Bayer’s BIG Headache

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In May, a *New York Times* investigation hit the Bayer Corp. with a headache from hell: The paper alleged that a Bayer subsidiary knowingly exported a dangerous blood-clotting product — unscreened and untreated for HIV — to people with hemophilia in Asia and Argentina in the ’80s. “It’s a story of murder for money,” said John Rider, of the group Committee of Ten Thousand (COTT). “They were simply dumping what they knew was bad product.” COTT advocates for the 10,000 Americans with hemophilia who, in a virtually identical early ’80s tragedy, got HIV through contaminated blood-clotting factor. Bayer officials have declined media requests for interviews but wrote a statement to the *Times* saying the company acted responsibly given its scientific information at the time.

In 1997, Bayer and three other companies paid $600 million to settle cases filed on behalf of the 10,000 U.S. HIVers. Documents unearthed during the lawsuits indicate that in February 1984, Bayer subsidiary Cutter Biological replaced its unsafe product with a new one, heat-treated to kill HIV, but kept exporting the bad blood until July 1985. The *Times* reported that in Hong Kong and Taiwan alone, at least 100 people got HIV from Cutter’s old product—and the toll elsewhere could be much higher.

“I’m trying to get criminal charges against Bayer,” said Terry MacNeill, who founded and runs the Brian and Shawn MacNeill Pediatric AIDS Foundation, named for her two sons who were among the 10,000. (Brian, at 30, is a survivor, but Shawn died at 22.) “If they get away with it this time, what’s to keep them from getting away with it next time with different drugs?”

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