Germany’s long-standing thalidomide scandal

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Half a century ago, one of the biggest pharmaceutical scandals in post-war German history occurred. At the turn of 1961/1962, it was revealed that the stillbirths and deformities of thousands of children were due to ingestion of the drug Contergan, produced by the Grünenthal company in Stolberg near Aachen.

Contergan was one of the non-prescription sleeping and tranquillising agents sold by the German company that was founded in 1946. Grünenthal had advertised the drug as entirely harmless and marketed it widely since 1957. Because it also helped alleviate morning sickness occurring in the early months of pregnancy, it was taken by many expectant mothers. Now used as a drug to combat leprosy, the thalidomide component of Contergan caused embryonic damage to an estimated 10,000 children around the world, following its marketing as a sedative in 47 countries.

In the late 1950s, an increasing number of births of deformed children became evident in Germany. These children were born with stunted arms and legs, and sometimes with limbs entirely missing. As the real cause of the tragedy was unknown, public speculation initially focused on the possible effects of nuclear bomb tests conducted all around the world. In May 1958, a query about the matter was addressed to the German federal parliament. A connection between nuclear testing and the outbreak of birth deformities was denied by the federal government. A similar query was addressed to the federal president in 1961.

In May 1961, Grünenthal applied for Contergan to be made available only on prescription. Since the autumn of 1959, the company had become the subject of complaints and critical reports in medical journals, questioning the safety of the non-prescription drug. Doctors and their patients reported instances of “unpleasant feelings in hands and feet”, “burning pain”, “abnormal coldness”, “headache, dizziness, restlessness”, as well as “paralysis” and other complaints.

In a *Spiegel* magazine article of August 1961, doctors publicly declared their doubts about the harmlessness of the drug. It was then “being regularly taken by over a million people, including even babies and infants in the form of a raspberry flavoured syrup”. Thereafter, sales of the drug sharply declined.

Despite public outrage, the company stubbornly refused to “take this beneficial product from the market” because it feared a drastic drop in sales. Instead, Grünenthal tried to pacify doctors by sending them further advertising and circulars.

In November 1961, Hamburg geneticist Widukind Lenz—one of a number of scientists who had discovered a link between the deformities and thalidomide—personally intervened at Grünenthal to urge a halt to the drug’s production. But only after health officials threatened to ban the drug a few days later was Grünenthal’s “outraged” management prepared to take the drug off the market.

Roughly coinciding with Professor Lenz’s findings, American pharmacologist Frances Kelsey discovered the devastating effects of thalidomide on embryonic development. In her capacity as an employee of the US Food and Drug Administration (FDA), she refused admission of the substance into the US.

Kelsey demanded the drug undergo a test phase and challenged evidence presented to her by the industry. Notwithstanding, she was subjected until 1962 to increasing pressure from business and political circles to grant the drug’s authorisation. Harassment of the courageous scientist, whose work was to save the lives and health of countless people in the US, only began to abate when news of the Contergan scandal reached a wider public.

Many thousands of the children who fell victim to the drug died at birth. The survivors suffered and continue to suffer from serious birth defects, whose consequences prove more and more devastating with advancing age. Most of the victims live in Germany. Other people crippled by the drug are also to be found in Japan, Australia, Canada and Britain.

Grünenthal offered its victims up to 20,000 deutschmarks in damages if they refrained from further claims. Scattered instances of litigation taken by victims’ families began in 1962, but a comprehensive hearing was not granted until the one in Aachen in 1968. As the press reported in 1963, company head Hermann Wirtz and other leading managers of the business, having amassed fortunes thanks to thalidomide, used the intervening period to arrange extensive transfers of their assets.

In January 1968, former laboratory director Heinrich Mückter and other senior Grünenthal personnel were put on trial. The

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case ended in April 1970, when proceedings were terminated "because of the minor level of guilt of the accused and the lack of public interest" in securing a conviction. The pharmaceutical company provided approximately 100 million marks as compensation for the victims.

According to a report in the *Westdeutsche Allgemeine Zeitung* (*WAZ*) on March 13 of this year, Grünenthal also employed doctors and chemists in the 1950s and 1960s who had been involved in human experiments undertaken by the Nazis.

A Polish court had accused Heinrich Mückter, who died in 1987, of conducting medical experiments on concentration camp prisoners and forced labourers during the Nazi era. However, he managed a timely escape to the West, where he was appointed scientific director at Grünenthal and headed work on the development of Contergan.

The family of Hermann Wirtz rejected demands for clarification of these events, arguing: "Our company was founded in the postwar period. Therefore, its history does not fall within the period of National Socialism and there are no issues to be resolved in relation to those times".

WAZ had reported that the Nazis concerned were not merely low-level party hacks or hangers-on in the Nazi system. As chemists and physicians, they had held leading positions within the organisation and were involved in cruel and lethal human experiments. War criminals, who had served fascist Germany as poison gas experts, researchers in the Institute for Typhus and Viral Research or as doctors in concentration camps, swapped their bloodstained lab coats for pinstriped suits. Relatively little is publicly known about the career moves these men succeeded in making after the end of the war—Grünenthal's archives remain closed to this day.

The opulent Wirtz clan, whose consortium includes the Dalli-Werke detergent manufacturer and the Maurer & Wirtz perfume works, as well as the Grünenthal pharmaceutical company, and whose private fortune amounts to an estimated €4 billion (US$5 billion), today refers to the thalidomide scandal as "an unforeseeable disaster".

The Grünenthal company has continually sought to suppress any evidence demonstrating that, when suspicion of the devastating side effects emerged, it refused to withdraw its highly profitable drug from the market.

The ARD television channel thus had to wait until 2007 to broadcast its two-part programme, "A single tablet". Adolf Winkelmann's feature film had already been completed in 2006 and was due for broadcast in the same year. But Grünenthal succeeded in taking legal steps to prevent its broadcast. Only after protracted litigation did the German supreme court finally give the filmmakers and the TV station permission to go ahead.

Contergan victim Stephan Nuding, who had to force himself to watch the film, explained that he had been reduced to crying like a baby owing to the surfacing of so many suppressed feelings. Nuding had spent six years of his life in hospital and endured 16 operations. As an historian, he is still struggling to uncover the all the factors contributing to the scandal. Summing up his life, he says: "We are fifty and our bodies feel like eighty. But we still have strength".

The world-renowned opera singer Thomas Quasthoff is one of the approximately 2,300 50-year-old and older Contergan victims living in Germany. In a recent interview, he said he had indignantly rejected an invitation from the Grünenthal company to give a concert on their premises.

In 1972, the Contergan Foundation for Disabled People was established with the help of the federal government, which eventually accepted the financial burden of the victims' compensation. After the available funds there were exhausted, Grünenthal transferred another €50 million (US$64 million) to the foundation in 2009. Each of the victims receives a monthly pension of between €250 (US$318) and €1,127 (US$1,432), depending on the degree of disability.

After more than 50 agonising years of humiliation and the absence of any apology from the Grünenthal pharmaceutical company, a monument to the victims of Contergan was finally unveiled in the Frankental Cultural Centre in Stolberg on August 30 of this year.

However, the Federal Association of Contergan Victims distanced itself from this event on the grounds that Grünenthal had far more pressing things to do than sponsor a memorial.

Grünenthal director Harald Stock's speech at the monument's inauguration, in which he offered an apology for the first time, met with criticism from thalidomide victims associations around the world.

"We expect deeds, not just words", said Ilonka Strebitz, spokesperson for the German Federal Association of Contergan Victims, "and if these deeds don't eventuate, then this event will remain a mere PR stunt". Australian victims called the gesture "pathetic". Expressing its disappointment with the extremely late apology, the Japanese Sakigake victims association stated: "The number of victims would have been fewer if the company had stopped selling the drug earlier".

The victims' and their families' struggle for financial compensation for their pain and suffering, for pensions and also for the full disclosure of the underlying causes of Germany's greatest pharmaceutical scandal endures to this day.

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