

The **BOYK** BULLETIN

CHARLES E BOYK
LAW OFFICES, LLC

11 Offices >>> NW Ohio & SE Michigan

Infant Formula Makers Use Unethical Marketing Practices



Recent news headlines surrounding safety issues with certain baby formulas have alarmed many parents who have placed their trust in these brands to provide for their baby's nutrition needs. Was the trust in these companies earned, or was it slick marketing practices that gave parents false confidence in their products?

Over the last two decades, baby formula sales have almost doubled, while breastfeeding has only marginally increased. In response to the formula shortage, exacerbated by the increased reliance on formula milk and plant shutdowns due to contaminations, the World Health Organization (WHO) released a report addressing the world's overreliance on baby formula. They found it results from "aggressive and misleading marketing" by the companies, such as making false and incomplete scientific claims that formula is close to, equivalent or better than breast milk, and by using gifts, trips, and

other inducements to entice health workers to promote their formulas to new mothers.

Misleading marketing practices by formula makers have been around since the 1950s. Baby formula manufacturers battled for increased market share by attempting to reach new mothers through hospitals and pediatricians. By supplying hospitals with their formula, parents were introduced to it by a healthcare provider, leading to an intended assumption that it was "medically-approved", healthy, and maybe even preferable to breastmilk. Mothers went home from the hospital with "swag bags" supplied by the companies that were filled with coupons and formula samples.

The strategy worked: research shows that 90 percent of women stayed with the brand of formula the hospital provided them. Manufacturers knew that when new moms are given formula by their doctor or the hospital staff, it creates product credibility and the impression that the doctor endorses it.

The formula makers' predatory marketing led to parents placing their trust in these products and in believing that formula is equal to, or in some cases, superior to breast milk for their baby's health. Despite the abundance of scientific research and the fact that all major medical organizations – including the American Academy of Pediatrics, the American Medical Association, and the World Health Organization - agree that breastmilk, not formula, is the best and healthiest nutrition for most infants, formula makers engaged in marketing schemes that placed profits over infant health. They successfully led parents to

place their trust in their products by fostering a belief that formula was as good as or better than to breast milk for their baby's health. More troubling is that the formula makers have even gone as far as to conceal the dangers that some of their formulas pose to infants, particularly premature babies.

Health organizations have undertaken steps to combat the exploitive and misleading marketing tactics of formula makers by pushing for governments to regulate formula marketing and advising pediatricians to not serve as advertisers for infant formula.

Parents and caregivers should never rely on marketing when making a decision about their baby's medical and nutritional needs. Such decisions should be informed by talking with your baby's pediatrician.

If you believe your baby was harmed by contaminated formula, contact Charles Boyk Law Offices. Our attorneys may be able to help you.



Vintage Formula Ad

CONTACT US TODAY!

**VOLUME 16
ISSUE 8
AUGUST, 2022**

ATTORNEYS

Charles Boyk, Michael Bruno, Wes Merillat,
Andrea Young, Cameron Morrissey &
Sam Bolotin, Fredric Boyk, of counsel

MAIN OFFICE

1500 Timberwolf Dr.
Holland, OH 43528
(419) 241-1395 Main
(800) 637-8170 Toll-free
(419) 241-8731 Fax

Our Newest Location! WEST TOLEDO

7659 Kings Pointe Rd.
Suite B
Toledo, OH 43617

BOWLING GREEN

121 E. Wooster St.
Suite 255
Bowling Green, OH 43402

DOWNTOWN TOLEDO

405 Madison Ave.
Suite 1200
Toledo, OH 43604

DEFIANCE

1012 Ralston Ave.
Defiance, OH 43512

FREMONT

219 S. Front St.
Suite 105
Fremont, OH 43420

FINDLAY

612 S. Main St.
Suite 107
Findlay, OH 45840

LIMA

114 N. West St.
Suite 203
Lima, OH 45801

SWANTON

10725 Airport Hwy.
Swanton, OH 43558

WEST UNITY

123 E. Jackson St.
West Unity, OH 43570

SALINE

1705 Woodland Dr. East
Suite 205
Saline, MI 43176
(734) 472-4882

AUTO ACCIDENTS • MEDICAL MALPRACTICE
WORKERS' COMPENSATION • DOG BITES
WRONGFUL DEATH • ATV & MOTORCYCLE ACCIDENTS



FORMER BOYK NURSE/PARALEGAL Owns Benfield Winery

THE BOYK BRIEF



Julia Benfield, a former nurse paralegal at Boyk Law, a renaissance woman of sorts, has worked in many fields within her profession. A northwest Ohio native, Julia and her husband Rob left the area years ago to live in New England. Their time in the northeast was the start of their love of wines, but more than that, local wineries and the time spent meeting new people and discovering new places.

Upon returning to Ohio, Julia and Rob realized Northwest Ohio was lacking in wineries, with only 1 in the area. So, Rob decided to teach himself to make wine. The wine they produced was initially for personal use, but as friends and family tried their product, its popularity grew, leading Rob and Julia to apply for a license to sell their product online and out of their home.

As their product line and customer base grew,

they purchased the Historic Pilliod Opera House in downtown Swanton at 102 N. Main Street. It is now home to Benfield Winery. The beautiful building, built in 1897, has had many tenants over the years and is said to be haunted.

Julie and Rob have plans to expand the upstairs ballroom into an event area and are working to restore the building to its original style in keeping with the historical significance of its location. They have transformed it into an ideal meeting place with a tasting room and party room where they regularly host events that include everything from psychic readings by a local medium to Musical BINGO, art classes, and live music on Saturday nights.

With 17 different wines available for purchase, including two specialty ports, one of which is Boss Lady, (named after her beloved black lab, Dixie), and a broad mix of sweet and dry and a new flavor called Swanton Strawberry, there is something there for everyone. As a supporter of local businesses, Julia and Rob partnered with Two Bandits Brewery in Hicksville, so if you are in the mood for a beer, you can sample it at Benfield winery. A new menu is also available from Wednesdays to Saturdays and includes panini, flatbreads, and a variety of appetizers.

You can visit their website or Facebook page for a complete listing of events. You can also order online. Benfield Winery ships to 38 US states if you do not live locally.

Check out Chuck's conversation with Julia Benfield on Episode 35 of the Boyk Brief, available on YouTube and wherever you get your podcasts.

WHO PAYS FOR THE INJURIES FROM A DOG BITE?

Our office frequently represents dog bite victims and sees the devastating consequences which result from a bite. People who suffer the traumatic experience of a dog bite deserve to be fairly compensated for their medical bills and the pain they've suffered. The most likely source for that compensation will be the homeowner's insurance policy.

In Ohio, an owner, keeper, or harbinger of a dog is strictly liable for any injuries caused by the dog. However, we often find that the owner or keeper of the dog doesn't own the home where the dog resides. If the dog owner rents, it's difficult to hold the landlord liable and recover compensation under the homeowner's policy.

To find the landlord liable, it must be shown that the landlord had possession and control over the property where the dog was kept. Usually, this is only found in limited situations, such as if the dog attack occurs in a common area. Attorney Andrea Young is currently litigating this issue and is fighting hard to keep the landlords on the hook for the multiple dog attacks which occurred on their property.

Boyk Law's Bikes For Kids Giveaway Wrapping Up This Month

Charles Boyk Law gave away 11 bikes this summer as part of its annual Bikes for Kids Giveaway. Boyk Law initially planned to give away ten bikes this summer, but after awarding bikes to a pair of sisters in the same week, we expanded the total number to 11 Bikes for Kids this year.

Charles Boyk started the first Bikes for Kids contest in 2010 to promote bicycle safety and recognize deserving children in our community. After 12 years of Bikes for Kids, Charles Boyk Law has given away over 100 bikes!

Attorney Andrea Young announced weekly winners throughout the summer on WTOL TV. Winner profiles can be seen online at www.bikesforkidstoledo.com and shared on Boyk Law's social media pages.



*Daniel Rader and his teacher
Melinda Hoskins*



*Destiny Franklin and her mother
Jennifer*



*Roddaja Searcy and her mother
Tonya*

RECIPE:

EASY CHEESY BEEFY CHIMICHANGA

Chimichangas are an American Tex-Mex favorite, with their cheesy fillings and crispy, deep-fried tortilla shell. Many believe it was created by accident in Tucson, Az, in the 1920s or in Phoenix, Az, 30 years later, in the 1950s.

Regardless of where it was created, most agree that it is now an integral part of Southwestern American and Tex-Mex cuisines. You will also be hard-pressed to find the dish at restaurants in Mexico (at least the way we eat them in the U.S.).

INGREDIENTS:

- 1 pound of ground beef
- 1/2 cup onions chopped
- 1/2 cup tomato sauce
- 10 x 10-inch Flour Tortillas
- 1 can of refried beans
- 1 packet of favorite taco seasoning
- 8 oz shredded cheddar cheese
- vegetable oil for frying

Toppings (optional)

- 1/2 cup guacamole
- 1/2 cup sour cream
- 1/2 cup chopped tomatoes
- 1/4 cup chopped onions
- Salsa
- Shredded lettuce

INSTRUCTIONS:

1. BROWN meat in skillet or saucepan on medium-high heat.
2. Add onions and continue browning

until beef is cooked thoroughly.

3. Drain grease.

4. Put skillet back on heat and STIR in Seasoning Mix and water.

5. BRING to boil. Reduce heat and simmer for 5 minutes, stirring occasionally.

6. Remove ground beef from heat and allow to cool.

7. Warm tortillas in the microwave or a skillet (no oil). DO NOT BROWN, ONLY WARM SLIGHTLY, so they will be easier to fold.

8. Add cheese to cooled ground beef.

FILLING AND FOLDING THE CHIMICHANGA

9. Heat 1/2-1 inch of oil in a skillet

10. Lay warmed tortilla flat and spread a thin layer of refried beans in the center of the tortilla and 1/3-1/2 cup beef mixture on top of your filling, leaving an inch and a half or two at each end. Make sure you don't overfill it.

11. After filling, fold the sides tightly.

12. While holding the sides down, fold the



bottom flap up and over the filling tightly, to prevent air pockets inside.

13. Next, fold the body of the food over and on top of the remaining flap.

14. Set the folded chimichangas in the heated oil and cook 2 minutes per side.

USE TONGS to flip. They only need to be cooked enough to brown to your preference and melt the cheese on the inside.

15. Remove from oil and top with lettuce, tomato, sour cream, onions, Guacamole, or salsa.

CASES OF INTEREST: AUGUST 2022

AN IMPROPERLY LOADED TRAILER LEADS TO EMPLOYEE SUFFERING EXTENSIVE INJURIES

Our client, a truck driver, was working at a distribution center moving trailers. One of the trailers was improperly loaded by a third-party distributor and was later found to be significantly overweight. As our client moved one of the trailers, it turned on its side, forcing the tractor to a 90-degree angle and slamming it back down. Our client was significantly injured, was life-flighted to the hospital, and was found to have suffered a broken neck, ten broken ribs, a broken arm, and torn rotator cuff. Our office is pursuing a workers' compensation claim in addition to investigating a personal injury claim against the third-party for improperly loading the trailer.

MEDICAL MALPRACTICE INVESTIGATION AFTER BABY DIES JUST DAYS AFTER BIRTH

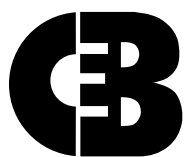
Shortly after birth, our clients took their new baby in for a follow-up visit with their pediatrician. The father reported to the pediatrician a number of concerning symptoms. The parents were told things were normal and to follow up in 4 days. Two days later, our clients rushed their baby girl to the ER due to seizures. She was life-flighted to a children's hospital, where she died.

Our office is investigating a potential wrongful death claim due to medical malpractice.

CLIENT LEGS WERE BROKEN AFTER BEING RAN OVER BY A GOLF CART

Our client was on a golf course playing a round of golf with his friends. While standing on the course, one of his colleagues ran his foot over with a golf cart. In a panic, the individual backed up the golf cart, fully running over our client, breaking both his legs and shattering his knees. To date, our client has undergone extensive treatment and now requires a walker for mobility.





**CHARLES E
BOYK**

LAW OFFICES, LLC



www.charlesboyk-law.com

Charles E. Boyk

Law Offices, LLC

1500 Timberwolf Dr.

Holland, OH 43528

Phone: (419) 241-1395

Toll-Free: (800) 637-8170

Fax: (419) 241-8731



CharlesEBoykLawOffices



Charles E. Boyk



charlesboyklaw



www.youtube.com/ceboyk

Open it! Read it! Share it!

IN THIS ISSUE

- Infant Formula Makers Use Unethical Marketing Practices
- Former Boyk Nurse/Paralegal Owns Benfield Winery
- Who Pays For The Injuries From A Dog Bite
- Boyk Law's Bikes For Kids Giveaway Wrapping Up this Month
- Recipe: Easy Cheesy Beefy Chimichanga
- August's Cases of Interest

August's Raving Fan of the Month

"I am very grateful for the help I always receive from the Charles E. Boyk Law Office. They always exceed my expectations with their excellent services. Whenever I need them, they are always available to help quickly and have a high level of professionalism. They explain everything in detail and make the process a positive experience. They will fight for you and stand by your side throughout the entire process. You are never left with any doubt or concerns. If you need an attorney, I highly recommend Charles E. Boyk Law Office." - *Melissa F*

Have a positive review to share? Go to boykreviews.com to tell us about your experience!

Veterans' Scholarship Overview: Call For Entries



Boyk Law is accepting applicants for our 7th Annual Veteran's Scholarship. This \$2,000 scholarship

will be awarded to someone who has served in the U.S. Armed Forces or is the child or stepchild of a U.S. veteran and has completed at least one semester at an accredited college or university. The deadline to apply for the Boyk Law Veteran Scholarship is November 1, 2022. The winner will be announced on Veteran's Day, November 11, 2022. Visit us online for further information about eligibility and how to apply: www.charlesboyk-law.com/gives-back-scholarship/

STAFF PROFILE: Content Writer Ashleigh Berlin



We want to introduce Ashleigh, who joined our office as a content writer.

A mother of 2 who loves to travel, she attended Arizona State University 07'. Before moving back to Maumee in 2018, she lived in Cocoa

Beach, FL, and Virginia Beach, VA. Working from home as a freelance writer for the last four years, she began to miss working in an office and started here in June. A little nervous about leaving her dog Toby home alone all week, she knew that would not be an issue her first day here. "I was walking to the coffee pot, I saw a blocked-off play area and was confused, then I saw two dogs running around playing, so I asked if this is normal and was told it is ENCOURAGED to bring your dog to work!"

New address or phone number? Help us stay current by letting us know!

Call (419) 241-1395 or e-mail marketing@charlesboyk-law.com