

****EMBARGOED UNTIL 7:00 AM CT TUESDAY, OCTOBER 28, 2025****

Texas Attorney General Ken Paxton Sues Kenvue and Johnson & Johnson Over Tylenol's Autism Risks

Lawsuit claims that Kenvue and Johnson & Johnson deceptively marketed Tylenol to pregnant women as safe as evidence mounted showing a link to autism and ADHD

AUSTIN, October 27, 2025 — Texas Attorney General Ken Paxton today filed suit against Johnson & Johnson and Kenvue, Inc., alleging decades of deceptive marketing of Tylenol® products to Texas mothers and a corporate spinoff designed to evade liability.

“Big Pharma betrayed America by profiting off of pain and pushing pills regardless of the risks. These corporations lied for decades, knowingly endangering millions to line their pockets,” said Attorney General Ken Paxton. “Additionally, seeing that the day of reckoning was coming, Johnson & Johnson attempted to escape responsibility by illegally offloading their liability onto a different company. By holding Big Pharma accountable for poisoning our people, we will help Make America Healthy Again.”

The State’s petition alleges that defendants knew or should have known of evidence associating prenatal and early-childhood exposure to acetaminophen -- the active ingredient in Tylenol -- with elevated risks of Autism Spectrum Disorder and Attention-Deficit/Hyperactivity Disorder. Despite scores of studies demonstrating these risks, defendants continued to market the product as safe for pregnant women, babies and young children without providing adequate warnings. This was a clear violation of the Texas Deceptive Trade Practices–Consumer Protection Act.

The filing further alleges that Johnson & Johnson improperly transferred consumer-product liabilities to Kenvue during and after its 2023 consumer-health spinoff, leaving insufficient assets to compensate harmed Texans. Such conduct is prohibited by the Texas Uniform Fraudulent Transfer Act.

“We are grateful to General Paxton for standing up for Texas’s women and children,” said Ashley Keller, an outside counsel for the State. “This suit is intended to hold not only Kenvue accountable for exposing millions of Texas women to this neurotoxin, but Johnson & Johnson as well. Corporations don’t get to bury liabilities through paper shuffles while Texans shoulder the consequences.”

Key Allegations

- Defendants engaged in false, misleading, and deceptive acts by representing Tylenol as safe for pregnant women and children despite mounting scientific literature showing associations with ASD/ADHD, including dose-response signals.

- Defendants failed to update labeling or provide adequate warnings to consumers and healthcare professionals even as external consensus statements urged precaution for pregnant women and internal reviews reflected awareness of neurodevelopmental concerns.
- Johnson & Johnson orchestrated a separation that transferred legacy liabilities to Kenvue without ensuring reasonably equivalent value, adequate capitalization, or a clear path for injured consumers to be made whole.
- Defendants' marketing targeted vulnerable populations, including expectant mothers and infant caregivers, through safety messaging that was not supported by balanced risk disclosures.
- Post-separation communications downplayed the continuity of liability, creating confusion about which entity bears responsibility for historic and ongoing harms.

Background on the Corporate Separation and Related Conduct

In 2023, Johnson & Johnson completed the spinoff of its consumer-health division as Kenvue. The State alleges the transaction was structured to isolate and minimize liabilities associated with legacy products, including Tylenol, while preserving value for the parent company and shareholders. The petition seeks to unwind or offset any fraudulent transfers and to ensure sufficient assets are available to compensate affected Texans.

The Kenvue spinoff was just one in a series of actions that Johnson & Johnson has taken in recent years to isolate itself from the consequences of its own appalling conduct. Johnson & Johnson also pursued serial bankruptcy filings to manage its talc-related liabilities arising from Johnson's® Baby Powder, which for decades company executives knew was contaminated with asbestos.

As part of this effort, the company used three separate Chapter 11 bankruptcy filings -- culminating in a third proceeding in Texas -- to shield itself from accountability, an approach that underscores the State's concern with corporate maneuvers designed to evade full responsibility to consumers.

Despite calling itself "the Baby Company," Johnson & Johnson has a long and terrible history of selling products that hurt women, babies and children. In 2021, Attorney General Paxton announced a \$290 million statewide opioid settlement agreement with Johnson & Johnson to resolve claims that the healthcare conglomerate was a crucial reason so many Texas babies had been born addicted to opioids.

In 2019, Attorney General Ken Paxton announced that Texas would receive nearly \$9 million as part of a \$116.9 million multistate settlement with Johnson & Johnson and a subsidiary

for deceptively marketing transvaginal surgical mesh devices that were known to rip the vaginal walls of recipients. That same year, Attorney General Ken Paxton announced that Texas would receive \$8.5 million as part of a \$120 million multistate settlement with Johnson & Johnson and a subsidiary for deceptive marketing of two hip replacement devices that the company knew were likely to disintegrate into poisonous metal ions.

In 2012, Johnson & Johnson agreed to pay Texas \$158 million to resolve claims that a subsidiary used improper tactics to market Risperdal to children and the elderly even though the company knew that the drug caused young boys to grow breasts and could kill elderly patients suffering dementia. That same year, the company pleaded guilty to criminal charges and paid a \$2.2 billion settlement to the federal government regarding its Risperdal marketing.

Johnson & Johnson has authored so many product disasters that since 2011 the company has been forced to spend or set aside more than \$38 billion in litigation expenses, more by far than any other major American corporation. Lawyers effectively run the company, and the Kenvue spinoff is a deceptive legal strategy rather than a business one. Hundreds of thousands have sued the company, primarily women and children who have been harmed by their products.

Attorney General Paxton has consistently demonstrated that Texas will hold powerful companies accountable for unlawful conduct. In 2024, he secured a \$1.4 billion settlement with Facebook's parent company, Meta, for unlawful biometric data practices—an historic recovery for Texas taxpayers. That result, together with today's action, reflects Texas's commitment to protecting residents from corporate misconduct.

Relief Sought

The State seeks: (1) injunctive relief, halting deceptive practices and requiring enhanced warnings; (2) civil penalties under the DTPA; (3) disgorgement and restitution where permitted by law; (4) avoidance or attachment remedies under UFTA to address fraudulent transfer; (5) attorneys' fees and costs; and (6) any further relief necessary to protect Texas consumers.

Guidance for Texas Consumers

Texans who believe they were misled about Tylenol's safety—particularly pregnant women or parents of children diagnosed with ASD or ADHD—are encouraged to retain relevant purchase records and medical documentation. Complaints may be submitted to the Office of the Attorney General's Consumer Protection Division.

Case Information

The case, The State of Texas v. Johnson & Johnson; Kenvue, Inc.; and Kenvue Brands LLC (f/k/a Johnson & Johnson Consumer Inc.), has been filed in Panola County, Texas.

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About the Office of the Attorney General

The Attorney General of Texas enforces state consumer protection laws and safeguards the public interest through litigation, investigation, and education.