



NEC & BABY FORMULA LAWSUITS

If you had a premature infant who suffered necrotizing enterocolitis (NEC) you may be entitled to compensation.

WHO QUALIFIES FOR COMPENSATION?

Parents of premature babies who developed necrotizing enterocolitis (NEC) after being fed formula containing cow milk may have legal claims against Enfamil and Similac baby formula companies.

You may qualify for compensation through a baby formula lawsuit if your baby was:

- Born prematurely
- Used Enfamil or Similac formula
- Diagnosed with NEC

In many NEC baby formula cases, the infant required surgery to manage NEC. Sadly, some cases of NEC have resulted in death.

WHAT IS THE BASIS FOR THE BABY FORMULA LAWSUITS?

Baby formula lawsuits are based on research that has long shown that there is a connection between cow milk formulas and NEC in premature infants. Baby formula manufacturers, including Similac and Enfamil, should have properly warned parents and doctors of the risks.

Similac and Enfamil failed to warn the public about the risks associated with NEC and their formulas that are cow milk based. The connection between NEC and cow milk has been known for years.

In the past, medical malpractice lawsuits have been filed against doctors for providing cow-based milk products to premature infants because it is known to cause NEC. However, in those situations, doctors often claimed

they did not know about the medical literature that connected NEC and Similac and Enfamil formulas.

Now, baby formula attorneys are going straight to the source and filing lawsuits against the large corporations who knew about their connection to NEC and failed to warn doctors and parents of the dangers.

ENFAMIL BABY FORMULA LAWSUITS

Our NEC lawyers are currently handling claims against Mead Johnson Nutrition, the maker of Enfamil, for failure to warn parents and doctors about the connection between NEC and their cow milk based formula. If your baby was fed any of the following products and they developed NEC or NEC symptoms, then you may qualify for an Enfamil baby formula lawsuit:

- Enfamily NeoPro EnfaCare Infant Formula (Mead Johnson Nutrition calls this the “best” formula for premature babies.)
- Enfamil Human Milk Fortifier
- Enfamil Premature Infant Formula 20 Cal with Iron
- Enfamil Premature Infant Formula 24 Cal with Iron
- Enfamil Premature Infant Formula 30 Cal with Iron
- Enfamil Premature Infant Formula 24 Cal with Protein
- Enfamil 24 Cal Infant Formula

These are only a few examples of Enfamil formulas that may have caused your baby’s NEC. If your infant was fed another cow milk based formula and developed NEC, you may still qualify for an Enfamil baby formula lawsuit.

SIMILAC BABY FORMULA LAWSUITS

Our NEC lawyers are also reviewing claims against Abbot Laboratories Inc., the maker of Similac baby formula. If your premature baby was fed any of

the following and developed NEC or symptoms of NEC, then you may have a valid Similac baby formula lawsuit:

- Similac NeoSure
- Similac Special Care 20
- Similac Special Care 24
- Similac Special Care 30
- Similac Special Care 24 High Protein
- Similac Human Milk Fortifier
- Similac Human Milk Fortifier Hydrolyzed Protein Concentrated Liquid
- Similac Alimentum Expert Care

This is just a sample of the formulas that are often prescribed to premature infants. If your baby was fed another type of Similac formula and developed NEC, you may still qualify for a Similac baby formula lawsuit.

WHAT IS NECROTIZING ENTEROCOLITIS (NEC)?

NEC is a disease that may occur in premature infants. NEC happens when bacteria invade the walls of the intestines, leading to infection and inflammation. This causes a decrease in oxygen to certain organs. NEC may cause destruction of a baby's bowels and can be fatal.

Symptoms of NEC include the following:

- Metabolic acidosis
- Intolerance to formula
- Feeding residuals
- Green fluid in the abdominal wall
- Decreased bowel sounds
- Trouble breathing
- Bradycardia (slow heart rate)
- Abdominal distention
- Lethargy
- Increase or decrease in stools
- Jaundice

NEC gets worse over time, especially if the cow based milk formula continues. Identification of symptoms and immediate treatment is essential. When treated appropriately, most babies who develop NEC can recover and live a normal life without complications. However, in the worst cases, NEC can result in death.

An initial diagnosis of NEC requires close observation of symptoms by a pediatric doctor. Blood testing, cultures, abdominal imaging, and blood gas levels may also be used to make a diagnosis.

TREATMENT OF NEC

Babies who develop NEC are typically treated by immediately discontinuing

feeding of the formula and beginning strong antibiotics. Babies are placed on intravenous nutrients until the infection is controlled and intestinal tissue is healed.

Drainage of the gastric system may be necessary in addition to circulatory support. If NEC causes the tissue of the intestines to become dead and decayed, then surgery may be required to remove affected tissue of the intestines. This can lead to many complications, including but not limited to short gut syndrome.

PROOF THAT COW MILK FORMULA CAN CAUSE NEC

There is significant scientific evidence that dates back years linking cow milk formula to NEC. However, much of the literature has been published in the last 30 years.

- 1900 – *The Lancet* published a research study involving 926 premature infants who received cow milk based formula, finding that they were more likely to develop NEC by up to 10 times.
- 2010 – *The Journal of Pediatrics* published an article that found infants who were fed breast milk or formula with human milk fortifiers were 90% less likely to develop NEC than babies fed cow milk based formula.
- 2011 – The U.S. Surgeon General released a Call to Action to Support Breastfeeding of infants who had been born premature. It stated that premature babes who are fed cow milk formulas are more likely to develop NEC by 138%.
- 2014 – *Expert Review of Clinical Immunology* noted that there is significant evidence that cow milk formula leads to NEC at higher rates than breast milk.
- 2015 – *Pediatrics* published a Portuguese study that found a 50% reduction of NEC for babies who were fed breast milk instead of cow milk formula.
- 2016 – *Breastfeeding Medicine* published a study involving more than 1,500 infants that determined there was a lower chance of NEC among babies who received breast milk.
- 2019 – Cochrane published a study of more than 1,900 babies who were born prematurely that found cow milk based formulas were seven times more likely to lead to NEC than breast milk.
- 2021 – *Journal of The American Academy of Pediatrics* published information that premature infants who were given only breast milk had a reduction in NEC by 77%.
- 2021 – *Pediatrics and Child Health* published a study that found breast milk reduced the incidence of NEC in premature infants.

These studies were well known by Enfamil and Similac; however, the companies failed to warn doctors and parents about the risks associated with their cow milk formulas and NEC. The companies failed to place a warning on the formulas and may have even tried to cover up the link between their baby formula and NEC.

IS THERE A RECALL OF ENFAMIL OR SIMILAC FORMULAS?

No. There is not currently a recall of cow milk formulas made by Enfamil and Similac.

However, parents deserve to be informed about the risks of cow milk formula, particularly for premature infants. Once informed, parents and doctors can make a decision about how to proceed with safely feeding their babies.

IS THERE A CLASS ACTION BABY FORMULA LAWSUIT?

As of January 2022, there is no class action baby formula lawsuit against Enfamil or Similac in federal court. There are only individual product liability lawsuits claiming Mead Johnson Nutrition and Abbott should have provided a warning to parents and doctors about their products.

HOW MUCH MONEY CAN I GET IN A BABY FORMULA LAWSUIT?

The amount of money you are eligible to recover depends on the severity of your baby's injuries and many other details. Lawsuits in many states have produced multimillion-dollar verdicts for parents. Many people have recovered \$250,000 or more.

CONTACT A BABY FORMULA LAWSUIT LAWYER TO HELP YOU GET COMPENSATION

To find out exactly how much your case may be worth, you should contact our baby formula lawsuit lawyers for a consultation of your case. We will review your specific situation and help you decide the best path forward.