

DECLARATION OF ERIK SALCIDO

I, ERIK SALCIDO, declare and state as follows:

1. I am over the age of eighteen and competent to make this declaration. All statements set forth in this declaration are based on my personal knowledge and good faith belief.
2. I was employed by Sodexo at Marine Corps Recruit Depot (MCRD) San Diego mess hall 569 (MH 569) from around June 2017 through around October or November 2019.
3. I was hired as a Cook I, and eventually became a Cook II prior to my resignation, in October or November 2019.
4. I resigned because MH 569 was understaffed and ill equipped to handle the production demands associated with feeding the recruits on a daily basis, especially on hamburger days. Work was not distributed evenly which caused significant stress, especially during Saturday shifts when hamburgers were cooked. Hamburger Saturdays were very problematic and stressful for everyone in the mess hall, including line staff, cook staff, and managers.
5. No one wanted to work the grills on hamburger days because of how difficult and strenuous the job was. I was assigned to work grills on hamburger day relatively early in my employment at MH 569. The job was frequently assigned to newer employees by more senior staff because they did not want to perform the job themselves due to how stressful it was.
6. On Saturdays, I usually worked the morning shift which began around 2 a.m. When hamburgers were served, I frequently worked well after 12 p.m. due to the demand and the fact that employees coming in for the lunch shift often refused to take over the grills.
7. There were four grills that were used for cooking hamburgers and all of them were problematic. Most had inconsistent surfaces, meaning that certain areas of the grill top would not get hot. The surfaces were also uneven which would cause oil and other juices to accumulate and pool to certain areas. The grills frequently broke down, necessitating repairs.
8. On occasion, the understaffing at MH 569 caused only two people to be cooking hamburger patties on the grills on Saturdays. While the grill shortages were occasionally caused by a grill breaking down and needing repairs, it usually occurred because the persons who worked grills would not show up. Other non-hamburger food items needed to be prepared on the same day, so there were no employees available to be shifted to grills.

9. New grills were purchased around mid-2019, but they were never used to cook hamburgers because hamburgers were removed from the menu prior to the purchase and installation of the new grills.
10. When I worked the grills, I began the hamburger cooking process by turning on the grill. Each grill had four dials which I would turn all the way up. I would let the grill heat up for about 40-45 minutes and then turn the knobs down to what the knobs indicated would be 75% power. There was no temperature gauge or indicator for the grills so there was no way for me to know the surface temperature of the grill.
11. While the grill heated up, I would begin obtaining the raw hamburger patties. The patties came in boxes which were delivered to galley on a pallet. Each box contained approximately 70 hamburger patties. I would usually take about 8 boxes of patties, put them on a cart, and wheel the cart to the grill. I usually needed to return to the pallet for more boxes before the end of my shift.
12. I would begin cooking the patties around 3 a.m. When I began cooking hamburgers, the patties would be frozen and hard. They would thaw throughout the time that I was cooking and by the end of my shift, some of the patties would be soft.
13. I would remove the patties from the box, remove the wax paper that separated them from each other, and hold as many as I could in a stack in my hand. I then placed the patties on the grill top surface, one at a time, in rows. Usually, I would be able to fit four rows of 11 patties on the grill top, totaling 44 patties.
14. I would let the patties cook until I saw “blood” begin coming from the top of the patties; at that point I would flip those patties over. After flipping, I would let the patties cook until they looked done based on their coloration, then remove them from the grill starting with the patties that had been on the surface the longest. It is difficult to estimate the total cook time that elapsed between placing the patty on the grill top to when I removed the patty from the grill, but I estimate that the process took approximately 5 minutes total. There was no timer at the grills in which to track cooking times.
15. When I removed the patties, I placed them into a metal pan that I kept to the side of the grill. Once I cleared the grill surface of patties, I would “batch test” those burgers by temperature testing one of the hamburgers in the pan. I would write my temperature test records on scratch paper obtained from the chief cook’s office or, sometimes, I would just write the temperatures on piece of cardboard torn from the hamburger patty box.

16. No one ever checked the temperatures I wrote down or asked for them. I never had to turn in my temperatures to any manager or other staff. The only “check” I ever experienced was a manager generally reminding staff, verbally, to “make sure you’re batch temping.”
17. Once I filled a pan with cooked patties, I would cover it with aluminum foil and put it in the hotbox. If anyone took the temperature of the hamburgers after I did, it would have been someone working the lines who was checking the hot holding temperature.
18. I would repeat my cooking process until my shift was over. Over the course of my shift, I would usually cook at least 14 boxes of hamburger patties per grill shift that I worked. No one ever critiqued the way I cooked hamburgers, and no one ever critique the way I took temperatures. I do not recall ever seeing a recipe card for hamburgers.
19. On hamburger days, grill operators usually did not perform any other duties outside of cooking the hamburger patties. The only exception to this was an instance where Dave Bowser wanted grill operators to also assemble the burgers—adding melted cheese and placing the patties on buns—before placing them in the hotbox, without the aid of any other staff. This only went on for a short time because of how chaotic it made the hamburger cooking process. During that time, someone from food safety asked me if I was washing my hands between each time I cooked patties and before I assembled the hamburgers. I informed him that I was trying to, but that it was impossible to keep track.
20. While I did my best to “batch test” each batch of 44 burgers I cooked it was often not feasible. The managers were concerned about getting the burgers done and meeting our production goals, not ensuring that the burgers were cooked in a uniform or thorough manner. I did not receive any instruction on how to cook burgers or how to temperature test the burgers. To my knowledge, no one received any sort of instruction on how to cook burgers or how to temperature test burgers. Most people just developed their own process that was the quickest and most efficient method for them. I did not test every batch of burgers that I cooked.
21. I did not use, nor do I recall any others using, the more formal “HACCP” logs to record hamburger cooking temperatures. The format of those documents was not efficient given the volume of burgers that we cooked; taking the time to fill those out would substantially slow down the burger cooking process.
22. I recall that a lot of temperatures were simply not taken in the mess hall. There are so many temperatures to monitor due to the volume and variety of food items served at the mess

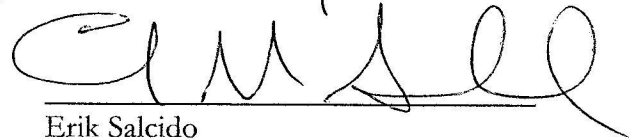
mess hall that people would simply make up temperatures and write them so that the paperwork exists. Cold items in particular are simply not temperature tested.

23. I did not become fully aware of the outbreak and the association with hamburgers until long after the situation had occurred, possibly from reading about it online. I recall knowing at the time that something unusual had happened because I knew recruits had gotten sick and a lot of inspectors began arriving at the mess hall. I also recall being told, possibly by David Boswer, at a staff meeting that the inspections never found anything. We were never told or informed of an association with hamburgers, and we were never told of how many people got sick. We were given the impression that the outbreak was small, and only a few recruits got sick.

24. With the exception of the eventual removal of hamburgers from the menu, I do not recall any changes to policies, procedures, or supervision after the outbreak. I only recall a staff meeting where we were told to “watch what you’re doing” and to “make sure you’re doing everything safely.” I also recall them mentioning at that meeting that they knew “it wasn’t us,” and said something about the marines’ poor hygiene.

I declare under penalty of perjury under the laws of the State of California and the laws of the United States of America that the foregoing is true and correct.

DATED at San Diego California on this 29 day of JANUARY, 2020.

A handwritten signature in black ink, appearing to read "Erik Salcido", written over a horizontal line.

Erik Salcido