

Lawyer: Dickey's Barbecue in Utah Had Another Chemical Burn

BRADY McCOMBS, Associated Press

SALT LAKE CITY (AP) — The attorney for a woman who nearly died after unknowingly drinking tea laced with a chemical cleaning compound at a Utah restaurant said Thursday an employee at the eatery burned herself a month earlier on the same substance.

Family lawyer Paxton Guymon's comments came at a news conference that also was attended by the burned woman's husband, who said she is recovering but suffering from nightmares as she relives the incident.

Guymon said he learned about the previous burn during his investigation into what led to the tea incident at Dickey's Barbecue in South Jordan, a Salt Lake City suburb.

He said the Dickey's employee burned her tongue July 5 after she stuck her finger in a sugar container to test if it had any of the chemical cleaner. She then licked her finger.

The worker's tongue started bleeding and blisters formed, Guymon said. She still is not back to normal.

"To me it means that the company was on notice that there was a hazardous substance that wasn't properly labeled, that wasn't properly controlled," the attorney said. "And that things should have and could have been done to prevent my client, Mrs. Harding, from being injured."

The employee quit her job at the restaurant Aug. 9, the day before 67-year-old Jan Harding of Sandy took a sip of the sweetened iced tea and suffered deep burns in her upper esophagus, Guymon said.

Dickey's Barbecue Restaurants Inc. issued a statement last week that what happened to Harding was an isolated incident and nothing like it had happened in the 73 years the Dallas-based chain has operated. The company did not immediately comment on the new allegations.

The chemical first got in the container when a different employee trying to top off the sugar bucket poured in the cleaning product, thinking it was sugar. The product looks like sugar but is meant for degreasing deep fryers and contains the odorless chemical lye.

On Aug. 10, a restaurant employee put six scoops from the container of poisoned sugar into the iced-tea dispenser, Guymon said. Jan Harding poured her drink from the dispenser later that day.

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Salt Lake County prosecutors are reviewing the findings of a police investigation and have not yet announced whether charges will be filed.

Harding's husband, Jim, said he is not upset or seeking vengeance for what happened. The 66-year-old retired Baptist pastor said he feels sad for everyone involved and is focused solely on his wife's recovery, not criminal charges or lawsuits.

His wife has been steadily improving this week. She is speaking, walking around a bit and even trying to drink liquids to test her badly burned throat, Jim Harding said.

She was in critical condition for a week after the incident.

"Her memory is taking that sip, and her mouth and throat being on fire and spitting and gagging and doing everything she could to get that out of her mouth," Jim Harding said at Guymon's Salt Lake City office. "I'm concerned for her because it scares her."

Doctors haven't yet determined if the retired kindergarten teacher will have long-term health problems or when she'll be allowed to go home, he said.

They have told the family they have little experience observing how these type of chemical burns heal because most people who ingest poisons do so on purpose to kill themselves, said Scott Harding, the couple's adult son.

Jim Harding said he is grateful to God, the doctors and his family's supporters. He said well wishes have come in from around the country.

"If you want your confidence restored in humanity, you walk through waters like this and see how people respond," he said.

Jim and Jan Harding were regulars at the Dickey's, going to eat there at least once a month. Jan Harding drank the tea that day from one of the restaurant's yellow refillable cups that frequent customers use, her husband said.

Jim Harding said he hopes this incident leads to restaurants taking more precautions.

"People's lives are in your hands," he said. "Be careful."

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