

## **Kids and Cafeterias:**

### **How Safe are Federal School Lunches? April 30, 2002**

"Kids and Cafeterias: How Safe are Federal School Lunches"  
Subcommittee on Oversight of Government Management, Restructuring,  
and the District of Columbia  
House Subcommittee on Government Efficiency, Financial Management and  
Intergovernmental Relations

On April 23, 1998, my son Tyler was 11 years old. That day, Tyler ate just a few bites of a contaminated, undercooked hamburger at school. He realized it was raw and stopped eating it, but not soon enough. It only takes 3-5 E. coli O157:H7 bacteria to kill a child. Tyler had eaten enough that his next few weeks and ours would be filled with horror and the fear that he would die.

Within the next few days, Tyler became very ill. Pain and diarrhea, along with vomiting, came and went for days. We visited his doctor, who was concerned but did not yet connect his symptoms with hemolytic uremic syndrome, an outcome of E. coli O157:H7 poisoning, since there had been no other reported cases. For the next week Tyler's condition was up and down. At times he was doubled over with severe stomach cramps. We felt helpless because he was hurting so bad. As his condition got worse, the doctor sent us to have more extensive blood work done. We were horrified to find out that Tyler was in kidney failure.

He was hospitalized in Atlanta 80 miles from our home. We were told that in most cases, children with Tyler's kidney function would be on dialysis. But due to his existing diabetes, and age near puberty, we were told that if he went on dialysis, he would probably have to be put on a transplant list. Tyler had to have diuretics and his color was white as a sheet. He had severe fatigue. He cried and had horrible nightmares of monsters coming to take him away. He was in the hospital for a week. It would be well over a year before our 11-year-old son got his color and strength back and began to look like a normal child.

All of this, we then found out, was because of an under-cooked, contaminated hamburger he ate at school. We had told the doctor at the hospital about the hamburger. It was reported, and someone went to the school the next day and took the leftover hamburgers. They went to two different labs, and tested positive for E. coli O157:H7 bacteria. It was sheer luck that they obtained an identified pathogen and source. Often there is no food left over to test, or the time window has passed, or the lab makes an error. In this case, it was clear that there was E. coli O157:H7 in the meat that Tyler had been served at the school, which should have sparked a community-wide effort to make sure that other children who had eaten the same meat were identified and followed up with, and received the necessary medical care. Instead, local health officials and the media tried to make it appear Tyler only got sick because he was diabetic.

Local health officials didn't want anyone to know the meat was contaminated, so

they didn't tell us. The health department reacted as though it was our fault that he was sick, and it couldn't be a problem with the school lunch. It was as if they didn't want to believe this could have happened, especially in their county. The principal and superintendent were the ones who notified us. Other parents with sick children - and there were many who called us afterward, and told us that their children had the same symptoms - were encouraged to think that their children had a virus.

This endangered other children in our community, because E. coli O157:H7 is easily passed between children playing, and in day cares, after school facilities and pools. The E. coli outbreak in an Atlanta water park that sickened two dozen children and killed 1 child a few years back was almost certainly of food-borne origin. Another S.T.O.P. member who couldn't be here today has a 6 year old daughter who suffered neurological damage and will endure years of kidney transplants due to E. coli O157:H7 that she contracted from playing with older children who picked up the germ from their school lunch tacos. We shouldn't be putting our children in danger from the simple fact of eating a government-approved lunch.

Our story, more than anything, demonstrates how crucial it is to ensure that food safe from pathogens is being sent to school systems, where contaminated food can be mishandled by a distracted worker or cross-contaminate and have a disastrous effect on the health of a captive population of children. Tyler was very sick because his hamburger was, first of all, contaminated, and second, incorrectly prepared. His age and weakened immune system put him in an especially vulnerable condition for severe food poisoning. We feel very blessed, because victims with even fewer health problems have died from this brutal illness.

Our story also highlights the fact that victims are too often treated like second-class citizens by health officials and others whose main interest is covering up for any misdeeds, not protecting the public health. This attitude comes at the expense of the community. We live in a very small town. The impact on our community from this has been huge and divisive. Those who had children who had symptoms were concerned and on one side, while those who didn't, or who knew little about the bacteria, were on the other, feeling that this couldn't be happening in our area. No lawsuit was filed against the school, but people still acted as if we were out to hurt the school. This is not an attack on the schools. It is a cry for help.

**The subject of this hearing is to determine what steps our government should be taking to prevent foodborne disease in the schools. The answer is simple – Tyler can tell you, as can all of the children who have been poisoned by diseases in their government-sponsored lunches. The answer is “Every step you can.”**

**Among those steps should be the following:**

1. The mission for the school lunch program should be rewritten to emphasize food safety as a fundamental concern. The standing USDA prioritization of price above all has resulted in school lunches becoming a dumping ground for ground beef and other agricultural products of questionable safety. After my son's illness the Dept. of Agriculture closed down the business where the meat had been produced, and pulled its inspection stamp, because the product they found in the plant was contaminated, misbranded, adulterated, and unfit for human consumption. Such meat should never have found its way into the school lunch system in the first place. Purchasing policies should

- take into account the vulnerability of the population being served and prioritize safety accordingly.
2. Mandatory pathogen testing should be retained and greatly expanded for all ground meat and poultry products, especially those sold to the school lunch program. Pathogen testing is America's strongest weapon against foodborne disease. Testing for E. coli O157:H7, salmonella, listeria and campylobacter should be rigidly enforced by a federal agency with the ability to shut down plants that repeatedly produce potentially deadly products. Although it did not succeed in killing my son, E. coli O157:H7 did claim a life in my son's case. The man responsible for the meat my son ate committed suicide when faced with the public realization of the fact that he had caused my son to fight for his life in a hospital bed. Unfortunately, he apparently didn't care, or understand, until he was caught. If the USDA's existing testing and inspection systems truly were effective, the contaminated meat never would have left the factory.
  3. The government should place a premium on A) informing the public of all foodborne disease occurrences to promote accurate diagnoses and prevention, and B) on making corporations accountable for their products. Distributed food products that are contaminated should face mandatory recall, like defective toys and tires, rather than the current system which allows the food producer to choose whether, when, and how much to recall. Manufacturers should be forced to disclose institutional purchasers of their products so that the product can be pulled from shelves and refrigerators before they make someone sick. Furthermore, the government should actively promote the free exchange of disease information to help identify and prevent future outbreaks rather than deliberately shielding corporate culpability. One heartbroken S.T.O.P. family who buried their 3-year-old son in August 2001 is still waiting to learn the genetic fingerprint of a million pounds of meat recalled at the time their son was sick – which the USDA has so far refused to release despite the fact that it is public information. This is in character with the contradictory mission of the USDA – one of many reasons why the move to a single food agency would be beneficial.
  4. Finally, the federal government should create a federally funded victim assistance and compensation program, similar to those that exist for crime victims and traumatic brain injury victims, to assist families suffering from the ongoing physical, emotional and financial ravages of foodborne disease. Repeated trips back and forth to the hospital for blood work and the doctor's office for follow-ups have put tremendous strains on Tyler and our family. Even with insurance, all of our costs were not covered. Tyler faces a strong probability of kidney and other complications down the road. Children more severely affected face years or lifetimes of physical therapy, special education and counseling to recover from strokes, heart failure, neurological damage, post-traumatic stress syndrome, cerebral palsy, and other aftereffects of defects in a government regulated product. As one S.T.O.P. foodborne disease survivor recently told PBS' Frontline, "When the ordeal was over, I had lost my spleen, my hair, a boyfriend, a normal immune system and a semester of college and had gained a quarter of a million dollars in medical bills and battle scars. The effects of these diseases go far beyond the physical." Beyond this, I have nothing more to say except to urge you to act quickly to make school lunches safer. My son's illness probably saved children's lives, but unfortunately not before he suffered and our whole family and community

lived through a nightmare. I ask you to make the several hundreds of children who are lying in hospital beds right now, as Tyler did, and the families who are praying for their child to recover from their food-related illnesses, the last ones who need to endure this hell because of preventable contamination of their food.

Testimony of Cheryl Roberts of Comer, Georgia,  
S.T.O.P. member and mother of Tyler Roberts, a victim of *E. coli* O157:H7  
April 30, 2002