Whistleblowing on Unsafe Food: Ken Kendrick and the Peanut Corporation of America (Part II)

Paul Leighton[[1]](#footnote-1)

Kendrick anonymously alerted the customer of the Valencia peanuts to the fraud and asked them to say they had discovered it on their own: “I need my job and would be fired very quickly for telling you this, but I do not want you to be ripped off as I have some ethics left.” He also anonymously emailed the Texas Dept. of Health about conditions in the plant, but they never followed up. (They say they never received an email from him.)

Kendrick raised a variety of safety/salmonella issues with his manager and occasionally with Parnell (PCA’s owner), but was told that the company could not afford to fix the big problems with the plant and its equipment. Meanwhile, PCA’s materials and Parnell’s emails to customers claimed to have a robust process and “state-of-the-art Food Safety techniques.”

A potentially major customer, Nestlé, had inspected the plant before Kendrick was hired and refused to purchase from PCA because they concluded the risk level was “high”:

The key food safety issues noted during this audit are the weakness of the pest control program, the lack of any pathogen environmental monitoring program, and concerns noted in the handling [sic] raw and further processed (roasted, blanched) peanuts in a common processing area. Without physical isolation and proper airflow for the post-roasted peanut operations, there is a potential for microbiological cross contamination.

The Nestlé inspectors believed that “the gaps identified in the audit should be relatively easy for PCA personnel to resolve and none are beyond their capability to resolve. None of the items identified would require significant capital investment to resolve.”

A follow-up inspection after Kendrick was hired allowed him to start a rudimentary Quality Assurance Program that included some testing. But he realized the program was meant to be more symbolic than substantive, and Kendrick’s heart sank when another manager suggested to Kendrick that they would get better results, win the contract and get bonuses if he microwaved the sponges before sending them to the lab for testing.

Kendrick left PCA after three months. Although he had left PCA, Kendrick said that it was in the back of his mind because he “knew something bad was going to happen.”

In 2008, the Centers for Disease Control (CDC) started tracking a multi-state outbreak of salmonella that public health officials painstakingly worked to trace back to a source. DNA “fingerprinting” of the salmonella found in victims allowed public health officials to identify those who were infected from a common source. Members of “team diarrhea” then took detailed notes of what those people had eaten. They looked for common foods, then worked with manufacturers to identify common ingredients and suppliers.

The investigation pointed to PCA’s facility in Blakely, Georgia. PCA issued a series of denials as the investigation became more focused and more damning. Kendrick was following the recalls and the outbreak carefully. His granddaughter was sick and only wanted comfort food: Austin peanut butter crackers. It never occurred to him that a company as big and reputable as Kellogg would buy from PCA, but then he saw those snack crackers on the recall list.

CRM/SOCL 412, Whistleblower response paper #2 (8 points)

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ STUDENT # \_\_\_\_\_\_\_\_\_\_

After reading Whistleblowing on Unsafe Food (Part 1I), please answer the following questions. There are no right or wrong answers. Grading is based on meeting the recommended length for answers that show thought and engagement with the exercise.

You may work together or talk to each other about the questions. But each student must write their own answers (no group note taker and multiple papers from a common file). Please TYPE your answer and turn it in at the beginning of class on Feb 19.

Questions

1. What does “I need my job and would be fired very quickly for telling you this, but I have some ethics left” mean to you? What lines would you not cross?
2. At the point where Part II ends, there were deaths from the salmonella, hospitalizations and hundreds of confirmed cases. Given that attention was only focused on the Blakely plant and no one was even mentioning the Texas plant, would you say something about it even though you had not worked for the company for several years? In addition to anger over your grandchild, are there other issues at stake?
3. As we will read in part III, the Blakely plant remained the focus of the news and the investigation, while the Texas plant was never mentioned. Kendrick had an opportunity to go on national TV to draw attention to the Texas plant. Whether or not it is a step you personally would have taken, what do you think the results would be for you and your life if you did? Would it be a positive or negative? Why and in what ways?
4. Are there any additional facts you felt you needed to know to answer these questions? Is there anything about the situation you are curious to know more about?

1. This case study took shape during a retreat sponsored by the Government Accountability Project. I would like to thank GAP for sponsoring the event and the other participants for the thoughtful discussion. Ken Kendrick gave generously of his time and spoke with great candor about his situation. He “wants people to learn from my experience, even if I spend some hours or a day depressed because of talking about it.” Many thanks, Ken. [↑](#footnote-ref-1)