

Restaurants take steps to combat E. coli outbreak: eateries devise spinachless menus as Chicago operator sues suspect supplier

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While investigators continued searching for the route through which potentially lethal E. coli bacteria had contaminated spinach grown in three key Central California counties, restaurants nationwide were taking precautions to protect their reputations and their customers.

As the casualty count worsened in the nation's 20th E. coli outbreak traced to leafy greens since 1995, foodservice operators were altering recipes and menus to make substitutions for a vegetable that once epitomized health and nutrition.

The massive jettisoning of fresh spinach ranged from quick-service chains that pulled it from their salad mixes to casual-dining operations that stopped serving creamed spinach or popular spinach dip appetizers to high-end restaurants that sauteed other greens in place of the mainstay side item.

Federal officials widened their initial warning not to eat any of 32 brands of bagged, fresh spinach to include all fresh spinach after authorities learned that produce from the principal suspect grower-packer, Natural Selection Foods of San Juan Bautista, Calif., was also sold through far-flung foodservice channels in potentially untraceable packaging.

However, as of late September, the U.S. Food and Drug Administration said it was unable to give details or even confirm its Sept. 18 statement that at least one restaurant was believed to have been implicated in a case of E. coli infection from fresh spinach.

Though FDA officials cleared for consumption fresh spinach grown outside the three-county Greater Salinas Valley area Sept. 22, health authorities warned that most foodservice operators would be unable, at least in the near term, to identify the source of their spinach because of persistent shortcomings in produce labeling.

Most spinach remained suspect because California is known to be the source of about three-fourths of the nation's spinach, and an estimated 60 percent of that comes from the implicated counties of Monterey,

San Benito and Santa Clara. Salad packagers in Oregon, Washington, California and New Jersey that used spinach from those counties ordered recalls of their products.

As of Sept. 25 at least 175 spinach consumers in 25 states had contracted E. coli infections, of whom 28 had potentially life-threatening kidney failure among the 93 people so far hospitalized, which included an elderly Wisconsin woman who died. The deaths of a child in Idaho and an elderly woman in Maryland also were being investigated as potentially spinach related.

Though industry watchers awaited what some believed would be an inevitable wave of consumer lawsuits against food makers and sellers, an Illinois restaurant spearheaded a proactive effort to sue a supplier on behalf of the foodservice industry.

Hamilton's restaurant in Glenview, Ill., filed the lawsuit against Natural Selection Foods in what the attorney for owners George Gregousis and Nick Galanis said was a bid to recover the costs of the restaurant's discarded spinach. The lawyer, Thomas Zimmerman, said he was seeking to have the complaint certified as a national class action "on behalf of all restaurants and individuals who purchased fresh spinach and had to throw it out."

The 220-seat operation, which normally uses spinach in salads, sandwiches and omelets, filed its complaint in Cook County Circuit Court in Chicago, seeking monetary damages, attorney's fees and court costs.

Meanwhile, large, national operators were still tallying the costs of discarding already purchased spinach, and other restaurant companies counted losses that varied depending on the number of restaurants involved and their menu specializations.

On a per-location basis, salad specialists appeared to suffer the most from the discarding of spinach, with estimated declines in sales also expected to be most severe in such operations.

Franchisees of Doc Green's, a 17-unit salad specialty chain franchised by Atlanta-based Raving Brands, each lost about \$500 worth of product that they discarded the first day after the problem surfaced, according to operations vice president Carl Griffenkranz. About two-thirds of the chain's salads normally contain some spinach, he said.

Initially, suppliers ran short of some substitute lettuces such as romaine, Griffenkrantz said, adding that Doc Green's business had fallen by an undisclosed amount after the E. coli outbreak began.

"After a week, the FDA still was not sure about what caused the problem, [and] that caused people to be nervous," he said. "How long will people not eat salads?"

At the time of the outbreak, the FDA and state officials were implementing an unprecedented program to monitor fields, processing plants and packers in the Salinas Valley to try to pinpoint the causes of several produce-related E. coli outbreaks in recent years.

The Los Angeles Times reported that state and federal environmental officials had indicated that E. coli bacteria were pervasive in waterways throughout the Salinas Valley growing region. Its fields, it was said, could have been contaminated by flooding, runoff from nearby livestock operations or even droppings from migrating birds that had ingested manure containing the feces-borne bacteria.