

## **FOR IMMEDIATE RELEASE**

**Contact-** Nicole Cerullo

800-256-1050 or 318-794-0301

# **FDA Finds *E. coli* in Sample from Nestle's Factory**

## ***Neblett, Beard & Arsenault Has Filed Two Lawsuits in Nationwide Outbreak***

**ALEXANDRIA, LA – June 30, 2009** – Yesterday afternoon the FDA announced that *E. coli* 0157:H7 contamination has been confirmed in Nestle Toll House cookie dough. A sample taken from Nestle's Danville, VA plant tested positive for the presence of the *E. coli* bacteria.

"This really comes as no surprise. Health investigators have already made that conclusion; this is just validation for the victims," said lawyer, Richard J. Arsenault.

Arsenault's firm, Neblett, Beard & Arsenault has already filed 2 *E. coli* lawsuits against Nestle, and is investigating claims from many additional victims across the country. The outbreak has again raised issues about food safety. It has also sparked a debate regarding the common practice of consuming raw cookie dough and what warnings should accompany a product that is well known to be eaten raw.

"A renowned warnings expert has joined our team of experts and will be providing important guidance for us in the federal and state court suits we have already filed ...and in others we anticipate filing shortly." Arsenault added.

The link between a national *E. coli* outbreak and Nestle refrigerated cookie dough was announced on June 18<sup>th</sup>. By June 25<sup>th</sup> the outbreak had sickened 69 people in 30 states. However, the CDC notes that most foodborne illnesses go unreported. Based on this math, there could be as many as 600-900 additional victims of the Nestle *E. coli* 0157:H7 outbreak.

"This is a troubling trend. Foodborne illness outbreaks, especially *E. coli* outbreaks, are on the rise. Our families' health and well-being often depend on our manufacturers producing clean, hygienic foods. However, Peanut Pan Peanut Butter, Peanut Corporation of America, Setton Pistachios, Valley Meats and, now the JB Swift meat outbreak, leave many wondering, what is safe anymore?" Arsenault concluded.

### **About Neblett, Beard & Arsenault**

Neblett, Beard & Arsenault is a nationally recognized law firm that has been representing victims across the country in food borne illness and injury litigation for nearly three decades. Arsenault and his partners have secured billions of dollars in recoveries and have played leading roles in some of the

nation's largest litigation. This has led to recognition for Arsenault by peer reviewed publications and by the *National Law Journal* for securing one of the largest individual injury verdicts in the U.S.

**###**