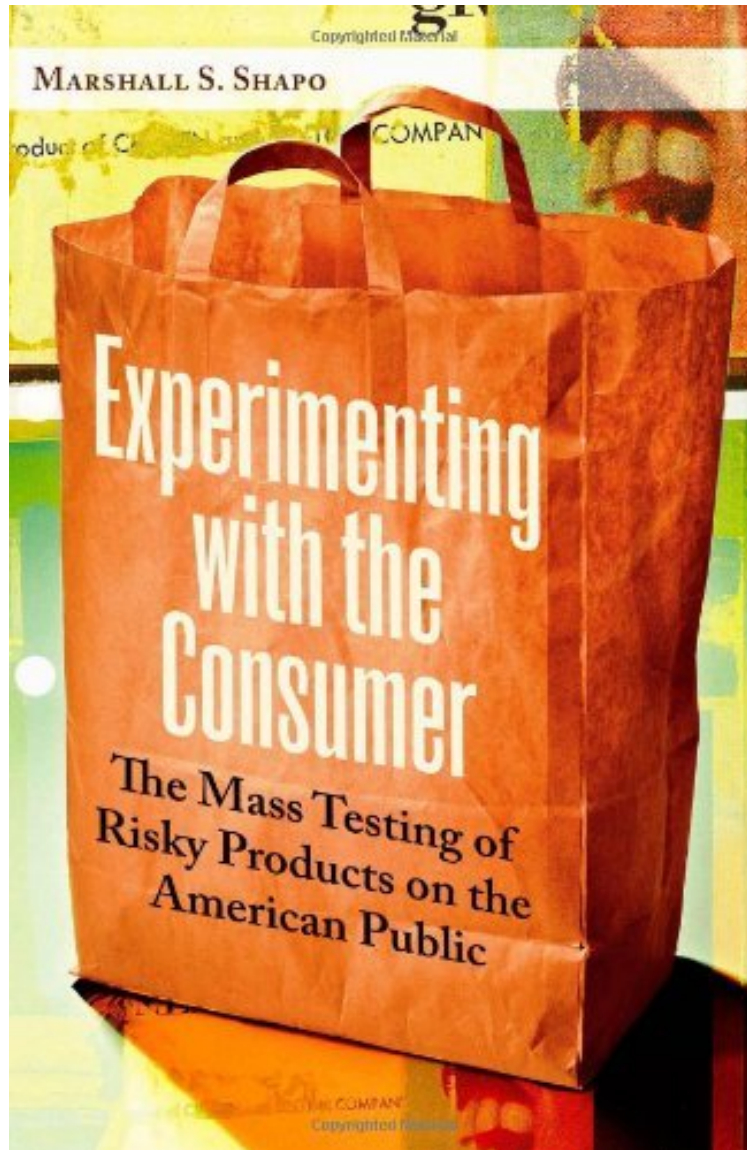


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## Experimenting with the Consumer: The Mass Testing of Risky Products on the American Public

*Marshall S. Shapo*

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**Marshall S. Shapo : Experimenting with the Consumer: The Mass Testing of Risky Products on the American Public** before purchasing it in order to gage whether or not it would be worth my time, and all praised Experimenting with the Consumer: The Mass Testing of Risky Products on the American Public:

Experimenting With The Consumer exposes the hazards of the mass-market experimentation in which every American consumer and worker is unwittingly tapped for product risk data by manufacturers, scientists, and regulators. Vioxx, Heparin, Avandia, Paxil, fen-phen, estrogens, silicone implants, pacemakers, formaldehyde in FEMA trailers, 60 buckyballs in coatings hellip; the headlines are increasingly filled with hidden risks coming to light in popular products years after federal agencies approve them for the American public. Shapo shows readers how to get past unreasonable trust or fear and make the best risk-management choices for themselves and their families. He walks them through what questions to ask before consenting to be in a clinical trial; how to evaluate the implied bold-print claims against the small-print disclosures in advertisements for medical products; how to uncover product and environmental risks in their homes, workplaces, supermarkets, and neighborhoods; how to assess and control product risk while maximizing consumer choice and benefit; how to pressure government to tighten consumer protection; and how to seek legal redress. Through a diverse selection of dramatic case studies, Shapo lays bare the incentives of companies and entrepreneurial scientists to fake or obscure experimental data before and after government approval; the fights between interested and disinterested scientists over data; the fights between scientists and doctors over patient rights; the campaigns of activists against government agencies to release experimental drugs; the impact of the journalistic and promotional media on public knowledge and perception of product risk; and the marketing tricks that manufacturers use to harness sexual desire to product launches and to shape the prescription choices of physicians.

"HIV/AIDS drugs, breast implants, Viagra, estrogen, and nanotechnology are the examples Shapo (law, Northwestern U.) describes in detail, but he selected them from a great number of cases in which corporations profited by selling products that they knew were risky but that consumers did not. He concludes with advice for consumers and suggestions for policy changes." - Reference Research Book News "Recommended. All readership levels." - Choice "I would recommend Experimenting with the Consumer to members of both the plaintiff bar and the public. As Shapo states, we should not be afraid after reading the revelations in this book; rather, we should all be a little more sensible." - TRIAL "The book is extremely well referenced and scholarly. The author clearly and faithfully shows the tremendous pressure and expectations that the public can bring to federal agencies and manufacturers for treatments ranging from life threatening diseases (HIV/AIDS) to those that improve quality of life (Viagra, Premarin, Prempro). . . Although the title of this book is one designed to attract attention, inside is a deep and thoughtful discussion of the systems in place-- regulatory, legal, scientific, and ethical--that balance the risks and benefits of products for the American public in an ongoing, dynamic way." - Studies in Ethics, Law, and Technology "In his compelling look at the intersection of consumerism, science and safety, Shapo provides a framework for weighing risks and benefits of new products and technologies." (Rahm Emanuel, White House Chief of Staff) "As a product liability claimants' attorney for over 45 years, I find this book to be long overdue, an 'inconvenient truth,' and a masterpiece." (Robert Habush Past President of the Association of Trial Lawyers of America (now the American Association for Justice)) About the Author Marshall S. Shapo is the Frederic P. Vose Professor of Law at Northwestern University School of Law. His scholarship over forty years has focused on how society deals with injuries through the legal system and on the interrelationship of science and law. He is the author of 25 books, including his magisterial 3,500-page treatise on products liability, *The Law of Products Liability* (4th Edition, 2006). His titles on law and society include *Compensation for Victims of Terrorism* (2005), *Tort Law and Culture* (2003), and *A Nation of Guinea Pigs* (1979). He was a Visiting Fellow at Oxford and Cambridge Universities and has lectured extensively in Europe and Asia. The American Bar Association bestowed the Robert B. McKay Law Professor Award on Professor Shapo in 2005. He has served as a consultant in liability and injury cases involving medical devices, rocket motors, anti-terror products, swimming pools, Pan Am 103, and sleeping bags.