CONTENTS

Introduction 1

PART I: THE TORT SYSTEM'S EARLY RESPONSES TO PRODUCT-CAUSED DISEASES

Chapter 1. The Morning after the Consumer Century 13
Chapter 2. Product-Caused Diseases Confront the Law of the Iron Horse 32
Chapter 3. The First Wave of Challenges to the Individual Causation Requirement 54

PART II: PUBLIC PRODUCTS LITIGATION AS A RESPONSE TO REGULATORY FAILURE

Chapter 4. The Seeds of Government-Sponsored Litigation 83
Chapter 5. A Failure of Democratic Processes? Legislative Responses to the Public Health Problems Caused by Tobacco and Lead Pigment 104
Chapter 6. The Government as Plaintiff: Parens Patriae Actions against Tobacco and Gun Manufacturers 120

PART III: A CRITIQUE OF PUBLIC PRODUCTS LITIGATION

Chapter 8. Do Litigation Remedies Cure Product-Caused Public Health Problems? 171
Chapter 9. Impersonating the Legislature: State Attorneys General and Parens Patriae Products Litigation 192

Conclusion 215

Notes 231
Selected Bibliography 281
Index 299