

How will a media event due to food borne illness affect your restaurant?



HEPATITIS A: Fortune 500, Casual dining, Publicly traded – Ice Cream Store

- **Corporation, Family Owned, or Franchisee:** Corporation
- **Illness:** Hepatitis A: 1 ill employee, NO ill patrons
- **Source:** 1 Ill Employee
- **Restaurant Closure:** The Health Department issued an emergency closure order and closed the restaurant from June 15 – July 1. News stories dramatically highlight traffic jams of frightened patrons headed for inoculations as over 5,000 are advised to get shots. Pictures focus on long waiting lines for shots at clinics. Customers pass out in heat during 3-hour wait.
- **Lawsuits:** Class Action for all patrons who received inoculations (no patrons became ill) because they were exposed to the Hepatitis A virus as a direct results of eating at the ice cream store.
- **Past Health Inspections:** Critical violations. Lack of proper hand washing by workers, poor food preparation practices, unwashed salad, and failure to refrigerate
- **Health Departments currently send charges to a restaurant for:**
 1. Cost of inoculations (serum) = \$210,000 (approximate)
 2. Costs of running the clinics = \$55,000:
 - a. \$40,000 reimbursement for supplies, the hiring of nurses and overtime pay
 - b. \$15,000 for the police details.
- **Lost sales:** Never recovered. The corporation made the business decision to close the affected location permanently within 60 days of the media event.
- **Media attention:** Live remotes, newspaper, plaintiff attorney's ads to join lawsuits, nightly TV news reports in a 5-state New England area
- **Comments from the owners:** No comment
- **Customer Comments:** "I'm concerned from the perspective of the reason for having to have the shot and how the company maintains the quality of the restaurant. Will we go back? Probably not."
- **Comments from the Plaintiff attorney:** Marler stated, "Filing a class action makes sense in that people who received shots had similar injuries: lost wages, medical and travel expenses, and emotional distress related to the fear of becoming infected." "I've taken food companies for well over \$100 million in the last 10 years."



PLIS, Inc. -
Underwriting Facilities
 512-328-0677 • 1-800-781-7547
 Fax: 512-327-5834
 www.plisinc.com
 underwriting@plisinc.com