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## Sunscreen makers sued for misleading health claims

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By Deena Beasley

LOS ANGELES (Reuters) - A consumer lawsuit filed on Thursday accuses sunscreen makers of exposing millions of people to cancer and other dangers through false and misleading claims about the effectiveness of their products.

The lawsuit, filed in Los Angeles Superior Court, consolidates nine previous lawsuits filed by individuals and seeks class action status.

It charges that makers of sunscreen, including brands such as Coppertone, Banana Boat, Hawaiian Tropic, Bullfrog and Neutrogena, inflate claims about their products' qualities, lulling consumers into a false sense of security over prolonged sun exposure.

Ultraviolet radiation from the sun is the leading cause of skin cancer.

The lawsuit, filed by the law firms of Lerach Coughlin Stoia Geller Rudman & Robbins LLP and Abraham Fruchter & Twersky LLP, does not make any claims of personal injury.

Defendants named in the suit include Johnson & Johnson Inc., Schering-Plough Corp., Playtex Products Inc., Tanning Research Laboratories Inc. and Chattem Inc..

The suit focuses on labels that claim the sunscreens protect equally against the sun's harmful UVA and UVB rays, and also claims of how long sunscreens promoted as waterproof remain effective in water.

It says the defendants' products may protect against harmful UVA rays with shorter wavelengths, but the skin remains exposed to harmful UVA rays with longer wavelengths that penetrate deep within the skin.

The suit also alleges that parents have been misled into believing their children are protected as a result of claims in labels for products aimed specifically at children, such as Coppertone Water Babies.

"Schering-Plough misled ... the general public by representing that their Coppertone Water Babies UVA/UVB Sunblock Lotion provided 45 times a child's natural protection against both UVA and UVB rays," according to the suit.

It says the product only provides that level of protection against UVB, and cites scientific studies showing that the sunscreen ingredients do not provide the same level of UVA protection.

A spokeswoman for J&J's Neutrogena unit said the company does not comment on pending litigation, but added that Neutrogena markets sun protection products in compliance with U.S. Food and Drug Administration regulations and the products are safe and effective when used as directed.

A Schering-Plough spokeswoman, Denise Foy said the company hadn't seen the lawsuit and could not comment on the specifics. "But labeling and advertising for all Schering-Plough products, including sun care, are developed in compliance with all applicable laws and FDA regulations," she said.

A Playtex spokesman called the suit "false, misleading and irresponsible."

The other manufacturers could not be immediately reached for comment.

Dr. Roger Ceilley, professor of dermatology at the University of Iowa and past president of the American Academy of Dermatology, said sunscreen provides important protection.

"There is a lot of evidence that sunscreen helps prevent precancerous spots and skin cancer .... but it must be used properly along with other components of sun safety like clothing and staying out of the midday sun," he said. "It should never be used as an excuse to bake in the sun as long as possible."

The suit seeks to stop the defendants from engaging in allegedly misleading marketing practices. It also seeks the refund of money wrongfully acquired, unspecified damages for injuries suffered, and punitive damages.

(Additional reporting by Bill Berkrot in New York)

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