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FOR IMMEDIATE RELEASE**

CAPERS CLASS ACTION CERTIFIED

Lawsuit Covers Over 6,400 British Columbians Exposed To Hepatitis A By Capers Food

In a decision released today, Madam Justice L.B. Gerow of the Supreme Court of British Columbia certified a class action lawsuit against Capers Community Markets which operates 3 upscale food markets in Vancouver and West Vancouver. The class action stems from the March 2002 Hepatitis A outbreak that was linked to food sold at Capers markets. At least 8 Capers patrons were infected and 6,447 Capers customers received anti-Hepatitis A injections to prevent infection.

In her decision certifying the class action, Madam Justice Gerow states: "In this case, the claims of the individual plaintiffs are not economically feasible on their own. The issues are complicated and it is not practical for an individual to litigate a case without the assistance of counsel. The costs of retaining experts will easily outstrip any one class member's claim. The gains from a class action are self-evident with respect to judicial economy and efficiency. The duty, standard of care, breach of standard of care, breach of contract and Sale of Goods Act issues will only be heard once by this court. ... Food producers who distribute products which fall below acceptable standards should, if they are negligent, account to their customers for resulting damage."

The public health risk came to light when the Vancouver Health Authority became aware of a Capers commissary worker who was infected with Hepatitis A virus and "had not consistently worn gloves during all food preparation activities." Further investigation revealed that there was a second infected Capers employee who handled baked goods and, as a result, had infected several patrons. After the outbreak, Capers vaccinated all of its staff members. The Vancouver Health Authority administered the vaccinations "as a courtesy to Capers' staff in keeping with the recommendation made by Medical Health Officers in BC in 1999 that all food handlers in the province should be vaccinated against hepatitis A in order to protect the public from potential exposure to the virus through food products."

Hepatitis A is a viral illness that infects the liver, resulting in fatigue, malaise, gastrointestinal symptoms and jaundice. The virus is transmitted by the faecal-oral route and is commonly spread in the preparation of food by persons with poor personal hygiene.

Capers Markets are owned by Wild Oats Markets Canada Inc., a subsidiary of Wild Oats Markets, Inc., which is a publicly traded company with 102 natural and organic food markets in the United States and Canada. Wild Oats shares trade on the Nasdaq exchange under the symbol OATS.

The lawsuit was filed on behalf of those exposed to the virus by class action lawyer David Klein of Klein Lyons. According to Klein "it is satisfying to see our Courts recognize the class action process as an effective means for providing ordinary citizens with access to the legal system."

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