

Starbucks Sued for Allegedly Exposing Customers and Employees to Deadly Pesticide

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A lawsuit filed today in New York City claims coffee giant **Starbucks** has been exposing its employees and customers to deadly pesticides for years, despite several warnings from pest control experts.

According to court documents obtained by The Blast, a former Starbucks employee and two pest control workers who serviced Starbucks stores for years claim the company “has for years permitted the deployment of toxic chemicals in its stores, which infused not only the food products and fixtures, but also the very air circulated throughout its retail locations in Manhattan.”

The former workers claim that Starbucks was “provided with no fewer than a dozen different explicit written warnings from external experts in the past three years.” They claim the company “systematically and unlawfully hid these toxic products in their stores for the past several years.”

The lawsuit claims, “Starbucks stores located throughout Manhattan -- from Battery Park to upper Manhattan -- continuously failed to take necessary or adequate measures to ensure their cleanliness and instead recklessly hid hazardous pesticides throughout their stores, including in close proximity to food and food preparation areas.”

Specifically, the lawsuit claims that Starbucks used “Hot Shot No-Pest 2” strips in their stores. The strips contain a toxin called Dichlorvos, which the lawsuit claims is “hazardous to humans.”



The lawsuit claims that the labeling for the strips warns, “Do not use in the food/feed areas or food/feed processing or food/feed manufacturing or food/feed establishments.”

Paul D’Auria — a pest control technician who worked for an outside company that serviced Starbucks stores for years — claims he “discovered that Starbucks management personnel routinely placed numerous sets of DDVP No-Pest Strips within virtually each of the more than 100 stores that he serviced from at least early in 2015 through June 2018, and in multiple locations in each such store.”

D’Auria claims he “routinely photographed many of the No-Pest Strips that he discovered for purposes of documenting and reporting the dangerous misuse of this product which posed an obvious threat to his own health and safety (as he worked in close and unsafe proximity to these DDVP strips) and the health and safety of Starbucks patrons and employees alike (who are also all commonly in close and unsafe proximity to these DDVP strips).”

He claims he found the strips:

- piled on or around air vents
- affixed behind the coffee bar
- piled in heaps along high shelves and ledges
- under and along countertops
- in and next to pastry cabinets
- in employee break areas
- in out-of-sight areas of near-permanent filth and disrepair



Jill Shwiner, who was the Director of Operation for the company D’Auria worked for, claims she “repeatedly warned Starbucks management personnel responsible for overseeing Manhattan-area stores that the No-Pest Strips must not be used in Starbucks stores because they pose a severe health hazard. She delivered such warnings both in writing and in- person, including numerous instances when she discovered No-Pest Strips while personally on-site at various Starbucks stores in Manhattan.”

The lawsuit states, “The repeated warnings that Ms. Shwiner and Mr. D’Auria relayed to Starbucks management personnel also regularly emphasized that the root cause of the presence of fruit flies and other pests were dirty, unsanitary conditions in affected stores, which were frequently left to fester.”



Despite the warnings, the lawsuit claims that “Starbucks management personnel nevertheless continued to acquire and place new No-Pest Strips in stores throughout Manhattan.”

The warnings from Shwiner and D’Auria included:

“We keep finding new Dichlorvos strips.... My tech or myself are down under cabinets working and work over and find we’ve been working next to the strips breathing in the chemical not to mention the fact that they aren’t allowed in food establishments.”

- “Recently there has been an increasing amount of stores we find them in. The product label clearly states it’s a violation to use this product in food establishment[s].”
- Warning that DDVP strips are “not lab[e]led for use in food establishments” but have been repeatedly “found in FOH under counters hanging from pipes or on floor, on top of high cabinets near vents, one was recently found inside a pastry[]case.”
- “[S]tores continue to use multiple no pest strips, CB80, bombs etc.”
- “These are against the law to have in food establishments. The active pesticide in strip, Dichlorvos, is toxic. I am attaching a copy of the label of product.”

The lawsuit claims that Starbucks has “*never* undertaken any meaningful corrective or disciplinary action in connection with the known, systemic misuse of DDVP by its management personnel responsible for overseeing Manhattan-area stores.”

Rafael Fox claims he was a Starbucks employee for 16 years, until he was let go by the company in February 2018 after, he claims, he began to call out the company “concerning the misuse of a toxic airborne insecticide in a neighboring Starbucks store.”

He claims that when he discovered the strips at a store he worked in, he asked an employee at a different store to send him photographs of the strips at a different store. He claims he was let go the next day.

“Presumably,” the lawsuit states, “Starbucks personnel made the calculated decision that it was more cost-effective to use DDVP strips (and therefore expose everyone in its stores to lethal chemicals) rather than cure the underlying problem with appropriate policies and practices.”

The lawsuit alleges negligent infliction of emotional harm and retaliation.

They are seeking damages in excess of \$75,000.

The Blast reached out to Starbucks for comment but has yet to hear back.