



# Toxic Avenger

When victims of food poisoning want payback, they call Bill Marler. He's been the leading attorney in food contamination lawsuits since 1993, when he won \$15.6 million for a girl who nearly died after eating an *E. coli*-tainted burger at Jack in the Box. Marler has also become an activist and a respected blogger, challenging the food industry to make its products safer. —Nikhil Swaminathan

**Is our food supply safer than in '93, when the Jack in the Box outbreak made *E. coli* famous?**

Between 1993 and 2002 you could mark your calendar for *E. coli* outbreaks in June, July, and August. But then we didn't see any, related to hamburger at least, from 2003 to 2006. Of course, that's when we started to see a lot of *E. Coli* O157:H7 in leafy greens. If you looked at my firm's revenue curve, there was never a downturn—it just became a different product line. Look, I don't agree with Michael Pollan and Eric Schlosser that we can feed the US population from farmers' markets alone. But I do think that if we simplify our food supply—regionalize it a bit more, make it less complex—the chances of having a significant outbreak would be reduced. **You're campaigning to have some other variants of *E. coli* labeled**

**as adulterants, based on lab tests that you commissioned yourself.**

Six other strains of *E. coli* still aren't counted by the USDA as adulterants. There's no logical reason why O157:H7 should be and these aren't. The only explanation I've gotten from the USDA's Food Safety and Inspection Service is, "Well, we've never found it in hamburger." But *I've* found it in hamburger. **You just addressed the annual meeting of the National Meat Association. Tough audience?**

It was a packed house. I acknowledged the progress they've made but told them they still have work to do if they want to put me out of business. I said, "You can do the right thing because you don't want your product to kill someone's kid. Or you can do it because you're afraid I'll come after you and leave you bankrupt and penniless. I don't care which it is."



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