The Liability of Foodborne Illness: Who is Responsible?

2006 Food Safety Education Conference
September 29, 2006

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The Liability of Foodborne Illness: Who is Responsible?

“Who’s on First?”

The Ambiguity of Who is Responsible
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Barb, Mike, Megan & Kevin Kowalcyk
July 2001, Acadia National Park, Maine
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Kevin Michael Kowalcyk, age 2 1/2
12/10/98 - 8/11/01
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Are Safe Food Handling Practices Enough?

• Ongoing, national *E. coli* O157:H7 outbreak

• “Evaluation of Consumer-Style Cooking Methods for Reduction of *Escherichia coli* O157:H7 in Ground Beef”
  
  - Rhee et al.  *Journal of Food Protection*. June 2003
  - Cooked inoculated hamburger patties in one of 3 ways
  - Achieved three temperature readings of 160 degrees
  - 22% still tested positive for one popular cooking method
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The Economics of Foodborne Illness

Market Forces

Food Safety Laws and Regulations

Product Liability
According to the CDC, it is estimated that 76 million Americans are sickened, 325,000 Americans are hospitalized and 5,000 Americans die each year from food-borne illnesses.
Foodborne illnesses account for about 1 of every 100 hospitalizations and 1 of every 500 deaths\(^1\).

*Camplyobacter, Salmonella, E. coli O157:H7, Listeria monocytogenes* and *Toxoplasma gondii* cause an estimated $6.9 billion in medical costs, lost productivity and premature deaths\(^2\).


According to the Food and Drug Administration, an estimated 2 to 3 percent of foodborne illness victims develop secondary long-term medical complications.

That’s 1.5 million lingering health problems each year.
Aimee Ermel, before she was stricken with *E. coli* O157:H7 and HUS.
Aimee Ermel, age 2, hospitalized with *E. coli* O157:H7
Although Aimee survived, she was deathly ill, as most HUS kids are.
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Kevin Michael Kowalcyk, age 2 1/2
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Accountability

Fosters

Responsibility
The Faces of Foodborne Illness

Lauren Rudolph
Died, Age 6
E. coli O157:H7

Alex Donley
Died, Age 6
E. coli O157:H7

Brianne Kriefall
Died, Age 3
E. coli O157:H7

Kevin Kowalcyk
Died, Age 2
E. coli O157:H7

Henry Knam
Died
Salmonellosis

Brooke Fisher
Died, Age 2
E. coli O157:H7

Pam & Louise Berger
Listeria Victim

Julia Capriotti
Listeria Victim

Elizabeth Tikriti & Jordan Keane
E. coli O157:H7 Victims

Chance Moore
E. coli O157:H7 Victim

Chance Moore
E. coli O157:H7 Victim
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For more information, please contact

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