

E. coli Food Poisoning Answer Book

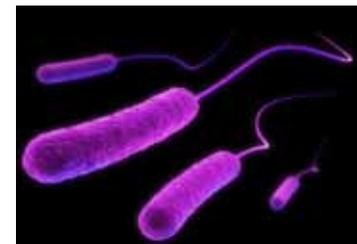
From
Pritzker Olsen
Attorneys

What is E. coli food poisoning?

Most cases of *E. coli* food poisoning are caused by [E. coli O157:H7](#), a bacteria that is found in the intestines of cattle and other animals, including goats and buffalo. All cases of *E. coli* food poisoning are the result of animal manure contaminating the food. This may happen at any point from farm to fork. Below are a few examples:

- A slaughterhouse does not use adequate sanitation and manure contaminated with *E. coli* O157 smears on a carcass. That carcass is cut up and sold to one or more processors, who grind the meat up with other beef products to make ground beef. The *E. coli* that was on the contaminated meat has now contaminated hundreds or thousands of pounds of ground beef.
- A lettuce grower has the field near a cattle ranch. The irrigation water on the lettuce farm is contaminated with *E. coli* O157:H7 from the cattle manure. When the field is watered, *E. coli* lands on some of the lettuce leaves. The bacteria colonize on the leaves and also migrate into the leaves, making it impossible to wash off the *E. coli*.
- A food handler at a restaurant with an *E. coli* O157:H7 infection does not wash his hands well after a bowel movement. Some feces containing *E. coli* stays on his hands. When he prepares food, the feces get in the food, contaminating the food with *E. coli* O157:H7.

E. coli O157:H7 can develop into [hemolytic uremic syndrome \(HUS\)](#) and/or [thrombotic thrombocytopenic purpura \(TTP\)](#).



How do I know if my illness is part of a foodborne outbreak?

If you have been diagnosed with an *E. coli* O157:H7 infection, you may have a claim for money damages against legally responsible parties if your case is part of an outbreak. To determine if your case is part of an outbreak of *E. coli* O157 infections, public health laboratories perform a kind of “DNA fingerprinting” on *E. coli* O157 laboratory samples. This “DNA fingerprinting” is called [pulsed-field gel electrophoresis \(PFGE\)](#). Investigators determine whether the PFGE pattern of *E. coli* O157 bacteria from you is the same as that from other people who have contracted *E. coli* O157 during the same time period and, if available, from the contaminated food. Bacteria with the same PFGE pattern are likely to come from the same source; therefore, people whose infecting bacteria match by “DNA fingerprinting” are part of a common source outbreak.

How long will it take to see if my illness is part of an outbreak?

It will take about 2 to 3 weeks after you first show symptoms of an *E. coli* O157:H7 infection for health officials to determine if your case of *E. coli* is part of an outbreak.



E. coli Case Confirmation Timeline

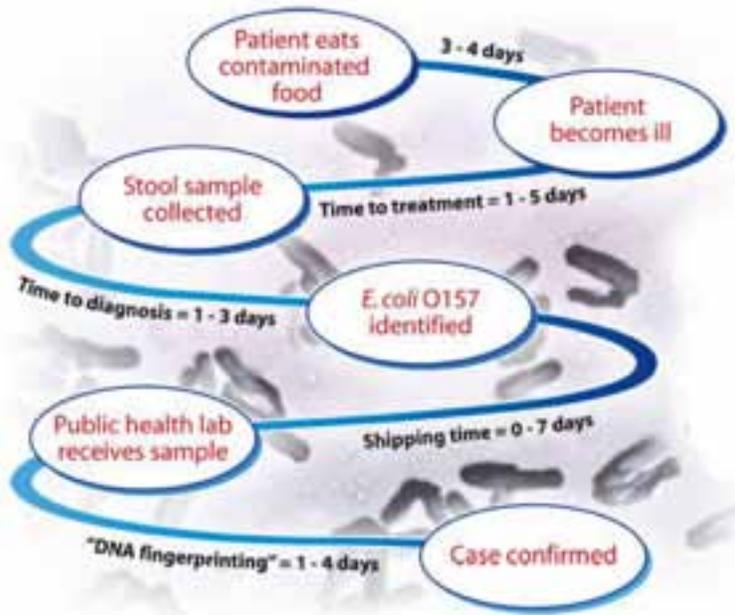


Image from the CDC

Time to treatment: The time from the first symptom until the person seeks medical care, when a diarrhea sample is collected for laboratory testing. This time lag may be 1-5 days.

Time to diagnosis: The time from when a person gives a sample to when *E. coli* O157 is obtained from it in a laboratory. This may be 1-3 days from the time the sample is received in the laboratory.

Sample shipping time: The time required to ship the *E. coli* O157 bacteria from the laboratory to the state public health authorities that will perform "DNA fingerprinting." This may take 0-7 days depending on transportation arrangements within a state and the distance between the clinical laboratory and public health department.

Time to "DNA fingerprinting": The time required for the state public health authorities to perform "DNA fingerprinting" on the *E. coli* O157 and compare it with the outbreak pattern. Ideally this can be accomplished in 1 day. However, many public health laboratories have limited staff and space, and experience multiple emergencies at the same time. Thus, the process may take 1-4 days.

Who can I sue for my illness?

If your case of *E. coli* O157 is part of an outbreak, it may be possible to prove that one or more of the parties below are legally responsible (liable) for your illness:

- Slaughterhouse
- Grower
- Food processor
- Distributor
- Supplier
- Restaurant, cafeteria, deli or other seller of prepared food
- Retailer

If so, your *E. coli* attorney can pursue these parties on your behalf for money to pay your medical expenses, lost income, and other expenses and to compensate you for your pain and suffering.

Can I still sue if I prepared food contaminated with *E. coli* and got sick?

Yes, you can sue if you prepared food contaminated with *E. coli* O157:H7, ate it and then got sick. These cases are generally pursued under three theories of recovery: negligence, contract law and strict liability.

What are my child's legal rights?

You can sue responsible parties on your child's behalf to recover money to pay for your child's medical expenses and pain and suffering. You may also have a claim for lost income and other expenses.



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What foods have caused outbreaks of *E. coli* O157:H7?

Ground Beef

Most outbreaks of *E. coli* O157:H7 are caused by beef products, particularly ground beef. During the slaughtering process, manure can get on the meat. If that is not cleaned off, the manure can get ground up with the meat products when a processor is making ground beef. If the manure contained *E. coli* O157:H7, thousands of pounds of ground beef could be contaminated with *E. coli* O157:H7.



Steak

E. coli bacteria can reach the interior of a steak if it is mechanically tenderized, which involves puncturing tough cuts of meat with hundreds of tiny needles to tenderize them. Sometimes the needles inject flavoring or tenderizing juices as well. This process, therefore, can drive surface *E. coli* bacteria into the interior of the steak. It is important, therefore, to note the difference between “in-tact” and “non in-tact” steaks.



Raw (Unpasteurized) Milk

Raw (unpasteurized) milk has been the source of a number of *E. coli* outbreaks. This is why the sale of raw milk is illegal or restricted in most states. Cheese and other products made with raw milk may also harbor *E. coli* O157:H7.



Leafy Greens

Leafy greens such as spinach and lettuce have been associated with several *E. coli* outbreaks in recent years. A particular danger exists with leafy greens that are pre-chopped and sold in bags. Whereas a fresh head of lettuce may only have *E. coli* on the surface, lettuce that is chopped and bagged can contain *E. coli* inside the leaf of the lettuce and the warm, moist environment inside the plastic bag is ideal for bacterial growth.



Other Foods

Pizza, cookie dough, sausage, sprouts and unpasteurized juice are just a few other foods that have been implicated in *E. coli* O157:H7 outbreaks in the past few years.

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What can I do to prevent E. coli food poisoning?

Until better sanitation and more testing is required of food manufacturers, restaurants and others, consumers are at risk. Below are some *E. coli* prevention tips.

DON'T thaw meat at room temperature. Use the microwave or refrigerator.

DO keep raw meat separate from other foods while you shop, store your food and prepare meals to avoid cross-contamination.

DO cook ground beef products to an *internal* temperature of 160 degrees Fahrenheit and test doneness with an instant-read thermometer.

DON'T rely on color as an indication of doneness. Always use a thermometer.

DO wash all vegetables thoroughly.

DO wash hands thoroughly after going to the bathroom, changing diapers, having contact with animals and before preparing food.

DON'T drink raw, unpasteurized milk or juice unless you are very familiar with the environment in which it was produced. Even then, be aware of the potential dangers of unpasteurized products.



Fred Pritzker

is a food safety attorney who has decades of experience representing people sickened by *E. coli* food poisoning or the families of people killed by *E. coli* food poisoning. [Contact him](#) if you or a loved one is suffering from an *E. coli* infection.

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