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2 more lawsuits blaming heparin for 2 area deaths

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Two new lawsuits have been filed in U.S. District Court in Toledo against drug manufacturer Baxter Healthcare Corp., accusing the company of supplying defective heparin, a blood thinner used by many kidney dialysis patients.

In January, the company voluntarily recalled the drug and issued warnings about potentially life-threatening problems, such as shortness of breath and swelling in the throat.

The suits were filed this week by relatives of two men who were using the drug: Randy Hubley, Sr., of Toledo and Gene E. Balliet of Elmore. The two died because of the contaminated drug, the lawsuits contend.

The suits include claims against component manufacturers Scientific Protein Laboratories of Wisconsin and Chinese firm Changzhou SPL Co.

A similar suit was filed in federal court in Toledo in February against Baxter, but did not include the other two firms.

The suits state Scientific Protein Laboratories obtained the active ingredients for heparin from Changzhou SPL Co. in China and supplied them to Baxter. Changzhou obtained its ingredients from Chinese wholesalers that got the heparin from small workshops.

"Despite representations that these workshops are audited or inspected, it is believed that many of these workshops have never been inspected by either the wholesaler, Changzhou SPL, or any representative of any regulatory agency in China or otherwise," the suit states.

Scientific Protein Laboratories did not return calls for comment. A Baxter representative said the company does not comment on pending litigation.

Peter J. Arduini, president of Baxter's Medication Delivery business, said in a statement on Baxter's Web site: "The safety and quality of our products is always our highest priority, and we will continue to collaborate with the FDA as we work to determine the cause of the increased rate of adverse reactions and resolve this issue."

In another statement, the company said the dozens of company scientists and manufacturing and quality experts are working to find out what the contaminant was in the heparin, and where it was introduced in the supply chain.

The statement also said neither the company nor the FDA has confirmed that heparin has caused any fatalities.

Toledo attorney David Zoll, who is representing the families suing the companies, said his firm, Zoll, Kranz & Borgess, is investigating about 10 more cases in which heparin is suspected to have caused the death of a patient.

About six cases that haven't met the criteria have been rejected, he said.

"We want to keep the pressure on the FDA to do a complete investigation," Mr. Zoll said. "We're very anxious to determine the identity of the contaminant that was in the product."

Mr. Zoll said the Chinese firm hasn't been served with the lawsuit yet because the complaint must be translated into Chinese.