

Area family sues grower in spinach case

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The parents of a Bowling Green-area toddler who became critically ill after eating fresh spinach filed a lawsuit yesterday in U.S. District Court in Toledo against a California grower that has been linked to the nationwide E. coli outbreak.

Roger Drummond and Laura Snider claim they and their daughters, including an 18-month-old who was hospitalized for 10 days, ate contaminated spinach packaged by Natural Selection Foods LLC, of San Juan Bautista, Calif.

Since the spinach-related outbreak occurred, federal officials said at least one person, a 77-year-old Wisconsin woman, has died and at least 170 people became sick in 25 states, including Ohio and Michigan, from eating raw spinach grown in the Salinas Valley region in California.

According to the lawsuit, the couple's youngest child, Amrita Drummond, ate the tainted spinach in late August and developed bloody diarrhea on Sept. 7, when she was taken to the doctor.

When the symptoms worsened, she was admitted to Wood County Hospital in Bowling Green and transferred on Sept. 10 to St. Vincent Mercy Medical Center, where she was diagnosed with hemolytic uremic syndrome, a type of kidney failure associated with E. coli infection.

"There will be long-term effects. She will need health care for the rest of her life. There are very serious consequences because of this," said David Zoll, a Sylvania Township attorney who represents the family.

Testing on the girl conducted by the Ohio Department of Health confirmed the presence of the same strain of the bacterium that was detected in 25 states.

Mr. Zoll said genetic testing on the girl's stool sample matches E. coli bacterium in spinach found in Utah and New Mexico.

"The health departments in those states tested spinach produced by this company. They were able to fingerprint the bacterium's DNA. That shows this is not a coincidence," Mr. Zoll told The Blade.

The girl's parents and two older sisters also ate the prewashed baby spinach and were sickened with diarrhea, stomach cramps, and headaches during the same time period, but they were not hospitalized.

"Everyone in the family got sick to different degrees," Mr. Zoll said.

The complaint is believed to be the first filed in Ohio against the California spinach producer. So far, lawsuits have been filed in federal courts in Utah, Wisconsin, and Oregon.

The lawsuit alleges negligence and breach of warranty on the part of Natural Selection Foods. It seeks compensatory and punitive damages in excess of \$100,000. The lawsuit was assigned to Judge Jack Zouhary.

Natural Selection Foods, the largest grower and shipper of organic produce in North America, began voluntarily recalling products containing spinach on Sept. 15.

A company spokesman could not be reached for comment.

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