safety.

"It is high time to rethink the basic elements of the pharmaceutical liability regime and move toward a comprehensive national liability system in which injury minimization and prompt relief for those bearing the often crippling expenses of injury remediation are efficiently and rationally pursued," Mr. Rein says in the article.

Bloomberg BNA also plans to publish Mr. Rein's article in next week's *Product Safety & Liability Reporter*. To read the article in the *Toxics Law Reporter*, [click here](#).

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Practice Areas

Food & Drug

Mr. Rein has been recognized as a Washington “Visionary” by *The National Law Journal* and a “Leading Food and Drug Lawyer” by the *Legal Times*.