

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Jim Novotney, individually and on behalf of
all others similarly situated,

Plaintiff,

- against -

Walgreen Co.,

Defendant

1:22-cv-03439

Class Action Complaint

Jury Trial Demanded

Plaintiff alleges upon information and belief, except for allegations pertaining to Plaintiff, which are based on personal knowledge:

1. Walgreen Co. (“Defendant”) manufactures, markets, labels and sells 3% hydrogen peroxide solution to be used “For treatment of minor cuts and abrasions,” under the Walgreens brand (“Product”).

I. HISTORY OF HYDROGEN PEROXIDE

2. In the context of first aid, an antiseptic is a chemical with antimicrobial activity, applied to skin to help prevent infection in minor cuts, scrapes, and burns.

3. Common antiseptics include rubbing alcohol (71%) and hydrogen peroxide (3%).

4. Hydrogen peroxide was discovered in 1818 by French chemist Louis Jacques Thénard.

5. It is formed when atmospheric oxygen reacts with water to form H₂O₂.

6. Hydrogen peroxide was first used commercially to bleach hats and has multiple safe home cleaning applications.

7. Its earliest medical uses was to treat conditions including typhoid, diphtheria, bowel infections, eczema, epilepsy, influenzal pneumoniae, bladder infections, infected wounds and even

as an intravenous source of oxygen during cardiopulmonary resuscitation.

8. However, Alexander Fleming discovered that wounds treated with antiseptics like hydrogen peroxide had higher death rates and slower healing than wounds not treated at all.

II. FOLKLORE SUPPORTS USE OF HYDROGEN PEROXIDE

9. A prominent doctor noted that a “dangerous medical myth[s] is the widespread belief by patients that copious amounts of hydrogen peroxide should be applied to cuts and scrapes.¹

10. Often, such patients will say, “My mom (or grandma) told me to clean it [a cut] out good with hydrogen peroxide.”

11. When hydrogen peroxide is applied to a cut, the catalase instantly converts hydrogen peroxide into water and oxygen.

12. This generates a fizzing reaction, that helps remove debris, which is why it is described as an oral debriding agent, used in dentistry.

13. Though this fizzing may look like germ-killing, the only thing dying is the body's fibroblasts, the skin cells responsible for healing cuts.

III. MISLEADING TO PROMOTE HYDROGEN PEROXIDE TO TREAT CUTS

14. The Product is identified as a “First Aid Antiseptic” and “Oral Debriding Agent.”

¹ Michael Daignault, M.D., “[Everyone puts hydrogen peroxide on their wounds. They really shouldn't.](#)” USA TODAY, 2 Feb. 2022; Medical Myths Medical Myth Buster: Hydrogen Peroxide and Wounds <https://www.atlanticfeet.com/blog/medical-myth-buster-hydrogen-peroxide-and-wounds> Roger on Tuesday, 09 June 2015; 9 First Aid Mistakes You're Probably Making By Aviva Patz Jul 2, 2015 <https://www.prevention.com/health/a20469350/first-aid-mistakes/>



15. Beneath this, the bulleted directions state, “Use as a gargle or rinse” and “For treatment of minor cuts & abrasions.”

16. The back panel Drug Facts identifies the “Active ingredient [as] Hydrogen peroxide 3%,” described as a “First aid antiseptic/oral debriding agent” that is “Use[d] [as] first aid to help prevent the risk of infection in minor cuts, scrapes and burns.”

Drug Facts		TAMPER EVIDENT: DO NOT USE IF PRINTED SAFETY SEAL UNDER CAP IS BROKEN OR MISSING	
Active ingredient	Purpose		
Hydrogen peroxide 3%.....	First aid antiseptic/oral debriding agent		
Uses			
<ul style="list-style-type: none"> ■ first aid to help prevent the risk of infection in minor cuts, scrapes, and burns ■ aids in the removal of phlegm, mucus, or other secretions associated with occasional sore mouth 			
Warnings			
For external use only.			
Do not use			
<ul style="list-style-type: none"> ■ in the eyes or apply over large areas of the body ■ longer than one week 			
Ask a doctor before use if you have			
<ul style="list-style-type: none"> ■ deep puncture wounds, animal bites or serious burns 			
Stop use and ask a doctor if			
<ul style="list-style-type: none"> ■ swelling, rash, or fever develops ■ the condition persists or gets worse ■ sore mouth symptoms do not improve in 7 days ■ irritation, pain, or redness persists or worsens 			
Keep out of reach of children. If swallowed, get medical help or contact a Poison Control Center (1-800-222-1222) right away.			
Directions			
For use as a first aid antiseptic:			
<ul style="list-style-type: none"> ■ clean affected area ■ if bandaged, let dry first ■ apply small amount of product on affected area 1-3 times a day ■ may be covered with a sterile bandage 			
For use as an oral debriding agent (oral rinse):			
<ul style="list-style-type: none"> ■ adults and children 2 years of age and over: <ul style="list-style-type: none"> ■ mix with an equal amount of water ■ swish around in the mouth over affected area for at least 1 minute and then spit out. Do not swallow. ■ use up to 4 times daily after meals and at bedtime or as directed by a dentist or doctor ■ children under 12 years should be supervised in the use of this product ■ children under 2 years of age: consult a doctor or dentist 			
Other information			
<ul style="list-style-type: none"> ■ keep tightly closed and in a dark place at room temperature ■ do not shake bottle. Hold away from face when opening. 			
Inactive ingredient			
purified water			
Questions or comments?			
Call 1-877-753-3935 Monday-Friday 9AM-5PM EST			
<small>DISTRIBUTED BY: WALGREEN CO., 200 WILMOT RD., DEERFIELD, IL 60015 100% SATISFACTION GUARANTEED walgreens.com ©2021 Walgreen Co. Walgreens Pharmacist Recommended. Our pharmacists recommend the Walgreens brand. W3ORG0821-F</small>			

17. Beneath the Drug Facts, the label states “Walgreens Pharmacist Recommended.”

18. The statement, “For treatment of minor cuts & abrasions,” is false and misleading because no credible scientific and medical evidence supports this usage of hydrogen peroxide.

19. While hydrogen peroxide has antiseptic properties, the Mayo Clinic and numerous medical studies advise that it does not help treat minor cuts and abrasions and causes more harm than good.²

² Reid, C. J., M. Alcock, and D. Penn. "Hydrogen peroxide—a party trick from the past?." Anaesthesia and intensive care 39.6 (2011): 1004-1008.

20. Dictionaries define “treat” as attempting to heal, improve or cure a condition.
21. In response to a cut or abrasion, platelets release fibrin to form a clot and seal the wound.
22. White blood cells called macrophages rush to the area to destroy bacteria that gets past the clot and oversee the repair process.
23. Macrophages also secrete growth factors which help repair the wound.
24. Blood vessels then dilate to allow fresh nutrients and oxygen to flow to the area and facilitate healing.
25. The representation “For treatment of minor cuts & abrasions,” tells the consumer hydrogen peroxide will assist in the healing process and shorten healing time.
26. However, hydrogen peroxide does not treat minor cuts or abrasions.
27. Numerous studies found hydrogen peroxide ineffective at reducing bacterial counts and rates of wound infection.³
28. Though hydrogen peroxide may kill some potentially harmful bacteria, it destroys a greater amount of positive bacteria and healthy cells that promote healing.⁴
29. Other studies confirm hydrogen peroxide causes increased risk of infection, corrosive tissue damage and irreversibly worsens scarring.
30. The application of hydrogen peroxide can cause severe toxicity, including inflammation and blistering.
31. These fact have been known to mainstream science since at least Fleming’s work.

³ Carrie Madormo, RN, MPH, [Should You Use Hydrogen Peroxide on Your Skin?](#) Feb. 02, 2022, Medically reviewed by Leah Ansell, MD.

⁴ Akuji, M. A., and D. J. Chambers. “Hydrogen peroxide: more harm than good?,” BJA: British Journal of Anaesthesia 118.6 (2017): 958-959.

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