

## Food Safety

### Objectives

The objectives of this large loss claim review are to:

- Examine a CIRMA liability loss that occurred as a result of school district's food storage.
- Develop specific risk management best practices to either prevent or mitigate future losses for members based on lessons learned

### Incident Background

The loss occurred as a result of improper storage of raw chicken. On the date of the loss, a student consumed food from the cafeteria during their lunch period. Throughout the remaining school day, the student began to feel ill and eventually started feeling nauseous and began having stomach discomfort which ultimately resulted in vomiting. The student was taken to his pediatrician where they were diagnosed with salmonella, a type of bacterial food poisoning.

### Incident Investigation

- On the date of the incident the student was a sophomore in high school
- The student entered the cafeteria and selected several items for lunch, including an apple
- The student sat at his normal table with friends and ate his lunch during his scheduled lunch period
- Once his lunch period was over, the student continued on with his day and attended several more classes
- Later in the day, the student began to "not feel well" and instead of going to lacrosse practice the student decided to head home
- After arriving home, the student began to vomit, experience stomach discomfort, and had a significant headache
- The student continued to feel ill for two additional days, at which time his parents brought him to see his pediatrician
- At the pediatrician's office, it was determined through diagnostic testing that the student was experiencing a Salmonella bacterial infection
- When questioned about his symptoms, the student stated that he had not eaten anything out of the ordinary and in fact had not eaten chicken within the last week, but he did mention that his lunch at school the other day "tasted funny"
- The student's parents notified the school principal of what was occurring. They also relayed their sons' statement regarding his lunch of the day of the incident
- The principal met with the cafeteria staff and food services manager and reviewed the lunch specials for the last week. On the date that the student fell ill the cafeteria was serving a chicken teriyaki and rice dish
- The principal and food services manager spoke to the food preparation staff who showed them their temperature logs, and preparation process
- Not seeing anything out of the ordinary, the food services manager took further steps to investigate the food storage and handling of the raw products (chicken)
- During the investigation, the food service manager found that a cardboard box which contained raw chicken was stored in the walk-in cooler over a box of fruit
- The bag containing the raw chicken had been damaged and had saturated the bottom of the cardboard box, eventually dripping raw chicken fluid over the fruit in the bowl
- The fruit in the bowl was discarded and the remaining raw chicken was placed in a leak-proof container and properly labeled and dated
- The food service manager notified the principal of their findings and what they believed to be the cause of the students' illness
- It was determined that identified staff had been trained and certified in food safety through a reputable organization and that there was a specific policy in place regarding proper food storage to prevent cross contamination exposures
- The principal notified the school district's central office and the parents of the sick student

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- The student made a full recovery after approximately seven (7) days later and returned to school

## Injury and Damages

As a result of the events that occurred, the student sustained the following injuries;

- Salmonella poisoning associated with improper food storage and handling
- Dehydration and associated symptoms
- Anxiety
- Depression

The parents of the student filed a *notice of intent to sue* with the school district, the food safety manager, the food preparation staff and the cafeteria staff. Their initial demand for settlement was \$100K. After successful negotiations this claim was ultimately settled for \$15K inclusive of attorney fees.

## Key Recommendations/Action Items

CIRMA Risk Management recommends that each member consider the following:

- **Train:** Regularly train staff on proper food handling and storage.
- **Policy:** Develop, implement and regularly review a policy on food safety standards.
- **Manage:** Ensure that food is properly handled and stored, in accordance with staff training.

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For more information on this topic, please contact your CIRMA Risk Management Consultant.