

# Birth Defects and Litigation

BIRTH DEFECT RESEARCH FOR CHILDREN



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While it is not always possible to know the cause of an individual birth defect, studies have found that some birth defects can be linked to exposure to prescription or over the counter medications, chemical exposure in the home or workplace, or toxic substances that contaminate the air or groundwater in communities.

When a child has birth defects that may have been caused by an exposure, parents may seek answers to the cause that may lead them to consider litigation.

Birth Defect Research for Children does not encourage nor discourage litigation, but we think that it is important for a family seeking counsel to consult with attorneys who have experience in this complex field. This is why we have developed a new section of our web site with attorneys from each state who specialize in birth defect and/or birth injury litigation. [www.birthdefects.org/attorney](http://www.birthdefects.org/attorney)



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## Antidepressant Drugs

Prozac (fluoxetine), Paxil (paroxetine), Zoloft (sertraline), Celexa (citalopram), Lexapro (escitalopram)— these selective serotonin reuptake inhibitors (SSRIs) used for depression have been associated with:

- Heart defects
- Cleft lip and palate
- Omphalocele

## Accutane

Accutane (isotretinoin) is a prescription drug developed for treatment of the most severe forms of acne, such as severe cystic acne. Accutane can cause birth defects and carries warnings that pregnant women or women who might become pregnant should not take the drug. Birth defects associated with Accutane include:

- Visual impairment
- Hearing impairment and/or missing earlobes
- Facial malformations
- Mental retardation
- Heart defects
- Glandular and central nervous system malformations

## Pesticides

Pesticides contain many toxic chemicals that can cause birth defects in children whose parents were exposed through agricultural work, groundwater contamination, or airborne drift. Parents who work in the fields for the farming industry — or simply live near an agricultural area — are at high risk of exposure to pesticides used on the fields. Pesticides may damage the parents' chromosomes and lead to birth defects among children who are conceived during or just after exposure. Birth defects and complications linked to pesticides include:

- Brain cancers
- Endocrine disruption
- Neurological disorders

- Lower birth weight and size
- Premature death
- Limb defects

## Industrial Chemicals Used in High Tech and Electronics Manufacturing

Toxic chemicals used in many industries, including high tech and electronics manufacturing can cause birth defects and injuries to children whose parents are exposed to these dangerous chemicals. Such chemicals are often used in clean-room environments to make semiconductor parts. These chemicals include, but are not limited to, etching materials, solvents, cleaning fluids, and ethylene glycol ethers (EGE).

These, along with other toxic substances, can cause reproductive harm to both men and women, disrupting the parents' abilities to reproduce or causing them to pass damaged and defective DNA onto their children. Birth defects linked to exposures in high tech industries include:

- Skeletal and limb abnormalities
- Cognitive impairment
- Blindness
- Developmental Delays
- Missing or deformed organs
- Shortened or missing limbs
- Heart defects
- Cranial defects
- Missing or shortened limbs
- Organ malformation
- Facial abnormalities



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## Hydraulic Fracturing (“Fracking”) and Birth Defects

Recent studies have found that glycol ethers, toluene and several other well-established chemicals known to cause birth defects and miscarriages are prominent in the gas extraction process known as fracking.

## Solvents

Epidemiologic studies, animal studies and case reports strongly support the causal relationship between these birth defects and exposures to chemicals contained in industrial solvents.

- Cleft lip and/or palate
- Neural tube defects
- Anencephaly
- Spina bifida
- Hydrocephalus
- Cerebral Palsy
- Cardiovascular defects
- Digestive anomalies.

These industries involve potential exposures to solvents:

- Furniture making
- Manufacturing of industrial machinery and equipment
- Medical and scientific laboratories
- Commercial printing
- Cosmetology and hairdresser products
- Plastics industry
- Textile industry

## Lead and Birth Defects

Toxic heavy metals such as lead can increase the risk of birth defects. Lead is a hazardous material used in the production of hundreds of products including batteries, metals, paint, ceramic glazes, cable covering, ammunition, and more. The Environmental Protection Agency banned the use of lead in paint, gasoline, and other products in the 1970s.

However, the substance is still present in older products and in the environment including drinking water from contaminated leaded pipes, scented candle wicks, plastic handles on certain tools, and leaded crystals and ceramics.

High or even low levels of lead exposure can cause a variety of illnesses and have deleterious reproductive effects in men and women including lower sperm count and spontaneous abortion. Furthermore, maternal exposure to lead, which is easily transferred from mother to child through the placenta as early as the first trimester, poses significant risks of lead birth defects. While there is no specific pattern of birth defects linked to lead exposure during pregnancy, some common lead birth defects may include:

- Neurological damage
- Developmental delays
- Low birth weight
- Skin markings including skin tags
- Slowed postnatal neurobehavioral development
- Premature delivery/shortened gestation
- Undescended male testicles
- Miscarriage/spontaneous abortion

## Anti-Seizure Drugs and Birth Defects

Research has consistently shown that anticonvulsant medications significantly increase the risk of seizure drug-related birth defects and other developmental disorders.



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Women who take anticonvulsants during pregnancy, particularly in the first trimester, are twice as likely as other women to have a baby with a birth defect including:

- Heart defects
- Defects of the skeletal system
- Cleft lip and cleft palate
- Urogenital and neural tube defects (including spina bifida)

Seizure drugs are also known to cause neurological, intellectual, and behavioral delays, although these may not become evident for several years after birth.

## Most Commonly Used Anti-Seizure Drugs

- Depacon (valproate) - known to cause a particularly high increased risk of birth defects
- Tegretol (carbamazepine)
- Lamictal (lamotrigine)
- Dilantin (phenytoin)
- Topamax (topiramate)
- Neurontin (gabapentin)
- Depakote (divalproex)
- Phenobarbital

Fact Sheet by:

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