

Peanut exec in salmonella case gets 28 years

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Federal court officers recommended a prison sentence for a former peanut company exec that even the opposing attorney thought was too harsh. Video provided by Newsy Newslook



(Photo: 2009 photo by H. Darr Beiser, USA TODAY)

Former peanut company executive Stewart Parnell was hit with a virtual life prison term Monday for his 2014 conviction on crimes related to a salmonella outbreak blamed for killing nine and sickening hundreds.

A federal judge in Georgia sentenced the 61-year-old former head of Peanut Corporation of America to 28 years behind bars, imposing potentially the toughest punishment in U.S. history for a producer in a foodborne illness case.

U.S. District Judge W. Louis Sands also sentenced the former executive's brother and co-defendant, Michael Parnell, to serve a 20-year prison term. Michael Parnell was a broker who provided food manufacturing giant Kellogg's with peanut paste from his brother's company.

Mary Wilkerson, a former quality control manager at the now-defunct peanut firm, drew a five-year prison term for her role in the disaster.

The sentences capped a daylong legal hearing that featured impassioned pleas for severe punishment from families of victims killed or injured by the salmonella outbreak, counterpointed with requests for leniency from relatives and supporters of the defendants.

The case stemmed from U.S. Food and Drug Administration and the Centers for Disease Control and Prevention findings that traced a national salmonella outbreak to the Parnell company's peanut roasting plant in Blakely, Ga. The outbreak sickened 714 people in 46 states and may have contributed to nine deaths, the CDC reported.

The illnesses began in January 2009 and ultimately prompted one of the largest food recalls in U.S. history.

A federal jury convicted Parnell last September on 71 criminal counts, including conspiracy, obstruction of justice and introduction of adulterated food. The verdict came after prosecutors presented evidence that Parnell and the co-defendants knowingly shipped salmonella-tainted peanut butter from the Georgia facility to Kellogg's and other customers — who in turn used it in products ranging from packaged crackers to pet food.

Federal investigators who checked the Georgia facility found a leaky roof, roaches and evidence of rodents, all ingredients for breeding salmonella. They also uncovered emails and records showing food confirmed by lab tests to contain salmonella was shipped to customers.

Other peanut batches were never tested, but nonetheless were shipped with fake lab records saying salmonella screenings were negative, prosecutors charged.

In a court order filed on Friday, Sands wrote that prosecutors had met the legal standard proving that Parnell and Wilkerson should be held accountable for harming more than 250 victims. Michael Parnell should be held accountable for injuring more than 50 victims, Sands ruled.

Additionally, the judge wrote that Parnell and Wilkerson should bear responsibility for just under \$200 million in losses. Michael Parnell should bear responsibility for just under \$50 million in losses, Sands ruled.

The judge's order calculated Parnell's potential maximum sentence at 803 years in prison. However, Sands imposed a lesser but still severe punishment after telling courtroom participants and spectators "this is not a murder case."

Randy Napier, whose 80-year-old mother in Ohio died from salmonella poisoning after she ate contaminated peanut butter from Parnell's plant, told the Associated Press he planned to testify at the sentencings and urge the judge to show little mercy.

"We need to send a message to these food manufacturers," said the Durham, N.C., resident. "No one else should have to go through what we did, watching my mother die. I'm hoping to have closure. It's been six years of utter hell."

Defense attorney Ken Hodges characterized the potential life sentence for Stewart Parnell as "absurd" during a July telephone interview with USA TODAY. He said the recommendation by the U.S. Probation Office was based on speculative losses, and questioned whether medical evidence had substantiated the victim count.

"The truth of the matter is Stewart Parnell ate that peanut butter; he fed it to his children and fed it to his grandchildren," Hodges said in the interview. "He never intended to harm anyone."

William Marler, a Seattle-based food safety lawyer who represented many families of victims in the salmonella outbreak, characterized the prospect of a life sentence for Stewart Parnell as "unprecedented," but said it was not necessarily surprising in light of the evidence. Relatives of victims who died were relieved by the outcome of the case, Marler said in a July telephone interview with USA TODAY.

"This sentence is going to send a stiff, cold wind through board rooms across the U.S.," Marler tweeted after Monday's hearing.