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Sickened customers sue Avondale taqueria after salmonella outbreak

By Ilana Arougheti

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At least five residents who contracted salmonella after eating at Carniceria Guanajuato in Avondale have filed lawsuits against the taqueria in the wake of a salmonella outbreak leaving at least 56 sick.

Seventeen former customers had been hospitalized as of Thursday, according to the Chicago Department of Public Health. One plaintiff, Chicago resident David Brosnan, was intubated and placed on dialysis after complications from salmonella, according to his lawsuit.

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The family-owned Avondale business consists of a taqueria attached to a grocery store. Any food purchased at the taqueria or the prepared food section of the store on or after Aug. 29 carries risk of salmonella, the Chicago Department of Public Health said in a news release.

In a public health inspection on Sept. 8, the department found raw beef steak and raw shelled eggs stored above lettuce and other ready-to-eat foods inside the taqueria’s prep cooler, according to city records. Inspectors noted this could have caused cross-contamination.

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“Investigation into the source of infections remains ongoing and management continues to work closely with the Chicago Department of Public Health,” the agency said in a statement to the Tribune.

A representative from Carniceria Guanajuato was not immediately available for comment Friday.

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Though the taqueria has been closed since Sept. 8, 35 of the 56 cases were identified by the Department of Public Health between Sept. 15 and 18.

All five plaintiffs are working with attorneys from Marler Clark, a Seattle-based law firm known for food safety cases, and Newland & Newland, a personal injury law firm based in Arlington Heights. Two lawsuits were filed this week, following three last week.

Two law firms who have partnered together on these cases, Marler Clark and Newland & Newland, have retained 20 clients so far who have filed or will file lawsuits against Carniceria Guanajuato, said Bill Marler, managing partner at Marler Clark. Seven clients have been hospitalized, he said.

Damages awarded in lawsuits related to salmonella can range from several thousand dollars for gastrointestinal symptoms to millions for long-term health issues, Marler said.

“We’ll figure that out as we go, but for this outbreak there are some pretty severely injured people,” Marler said. “Like Mr. Brosnan, I certainly hope that he gets out of the hospital, but at this point... He’s

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going to have hundreds and hundreds of thousands (of dollars) in medical expenses.”

Salmonella bacteria lives in the intestines and stool of humans and animals. It can be passed on through cross-contamination or poor hand washing before food prep. Symptoms take six hours to six days to appear, according to the Centers for Disease Control, and include abdominal cramps and diarrhea.

The bacteria can cause high fevers and dehydration, which can lead to long-term health issues for older and immunocompromised people. In rare cases, salmonella bacteria can also travel outside of the intestines into other organs or into the bloodstream.

Brosnan, the Chicago resident, ate a taco and a burrito from Carniceria Guanajuato on Sept. 2. Brosnan was hospitalized Sept. 12, when he was diagnosed with a salmonella blood infection, according to his lawsuit.

“Within days he was suffering from severe diarrhea, stomach cramps and dehydration,” the lawsuit reads.

The CDC estimates that 1.35 million Americans contract salmonella every year, mostly through food. The bacteria causes 26,500 hospitalizations, and 420 deaths in the United States annually.

“Over the last 30 years, I’ve seen way too many salmonella and E. Coli and other outbreaks,” Marler said. “It’s a nasty bug.”

Skokie resident Ruben Pequeno, who filed a lawsuit Monday, was hospitalized from Sept. 4 to 11 after eating a steak burrito from Carniceria Guanajuato. While hospitalized, Pequeno received a course of antibiotics, according to the lawsuit. This is not common for treating salmonella, according to Mayo Clinic.

Pequeno alleges that he continued to experience “significant fatigue and gastrointestinal issues” after his hospital stay, according to the

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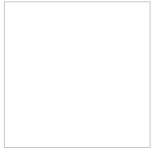
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“(Carniceria Guanajuato) products, because of adulteration, were unfit for human consumption, and were not reasonably safe as designed, constructed, manufactured, and sold,” Pequeno’s lawsuit reads.

The Avondale location of Carniceria Guanajuato has failed three public health inspections since 2010, most recently in June 2022, according to city records. Before the salmonella outbreak, the taqueria had passed its last public health inspection on June 20, though inspectors found potential white mold in prepared food coolers.

The closed taqueria conditionally passed another inspection on Sept. 14, according to city records. The Public Health Department ordered store owners to replace prepared foods in the grocery store fridge with incomplete ingredient lists, as well as write new cleaning procedures for pots too large to be submerged in the main sink.

The city also flagged soil buildup inside the taqueria’s ice machine, poorly placed thermometers and rusted shelves.

Carniceria Guanajuato also has locations in Belmont Cragin, Hermosa and Wicker Park. A location in West Town closed in 2012. All locations of Carniceria Guanajuato outside of Avondale have failed at least five inspections since 2010, according to city data.

A second Belmont Cragin location, currently open, has lost and

regained its license three times since 2010, most recently in March 2022. The troubled taqueria failed a city health inspection on Sept. 15 after inspectors saw an employee assemble tacos with their bare hands, according to city records. Inspectors also noted improper meat storage temperatures.

The store and restaurant owners have been working with the health department since Sept. 8 to look for the specific cause of the outbreak, according to a department news release. The city is still asking residents who experience diarrhea after eating food from Carniceria Guanajuato to file food poisoning reports.

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