Peanut Exec Back In Business After Two-Year Investigation

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WASHINGTON (AP) — The peanut industry executive whose filthy processing plants were blamed in a salmonella outbreak two years ago that killed nine people and sickened hundreds more is back in the business.

Stewart Parnell, former president of the now-bankrupt Peanut Corp. of America, is working as a consultant to peanut companies as the federal government's criminal investigation against him has languished for more than 18 months, The Associated Press has learned.

Parnell, who invoked the Fifth Amendment to avoid testifying before Congress in February 2009, once directed employees to "turn them loose" after samples of peanuts had tested positive for salmonella and then were cleared in a second test, according to e-mails uncovered at the time by congressional investigators.

In an interview with the AP, Parnell expressed exasperation and said he wants the pending criminal investigation resolved — one way or another.

"They just say we're still investigating," Parnell said. "I feel like I wish they'd come on and do what they're going to do. I'd like to get this behind me."

Parnell also said he has been directed by his lawyers not to discuss his case with family members of the nine people who died in the salmonella outbreak blamed on his processed peanuts.

"My lawyers will not let me say anything or I'd be in front of every one of them personally," Parnell said.

Family members of some of the victims who died say they are eager to see Parnell behind bars.

"My God, when are we going to hold anyone responsible?" said Jeff Almer, whose mother, Shirley Almer, was the first known death from the outbreak in Minnesota. "So far to this day, nothing's happened to this man. I think every person in America who was affected by this, every family who lost someone, deserves to hear the truth from this guy."

A federal judge in Virginia earlier this month approved a $12 million insurance settlement for Almer's family and more than 100 other salmonella victims.

Randy Napier's mother died in Ohio after eating peanut butter linked to Parnell's peanuts.

"He's still walking the streets almost two years later, whereas my mother is lying 6 feet under," Napier said. "It's just not fair. If the (Food and Drug Administration) does not go after Stewart Parnell, the message they are sending to the industry is don't worry about it, ship it. He should not be anywhere near the food industry."

There is nothing illegal about Parnell's return to the food industry since the FDA's criminal investigation has yet to bring any charges against him or his associates. The FDA referred questions about the case to the Justice Department, which declined to comment.

FDA inspectors found remarkably bad conditions inside Parnell's processing plant in Blakely, Ga., linked to the salmonella outbreak, including mold and roaches.

Parnell's lawyer, William Gust, says Parnell's consulting began when Lynchburg, Va.-based Peanut Corp. of America sold its peanut-making equipment after filing bankruptcy. Investors who bought the equipment asked for Parnell's advice about where to resell it, and he has advised peanut companies too, brokering equipment sales. One company he has consulted for is Citation Snack Processors in Greensboro, N.C.

Parnell said he isn't paid for the consulting, though his lawyer said he is "trying to earn a living" with the work.

"He has been in the business a long time, a lot of people know him, not withstanding the salmonella issue," Gust said. "This salmonella issue has basically destroyed his whole family."

It's unclear why the government probe has taken so long or whether it is still in the hands of the FDA or the Justice Department, which would prosecute the case. The FDA traditionally conducts investigations and then hands such cases over to Justice Department prosecutors.

Parnell's legal limbo comes amid a congressional debate over a bill that would give the FDA more power and more money to inspect food manufacturers, trace illnesses back to their source and take action against unscrupulous food manufacturers. The House passed the bill last year, but the legislation has stalled in the Senate and few measures are expected to be signed into law before the November elections.

While the agency would not comment on the case, Deputy Commissioner for Foods Michael Taylor said in a statement that the FDA is trying to use the tools it has to prevent future outbreaks.

"The peanut outbreak serves as a harsh reminder of why food safety legislation is so vital," Taylor said.

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