FDA Rules Ga. Peanut Plant 'Not Fit' to Produce Food

RUSS BYNUM, Associated Press

ALBANY, Ga. (AP) — A Georgia peanut plant linked to a deadly salmonella outbreak shipped food to customers that lab tests confirmed was tainted, failed to clean production equipment of possible contaminants and didn't ensure a peanut roaster was hot enough to kill bacteria, a federal inspector testified Wednesday.

Janet Gray, a food safety inspector for the Food and Drug Administration, was sent to investigate conditions at Peanut Corp. of America's plant in rural Blakely, Georgia, after the outbreak was traced to peanut butter made there. The company's products were blamed for the deaths on nine Americans and for sickening hundreds nationwide. Now the company's former owner and two others are standing trial in a rare instance of corporate officers and workers being prosecuted in a food poisoning case.

"I felt the firm was not fit to produce products for human consumption," Gray told U.S. District Court jurors Wednesday in summing up her inspection of the plant in January and February 2009. The plant was shut down afterward and Peanut Corp. later went bankrupt.

The 2008-09 salmonella outbreak prompted one of the largest food recalls in U.S. history. The Centers for Disease Control and Prevention found that 714 people in 46 states were infected and nine people died — three in Minnesota, two in Ohio, two in Virginia, one in Idaho and one in North Carolina.

Prosecutors say Peanut Corp. owner Stewart Parnell and his brother and food broker, Michael Parnell, shipped contaminated peanut products used in foods including peanut butter crackers, ice cream and candied apples. They say the brothers also covered up lab tests that confirmed the presence of salmonella in the Peanut Corp. shipments. Mary Wilkerson, who was the plant's quality assurance manager, is also charged with obstruction of justice along with Stewart Parnell.

Stewart Parnell's attorneys have said he has been blamed for mistakes made by his employees. Lawyers for Michael Parnell and Wilkerson have yet to outline a defense to the jury, which began hearing the case last week.

Testifying Wednesday, Gray went over dozens of documents from the plant, saying they showed orders of ground peanuts and peanut paste that tested positive for salmonella were shipped to customers anyway — on at least eight occasions between 2007 and 2008. The records showed the company often ordered new tests from a different lab immediately after seeing confirmed salmonella results, and the new tests typically came back negative.

Gray said there was no indication Peanut Corp., a company based at Stewart Parnell's home in Lynchburg, Virginia, with plants in Georgia and Plainview, Texas, ever recalled food that tested positive for salmonella or warned its customers about the results.

She said only in one instance did she find that a positive salmonella test prompted the plant to clean its production equipment.

Peanut producers rely on roasters to kill any salmonella that may cling to raw peanuts, but that takes roasting at a high enough temperature and for a certain length of time. Gray said the Peanut Corp. plant failed to monitor its roaster's temperature and cooking time, and instead relied on peanuts turning a certain color.

Food poisoning rarely results in criminal prosecutions because intent is hard to prove and companies often acknowledge their mistakes. Conspiracy and obstruction charges brought against the defendants in a 76-count indictment last year each carry a maximum sentence of 20 years.

The judge has said prosecutors alone may need eight weeks to present their case. Jurors began hearing testimony last Friday.

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