

# AIDS NEWSLETTER Vol 10 No 11

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## ■ 1071 ■ Japanese compensation

Two Japanese tribunals, one in Tokyo and one in Osaka, hearing the cases of people infected with HIV through blood products imported from the USA (6 years after the first legal moves) has proposed that each of the 219 plaintiffs (although 93 have died since 1989) should receive 45 million yen (about £300 000). The tribunal recommends that the government contributes 40% of the cost with the rest coming from the five pharmaceutical companies concerned. Underlining the urgency of the situation of the people involved, the judges have appealed to the authorities and the companies to accept the proposed compromise as soon as possible. The prime minister announced that the government would study the recommendation "with humility" and act as rapidly as possible. The plaintiffs demand that the state recognizes its responsibilities and apologizes to the infected people and their families. Health and Welfare minister Churyo Morii accepted partial government responsibility in a press release on 11 October but this has been rejected by many of the plaintiffs who want a full unreserved apology. One of the companies involved, Baxter Ltd., is reportedly dissatisfied with the suggested lump-sum package and may refuse to take part in formal negotiations. However, some sources claim that the company is sympathetic towards the plaintiffs and wishes to reach a conclusion of the proceedings and so may be willing to take part in informal talks.

About 1800 of the country's 5000 haemophiliacs became infected through blood products. As of the end of June 1995, 357 had died, including 91 of the 219 who brought the lawsuit.

*Nikkei Weekly*, 9.10.95, p16/*Independent*, 12.10.95, p16/*Japan Times*, 16-22.10.95, p4, 23-29.10.95, p1, p5/*International Herald Tribune*, 30.10.95, p1/*Le Monde* 10.10.95/*Quotidien du Médecin* 10.10.95

## ■ 1039 ■ Heat treatment flawed

A newspaper report indicates that executives of the Armour Pharmaceutical company in the USA agreed in October 1985 to ignore a warning from a researcher that its process for inactivating HIV in its blood clotting factor Factorate was inadequate. They believed that there was no scientific reason to doubt the company's procedure and had "every good reason" to doubt the researcher's results. The company changed to a more rigorous heat-treating procedure in 1987 but continued to sell previously processed factor VIII.

*Philadelphia Inquirer* 23.10.95, pA1

## ■ 1052 ■ Compensation for haemophiliacs

Haemophiliacs in Canada infected with HIV through blood products are demanding a review of the compensation they have received. The package agreed was an immediate payment of \$20 000 plus additional \$30 000 payments every year for life. Of the 917 people infected, 862 accepted the settlement in 1994, waiving the right to sue blood companies, federal or provincial governments, the Red Cross, hospitals and doctors. The president of the Canadian Hemophilia Society said that the agreements were "signed with the idea there was no wrong-doing". The society now feels, following revelations at the Krever inquiry, that the government was negligent. They are saying that a legal challenge will follow, although many of those infected will not benefit from the results. Some of the people who did not sign the original agreement have now requested to sign the agreement, but have been told that the offer will not be repeated.

*Globe and Mail*, 7.10.95, pA5

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