



A (Mock) Deposition of a Restaurant Inspector

Rocky Mountain Food Safety Conference
Red Rocks Park
May 19, 2010

Starring



- Shelly Wallingford as the Deponent
- Bruce Clark as the Plaintiffs Attorney
- Moderated by Patti Waller

Depositions - 101

- Called in a civil lawsuit
- Health department employee most likely a “non-party” witness
- Arranged through agency legal department

Depositions - 101

- Can be mandated by subpoena
- Conducted to collect information
- Establishes a witness's testimony

Depositions - 101

- May take a few hours or longer
- Token reimbursement for time
- Requires many hours of review and preparation

The Deponent

- Must answer each question
- Can ask attorney to repeat question, clarify question, or re-phrase question
- Provide documents as required

Attorney Strategies

- May ask seemingly repetitive questions
- May object or declare the opposing attorney's questions as "asked and answered."
- May ask a question in a way that endorses a certain position

An Outbreak of Salmonellosis at the All American Café, February 2009

- February 14, Franklin County Health Department learns of 4 county residents with Salmonella Poona
- Epi interviews identify attending a wedding reception, consumption of eggs, eating at 2 area restaurants, McDonalds and All American Café

Local Investigation

- Interviews with all ill persons
- Neighboring counties notified
- Area health care providers notified
- Restaurants investigated

All American Café-Epi

- 23 lab confirmed, 3 probable
- Onsets ranged from 2/11-2/14
- Dining dates ranged from 2/10-2/12
- Case control study with menu items
- Fruit salad and Sweet Tea statistically associated with illness

All American Café - EH

- First on-site investigation takes place on February 15
 - Hand sink blocked
 - Cold hold violations on salad bar
 - No ill employees
- Stools collected from all food handlers on February 20, 2 positive, apparent victims of outbreak

All American Café-EH

- Food flow diagrams for sweet tea and fruit salad, no apparent common ingredients
- Review of prep with chef shows mint used as garnish on fruit salad and in sweet tea

All American Café - EH

- Direct observation of mint prep
- Food handler rinses leaves and stems under running water
- Placed in sink with warm water
- Swirled in water before drying on cloth
- No glove use
- Food handler – for salmonella but had mild symptoms following travel

The Outbreak

- Health Department concluded that the most probable cause was bare hand contact by an ill food handler of a ready to eat food

All facts related to the outbreak are completely fictional