

The Events That Changed Everything

1971 and the 70's

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What Happened?

“The day had been stifling, so chilled vichyssoise straight from the can seemed like the perfect dish when Banker Sam Cochran, 61, and his wife Grace, 63, sat down to dinner at their Bedford Village, N.Y., home a fortnight ago. But they did not finish their shallow bowls of cold soup. It tasted spoiled, Mrs. Cochran later told their doctor.

By 8 the following morning, Cochran complained of double vision. Shortly thereafter, he began to have trouble speaking. By the time he was admitted to a hospital later that afternoon, he had difficulty moving his arms and legs. Shortly before midnight he died. Only after his wife was admitted to the hospital with similar symptoms did doctors, who had not seen a case of the disease in nearly 40 years, suspect that the couple had contracted botulism, a deadly form of food poisoning. Mrs. Cochran, though in critical condition at week's end, may still be saved by the antitoxin that was rushed to her from an out-of-town laboratory.” TIME MAGAZINE July 19, 1971

Bon Vivant Vichyssoise – The Facts



**Bon Vivant Vichyssoise June/July
1971, New York area
1 dead, 2 critically incapacitated,
by Type A botulism
involved 6,444 tainted cans (Lots
#V-141/USA-71, V-110-USA-71 &
072-V-USA-67)
The Bon Vivant Soup Company
was located at 166 Abington Ave
in Newark, New Jersey
Samuel Cochran Jr. victim
Grace Wallace Cochran victim
Paul McDonald victim**

Bon Vivant - The Company

The Bon Vivant Soup Company was located at 166

Abington Ave in Newark, New Jersey

90 Products – 120 Labels

40 Employees

Four Generations of Owners

Founder – Hampton Moore

Anthony Casazza

Francis Castelli (Maria's Father)

Maria and Andy Paretti

Bon Vivant Vichysoise – The Facts



**Dr. Henry Colmore - Cochran
family physician**

**Andrew Paretti Bon Vivant co-
owner**

**Maria Paretti Bon Vivant co-
owner**

**Almost a million cans were
destroyed in 1975 by Chemical
Control Corp. of Elizabeth, New
Jersey**

**Bon Vivant Soups Inc. was
"reorganized" in November 1972
and began operation as Moore &
Co., Inc.**

Andy Paretti - "My Whole World Collapsed" Shown With Maria Paretti



**A family
business
is wrecked
by the
poison**

Andrew and Maria Paretti stand disconsolate outside their factory. "I never was suspicious before," she says, "but now if somebody smiles, I wonder what they really think."

Haunting, empty 300-gallon soup kettles surround the Parettis in their shut-down factory. "To me," says Andrew Paretti, "my whole world just collapsed, complete and total."

***Soup Kitchen With 12 Kettles at Bon Vivant,
Newark, NJ – Maria Paretti “ Its Been Like Dying
Except We Are Still Walking Around”***



What Caused The Underprocessing at Bon Vivant?

**A seldom used retort was used to finish
production**

The process was supposed to be 250 degrees F

The retort was set at 240 degrees F

**The retort did not have a temperature
recorder**

Botulinum Toxin Found in a 2nd Company's Products in August 1971

The canned menace called botulism



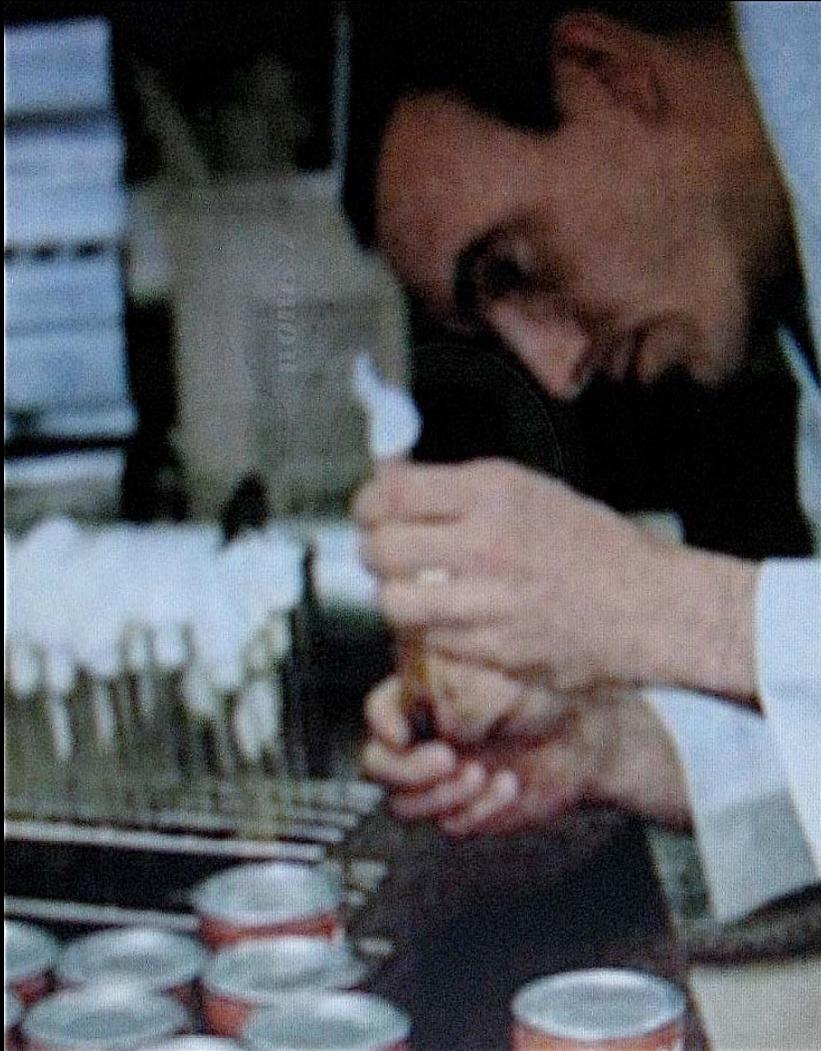
Looking deceptively innocuous, the common botulin spores, magnified 12,000 times in the picture at left, are odorless, tasteless and harmless—until they start to germinate in an airless environment. A technician (below) at the Campbell lab in Camden, N.J., prepares soup samples for botulin bacteria tests.

In the heat of summer, the rare poison called botulin was suddenly a household fear. First, a New York banker died 26 hours after eating a can of Bon Vivant vichyssoise soup for dinner. Then in mid-August the Campbell Soup Company discovered the botulin toxin in a few cans of chicken vegetable soup that had been packed at its plant in Paris, Tex. When the contamination was discovered by Campbell during a routine check for nontoxic spoilage, the company reacted with exemplary candor and speed. The finding was immediately made public. W. B. Murphy, the soup company's president, ordered his salesman to call on some 53,000 stores in an effort to reclaim the 230,000 suspect cans. Within a week they had recovered 85.1% and not a single case of poisoning had been reported. But no sooner had that been done than Campbell had to issue an-



Highlight all Match case

2nd Botulinum Toxin Incident in 1971



Mid-August 1971

Plant in Paris, Texas

Botulinum Toxin Found in

Chicken Vegetable Soup

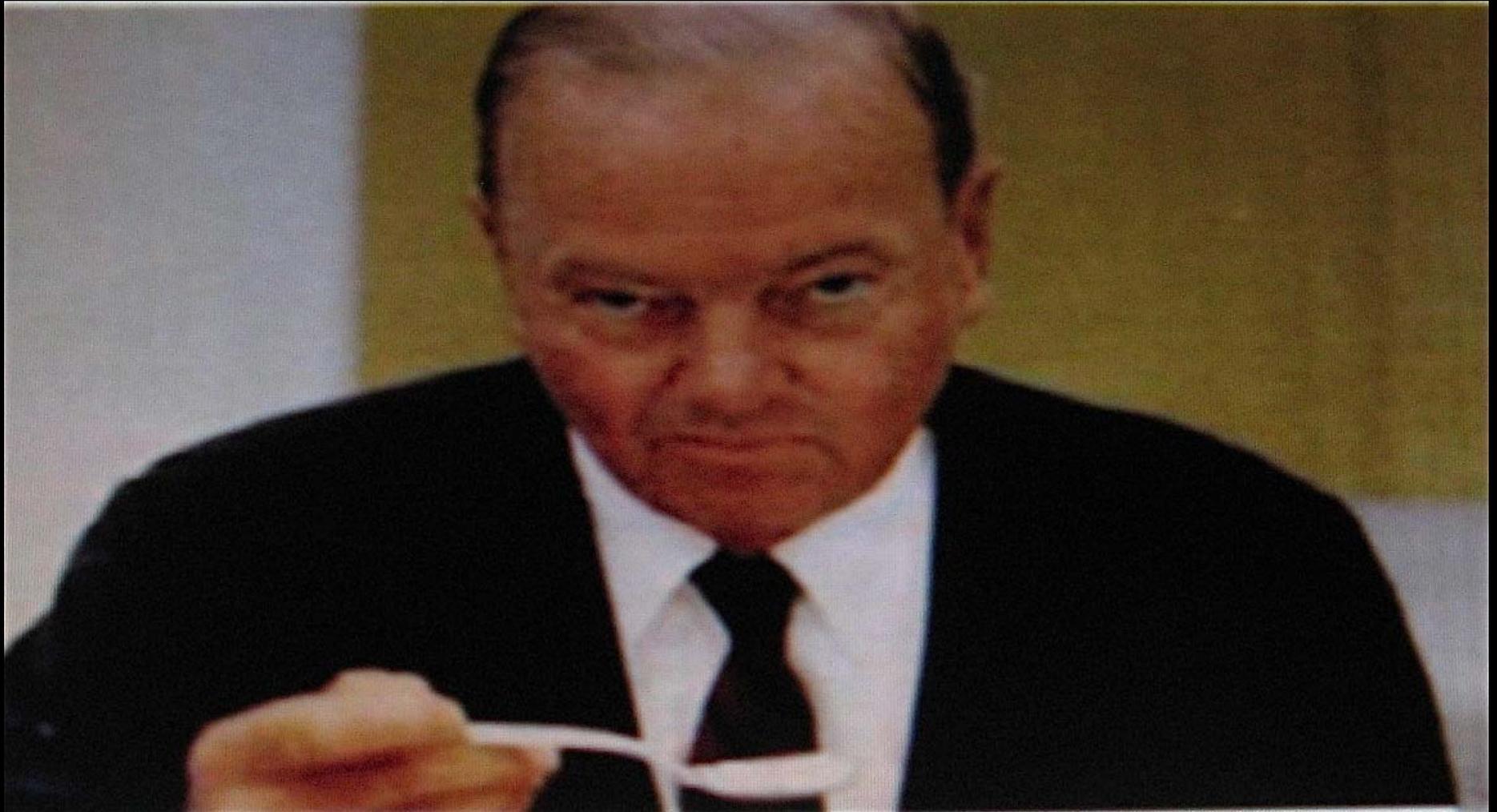
FDA also found toxin from

cultures taken from

Vegetarian Vegetable Soups

280,000 cans recalled

President of 2nd Company Tasting Product



Suspected Causes the Second Incident

Line speeds increased accompanied by increased retort temperature

Noodle hydration problem – unaccounted for causing dry heat resistance during the retort process

Agitating process involved

Headspace shrinkage caused by noodles swelling during the retort process



Bon Vivant Does Not Have Sufficient Resources to Recall

"The incident did not take a toll only on the company, however. Bon Vivant did not have adequate records and controls of production lots and distribution in order to trace the products quickly. The company also did not have the finances or manpower necessary to run a successful recall program. As a result, the FDA had to seize all the Bon Vivant soup throughout the country, more than a million cans in all. FDA said the seizure occupied 125 man years of FDA time, enough for 2,000 ordinary factory inspections for preventive purposes. After some squabbling in the courts, where the owner of the company sought to recover the seized cans for resale under the company's new name, "Moore & Co.," the soup was eventually incinerated, at the cost of nearly \$150,000 to the federal government. As for Moore & Co., it appears the resurrection of the company was short-lived."

Surviving The Outbreaks

The Total Recall Paralyzed Bon Vivant

Bon Vivant went bankrupt within 1 month of the Recall

FDA resolved to destroy the company's stock of canned soup

Bon Vivant Reopened as Moore & Company

Moore & Co. fought this proposed action in court until 1974

\$600,000 of Product Destroyed After Court Order

The larger company pulled the product before illnesses occurred

The larger company did not have to do a total recall because they had good traceability and had several factories other than the one with the problem.

Beef Stew company survived.

Washington Post - One Year Later After Outbreak

It had been 6 years since FDA had been to Bon Vivant

Why wasn't reprocessing considered?

Lack of records doomed Bon Vivant

Nadar lamented small guy versus giant

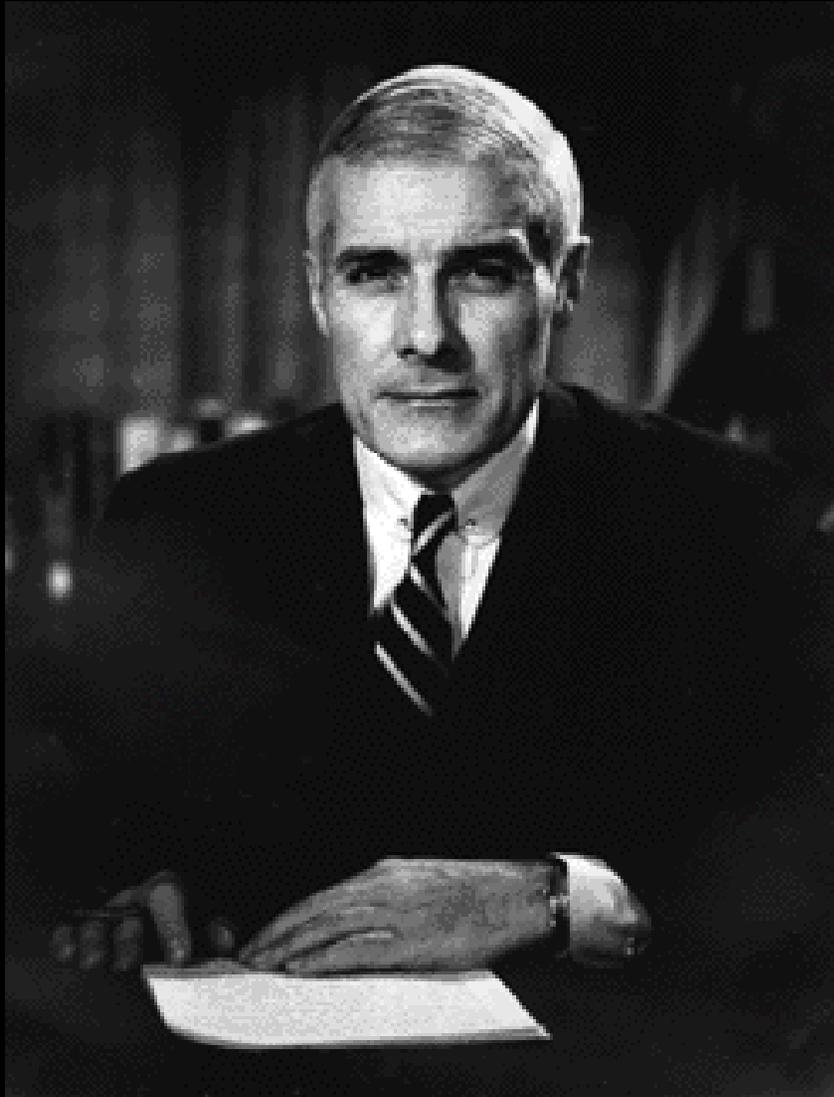
Stokely recall forced because CDC mistook an antibiotic for toxin

NCA defended Bon Vivant at first

NCA petition for registration and regulations

Increased funding for FDA for 611 Bureau and 300 Field Inspectors

FDA Commissioner Dr. Charles C. Edwards (12/69-3/73)



In the words of Peter Barton Hutt:

"In came [new Commissioner] Charles Edwards with a new team and a new approach," Hutt said. "The next few years marked an FDA transition from law enforcement to a modern administrative law agency. Over the next four years we addressed major policy issues in a new way, through promulgation of regulations." FDAAA 2007

Commercial Canned Mushroom

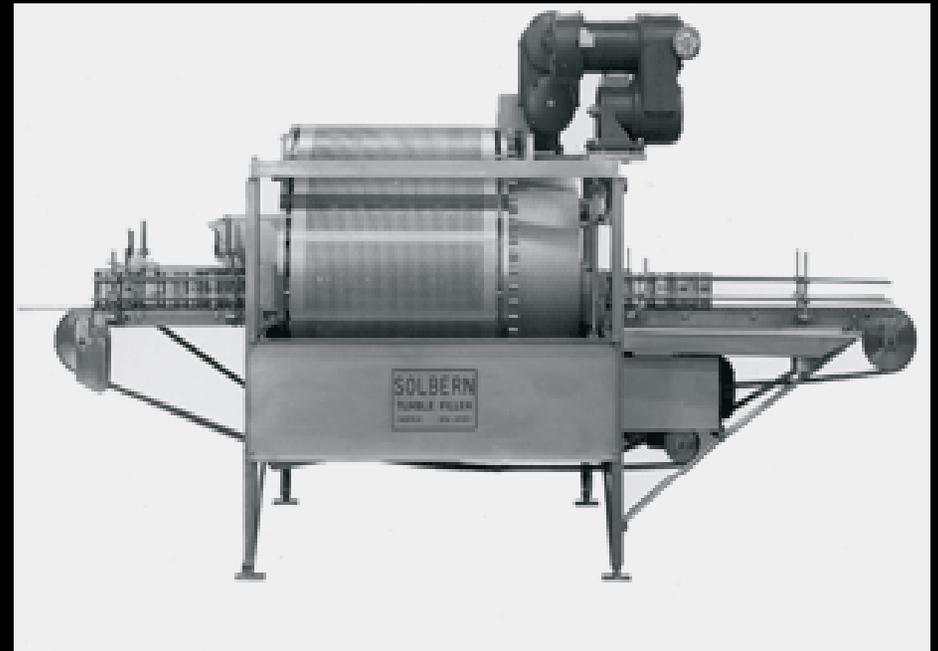
Outbreaks/Recalls 1973 – Main Causes

- 8 plants had toxin and one plant had

C. tetani in product

- High Fines (0.5g or less)
- Slice thickness less than HP studies
- Tumble fillers used for processes

based on hand fill. Many tumble fillers use vibrating mechanism.



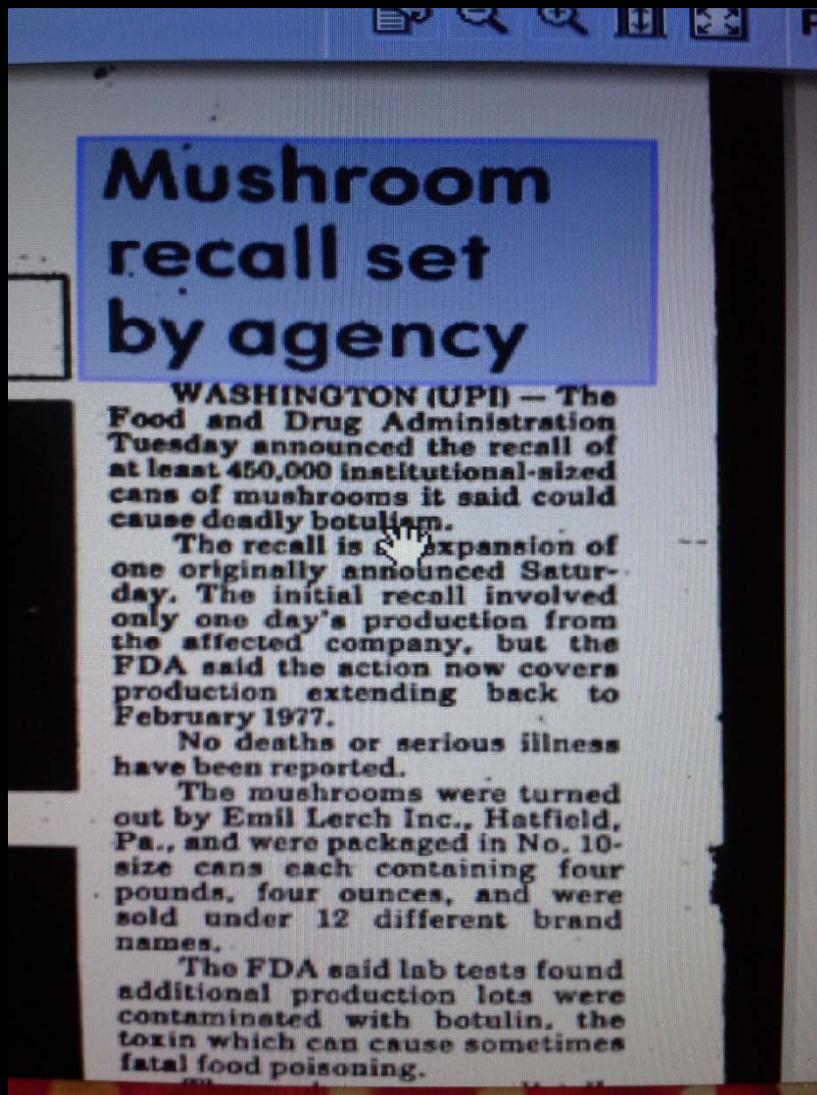


Kelly Foods, Inc. was a Food Distributor based out of Jackson, Tennessee. The company declared bankruptcy on December 3, 2003.[1] They were probably best known for manufacturing the "Hy-Power" brand of canned chili and canned tamales (They were one of the first companies to market canned tamales).[2] Following the bankruptcy, a Nashville-based company, Vietti Foods, acquired the rights to many of Kelly's products, but not the tamales.[3]



- 2 Deaths in Georgia
 - Retort Bypass due to employees taking unretorted containers into the lunchroom
 - Doorway next to Busse loader permitted baskets to be moved into the warehouse. It originally had a crate blocking bar that was taken down
 - Total recall with national network coverage
 - USDA permitted reprocess of all unswollen containers
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Mushrooms Again 1979 – They Forgot About 1973 (High Fines)



- 20 to + 70% fines in containers with toxin
- Agitating process
- FDA permitted reprocessing
- Firm fabricated records and did not reprocess
- Recalled again

Steriflamme Flame Outs 1981

4-ounce canned mushroom batch found contaminated by botulism

Area consumers should be warned that three brands of canned mushroom that are distributed in California are suspected to be tainted with botulism.

The three brands — Brandywine, Lady Lee and Oxford Royal — are among a list of canned mushroom distributed nationwide and manufactured by the Oxford Royal Mushroom Products, Inc. of Kelton, Pa. which could be contain the poison.

The warning extends only to four-ounce cans, said John Segars, sales manager for Oxford Royal Mushroom Products, Inc.

In one of the most extensive botulism alerts since the early 1970s, the government Friday warned consumers nationwide that up to 5 million cans of the mushroom are being checked for traces of botulism.

In a spot check of Lodi grocery stores, the News-Sentinel found only two of 11 stores that carried any of the brands. None of the contaminated batches were found.

The Food and Drug Administration said it asked the company to recall the four-ounce cans.

The company said "as a precautionary measure and out of concern for the public safety it is our decision to have the products . . . returned to their point of purchase."

The firm produces the mushroom under as many as 30 brand names. Originally the FDA said the suspect cans were distributed in only 30 states, but later said there may have been sub-distribution elsewhere and the alert was being applied nationwide.

A spokesman for Lucky's, on West Lodi Avenue, confirmed that the store does carry the Lady Lee brand, a chain house brand.

But the spokesman refused to make a comment, referring any questions to the company's main office in San Leandro.

The store's headquarters could not be reached Friday for comment.

The West Lodi Avenue Safeway carries the Oxford Royal brand of four-ounce canned mushroom and a store worker said the company would be checking code numbers released by the FDA for possibly tainted cans.

Several area stores carry the Royal Treat brand of canned mushrooms, which is also manufactured by the Oxford Royal Mushroom Products Inc.

However, that brand was not affected by botulism, Segars said, and has not been recalled.

The FDA emphasized that no illnesses have been reported, and only cans with a few specific code numbers imprinted on the top or bottom are involved. The cans, all marked "pieces and stems," were sold after April 1.

The FDA said each code number is divided into two parts. Cans that may contain traces of the poison have a top line bearing the letters "DK" followed by a number between 101 and 130, or the letters "EK" followed by numbers from 101 through 113.

The bottom code lines of the affected cans have the designation "P" or "LP" followed by the numeral 1 or 2.

The warning was triggered by a consumer complaint in Rockford, Ill. Tests by the FDA and the National Food Processors Association found traces of botulin toxin in several of the cans and the company began a limited recall last week.

"Any consumers who have cans of mushroom with the code should return them to the place of purchase," said FDA spokesman Wayne Pines. "The mushroom should not be eaten or the cans opened."

Memorial Weekend Hours:
We will be open: Saturday,
10am - 5pm; Sunday, 8am - 3pm;
Monday, 8am - 12 noon.
TWINS FLOWER BASKET
13 W. Pine (next to Burton's) 334-5949

What Did These Outbreaks Lead To

- **HACCP Based GMP regulations - Part 128b now 113 (1973)**
 - **Enforcement Regulations – Part 90 now 108 (1974)**
 - **Creation of the Canned Products Branch of USDA and
Canned Food Regulations 9 CFR 318 (1987)**
 - **Establishment of FDA's LACF program**
 - **In the long term saved lives by preventing outbreaks**
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