MARTIN & JONES PLLC
Attorneys at Law

Harmful Medication Lawyers in North Carolina

Every year thousands of patients suffer injury and even death after taking prescription medications. Whether it is a previously unreported side effect of a drug, a serious adverse reaction to a drug, the interaction between two drugs causing injury, or a medication error, prescription drugs can be dangerous and even fatal. Virtually every year, prescription drugs are recalled by the Food and Drug Administration (FDA) after users are injured.

Pharmaceutical Manufacturers

Who can forget Vioxx that was recalled by Merck, Rezulin recalled by Pfizer, Baycol recalled by Bayer, and Fen-Phen recalled by Wyeth. Numerous other prescription drugs have been shown to cause harm. If you or a loved one has suffered an injury as the result of a harmful medication, please contact our office for a confidential, no-obligation consultation with one of our experienced lawyers.

Types of Pharmaceutical Defects

In the United State, the FDA regulates the sale of prescription and over-the-counter medications. But it is important to understand that just because a drug has received FDA approval, that does not mean that drug won't be subject to a recall later for being unsafe. Thousands of FDA-approved drugs have been recalled due to defects in the last few years. The types of pharmaceutical defects that can lead to injury are marketing defects, dangerous side effects, and manufacturing defects.

Marketing Defects (Failure to Warn)

It is the responsibility of the manufacturer to explain how a product should be used and to warn against side effects that can occur even when the drug is used as directed. Drug labeling and use instructions should be clear and concise and reasonably explain all the dangers that could result from the product's use.

If a manufacturer does not meet this duty to warn consumers about side effects, and the consumer uses the drug as instructed and suffers injury, the manufacturer could be liable for their damages. This failure to warn defect – also referred to in product liability law as a marketing defect – can form the basis of a harmful medication lawsuit.

Design Defects (Side Effects)

Even though drug producers are required to go through an FDA approval process, there are instances when an approved drug ends up with side effects that the manufacturer was not aware of. When this occurs – and the side effects cause serious injury, disability or even death – the manufacturer can be held liable for the patient's injuries.

The manufacturer can be held liable even though the drug was approved and the producer had not yet uncovered the side effects at issue. Every drug manufacturer is required to undertake reasonable research, testing, and investigation about its products and then warn consumers about the drug's risks. Merely claiming that it was unaware of the risks is not enough to get the drug producer off the hook if the side effect is something the manufacturer should have known about.

Manufacturing Defects

Manufacturing defects are problems that occur during the production of the pharmaceutical product. Examples include using ingredients that were contaminated or tainted, mistakenly mixing solutions in the wrong quantities, and placing the wrong labels on medications. Regardless of where in the supply chain or production process the error occurred, if it resulted in injury to the user, the manufacturer can be sued for drug product liability damages.

Side Effects of Harmful Medications

Side effects caused by pharmaceuticals differ with the individual. Two people taking the same medication may have completely different reactions. Below is a general list of possible side effects from taking different drugs. Please note that this is a list of common side effects, not specific to any particular drug and that sometimes, taking prescription drugs can lead to death:

- Dizziness
- Nausea
- Vomiting
- Increased blood pressure
- Loss of taste or smell
- Mood swings
- Loss of coordination
- Skin irritations such as hives or rash
- Liver or kidney damage
- Depression
- Stomach ache
- Dry mouth

The FDA website contains information about many prescription medicines and provides information that can help patients avoid serious adverse drug events.

File a Harmful Medication Claim with Our North Carolina Product Liability Attorneys

Bringing a product liability case after experiencing adverse effects of a medication is a complex matter. The experienced North Carolina product liability attorneys at Martin & Jones can determine not only what type of lawsuit to file, but also which parties can be held liable for defective drug claims, including:

- Pharmaceutical companies
- Laboratories
- Sales representatives
- Pharmacists
- Medical facilities and physicians
- Drug marketing companies

Contact us online or call our Raleigh, North Carolina, office at 800-662-1234 today for a free consultation with a Martin & Jones lawyer. Injury claims are handled on a contingency fee basis. We also have offices in Durham and Wilmington.
