

Starbucks customers sue claiming exposure to potentially fatal pest-control chemicals

[usatoday.com/story/money/2019/05/21/starbucks-customers-sue-over-exposure-toxic-pest-control-chemicals/3756635002](https://www.usatoday.com/story/money/2019/05/21/starbucks-customers-sue-over-exposure-toxic-pest-control-chemicals/3756635002)

A group of Starbucks customers in New York City are suing the coffee-shop chain, claiming pest-extermination strips that contain a potentially lethal chemical were used in the company's Manhattan locations.

The lawsuit alleged that Starbucks cafes "have been permeated with" a pesticide called dichlorvos or 2,2-dichlorovinyl dimethyl phosphate, better known as DDVP, which is "highly poisonous and completely unfit for use in proximity to food, beverages and people." It was in the form of no-pest strips, which third-party exterminators and store employees warned managers about to no avail, according to the suit.

"Starbucks has intentionally and wantonly exposed its customers to toxic chemicals with a complete disregard for the impact on their customers' health," the 10 plaintiffs said in the class action filed in the New York State Supreme Court in Manhattan on Tuesday.

The court documents accused Starbucks of not dealing with spills, standing water and rodent droppings promptly – often in areas customers don't see, like under sinks, behind cabinets and in food-prep areas – or with piled-up garbage. That led to mold and other growths unsafe for humans to form and a breeding ground for maggots, flies, cockroaches, fruit flies, silverfish and other pests. Then, the Starbucks stores used Hot Shot No-Pest 2 strips, which contain DDVP, to deal the problems.

The chemical – a probable carcinogen according to the U.S. Environmental Protection Agency – can cause everything from dizziness and confusion to convulsions, coma and death, the National Institutes of Health website said.

The strips were placed inside food display cases, next to food-prep equipment and air vents and under counters without warning customers, the lawsuit said.

Starbucks spokesman Reggie Borges said the lawsuit "lacks merit and is an attempt to incite public fear for their own financial gain. We go to great lengths to ensure the safety of customers and employees."

In addition, the company said that any products used in Starbucks stores must meet corporate safety guidelines and as soon as they heard about products that violated those standards, the local leadership team was told to remove them. In addition, experts have told Starbucks that employees and customers were not exposed to any health risks and Starbucks stores typically don't sell food in display cases to customers.

"Starbucks' message is clear – in exchange for paying a higher, premium price, customers receive a clean, comfortable environment to enjoy food and beverages that are made with only the best premium ingredients," court documents said. "Central in that message is that Starbucks will safeguard the health and well-being of its customers."

The suit accuses Starbucks of acting in false, misleading and deceptive ways and of false advertising.

Also on Tuesday, the same law firm, Wigdor LLP, filed a case in federal court in Manhattan, accusing Starbucks of negligence and gross negligence through exposure to hazardous chemical poisons.

The plaintiffs are exterminator Paul D'Auria, assigned to Starbucks Manhattan store locations for chunks of time between 1999 and 2018; Jill Shwiner, who worked for the pest control company Starbucks contracted with for its Manhattan stores, including training chain managers and doing walk-throughs of cafes; and Rafael Fox, a Starbucks employee for 16 years, including time as store manager until he was terminated.

Fox also claims Starbucks fired him for complaining about the no-pest strips and some improper payroll practices he said he discovered.

Borges, the Starbucks spokesman, dismissed the allegations that employee concerns were ignored and then retaliated against.