



Methylene Chloride Litigation

Overview

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Methylene chloride (also known as dichloromethane (DCM)) is a colorless liquid with a sweet, pleasant odor commonly used in paint removers, adhesives, and aerosols and as a solvent in metal cleaning and degreasing. It is also used as a solvent in the manufacturing of pharmaceuticals, antibiotics, and vitamins. It can also be found in both groundwater and bottled water. Although previously used in cosmetics, that use has been banned.

Short-term exposures can allegedly cause confusion, lightheadedness, headache, nausea, and vomiting. Continued or long-term exposure can allegedly cause eye and respiratory tract irritation, liver toxicity, liver cancer, and lung cancer. At very high concentrations in enclosed spaces, DCM can allegedly cause suffocation or death. The National Toxicology Program (NTP) has classified dichloromethane as “reasonably anticipated to be a human carcinogen” and the International Agency for Research on Cancer (IARC) classified DCM as “possibly carcinogenic to humans.”

In January 2017, the U.S. Environmental Protection Agency (EPA) issued a proposed rule banning paint removers that contain DCM, but the review of this rule has been pushed back. Thereafter, in May 2018, Lowe’s announced that it would phase out from its stores all paint removers containing the chemical by the end of 2018. The Home Depot has also announced its removal of these DCM-containing products, and there is a push from advocacy groups for other retailers and manufacturers to follow.

Exposure to DCM can happen through inhalation, ingestion, and skin contact. Not only are consumers who use DCM-containing products at risk of exposure, but workers in industries either using or manufacturing DCM can also be at risk, including those working in DCM production and shipping, in the manufacturing of paint removers and equipment, and in commercial furniture refinishing.

How Tucker Ellis Can Help

In addition to manufacturers and distributors of products containing DCM, employers using it in their production or operations are also possible targets in litigation. The Tucker Ellis Mass Tort & Product Liability Group can assist clients with legal issues and help develop strategies to manage risks.

The Tucker Ellis Mass Tort & Product Liability Group represents product manufacturers in tens of thousands of cases filed in state and federal courts nationwide at both the trial and appellate levels. Our lawyers focus on the national, regional, and local defense of product liability cases involving industrial, commercial, and consumer products and toxic tort cases related to alleged exposure to naturally occurring substances such as asbestos, silica, coal mine dust, and talc, as well as welding fume, mold, and other claimed toxins.