

U.S. Department of Labor

Occupational Safety and Health Administration
9100 Bluebonnet Centre Blvd.
Suite 201
Baton Rouge, LA 70809
Phone: 225-298-5458 Fax: 225-298-5457



Citation and Notification of Penalty

To:

Acadian Fine Foods, L.L.C.
329 S Main St
Church Point, LA 70525

Inspection Number: 953058

Inspection Date(s): 12/20/2013 - 04/17/2014

Issuance Date: 06/18/2014

Inspection Site:

329 S Main St
Church Point, LA 70525

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/18/2014. The conference will be held by telephone or at the OSHA office located at 9100 Bluebonnet Centre Blvd., Suite 201, Baton Rouge, LA 70809 on _____ at _____ . Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 953058

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525
Issuance Date: 06/18/2014

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 9100 Bluebonnet Centre Blvd., Suite 201, Baton Rouge, LA 70809**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

U.S. Department of Labor
Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge.

On or about 1-9-14, the employer failed to ensure that employees had safe means of egress out of the walk-in carbon dioxide (CO2) freezer in the boudin room. The device to open the freezer door from the inside was broken. Employees had no way out of the freezer if the door was shut while they were inside.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$5390.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

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Company Name: Acadian Fine Foods, L.L.C.
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Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.120(q)(1): The employer did not develop and implement an emergency response plan to handle anticipated emergencies prior to commencement of emergency response operations.

On or about 1-9-14, the employer failed to establish an emergency response and evacuation plan for employees. The facility had liquid carbon dioxide (CO₂) being piped in from a 110,000 gallon tank sitting behind the plant. The CO₂ lines in the plant have leaked in the past.

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Company Name: Acadian Fine Foods, L.L.C.
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Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.132(h)(1): The employer did not provide the protective equipment, including personal protective equipment (PPE), used to comply with this part, at no cost to employees.

On or about 1-9-14, the employer failed to provide, at no cost to employees, slip resistant foot wear. The employer required employees to purchase, without reimbursement, slip resistant foot wear to work in the facility.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: Acadian Fine Foods, L.L.C.
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Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminants chemical state and physical form.

On or about 1-9-14, the employer did not evaluate the employee exposure to respiratory hazards associated with corrosive sanitizer.

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Company Name: Acadian Fine Foods, L.L.C.
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Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed.

On or about 1-9-14, the employer failed to conduct periodic inspections to evaluate the energy control procedures for equipment, such as but not limited to, meat grinders, meat mixers, steam kettles and a pneumatic sealer machine.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use.

On or about 1-9-14, the employer failed to ensure that an adequate emergency eye wash and emergency shower was available for employees using corrosives including but not limited to sanitizer and boiler water treatment.

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Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

- a. On or about 1-9-14, the employer failed to ensure that the auger blades on a meat mixer in the boudin room were guarded.
- b. On or about 1-9-14, the employer failed to ensure that the metal plates on a sealer machine used in the processing area were guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$5390.00

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Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.212(a)(3)(iii): Special hand tools for placing and removing material(s) were not provided to permit easy handling of material without the operator placing a hand in the danger zone.

On or about 1-9-14, the employer failed to provide employees with special hand tools when working at the meat ball forming machine. Employees used their hands to push a meat mixture into the blades of the machine.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$5390.00

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Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident.

On or about 1-9-14, the employer failed to ensure that breakers in the panel boxes in the electrical room were labeled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$3850.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(B): Flexible cords and cables were being used where run through holes in walls, ceilings, or floors.

On or about 1-9-14, the employer failed to ensure that flexible cords were not being used as a permanent means of wiring. Electrical cords were coming down from holes in the ceiling in the processing area to power including but not limited to sealer machine and conveyor system.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/26/2014
Proposed Penalty:	\$5390.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws.

- a. On or about 1-9-14, the employer failed to ensure that a flexible electrical cord running to a junction box on the assembly line in the processing area was provided with strain relief. Inner conductors were showing as the outer sheathing had been pulled away from the junction box.
- b. On or about 1-9-14, the employer failed to ensure that a flexible electrical cord running to a scale used in the processing area was provided with strain relief. Inner conductors were showing as the outer sheathing had been pulled away from the scale.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$5390.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 953058
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Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(ii): There was a defect or evidence of damage that could have exposed an employee to injury and the defective or damaged item was not removed from service.

On or about 1-9-14, the employer failed to ensure that damaged electrical cords were removed from service. An electrical cord used to supply power to a tape machine in the processing area had damaged outer sheathing.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$3850.00

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Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met.

On or about 1-9-14, the employer failed to develop and implement a written hazard communication program that describes how employee training will be conducted, how safety data sheets will be maintained and how hazardous substances will be labeled. Hazardous chemicals on site include, but are not limited to carbon dioxide (CO₂), sanitizer and boiler water treatment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/26/2014
Proposed Penalty:	\$5390.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.1200(g)(1): The employer did not have a material safety data sheet for each hazardous chemical in use.

On or about 1-9-14, the employer failed to ensure that a safety data sheet (SDS) for carbon dioxide (CO2) was present in the workplace.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$5390.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 1 a Type of Violation: **Willful**

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees on January 9 2014, employees were exposed to carbon dioxide at the following concentrations:

- a. On or about 1-9-14 in the Boudin Room, the employer failed to consider that the atmosphere in the room was Immediately Dangerous to Life or Health (IDLH). The carbon dioxide (CO₂) concentration was sampled at 97,954 parts per million (ppm), which is greater than 2 times the IDLH concentration of 40,000 ppm set by The National Institute for Occupational Safety and Health (NIOSH).
- b. On or about 1-9-14 in the employee bathroom, the employer failed to consider that the atmosphere in the room was IDLH. The CO₂ concentration was sampled at 49,200 ppm, which is greater than the IDLH concentration of 40,000 ppm set by NIOSH.
- c. On or about 1-9-14 in the kitchen, the employer failed to consider that the atmosphere in the room was IDLH. The CO₂ concentration was sampled at 66,357 ppm, which is greater than the IDLH concentration of 40,000 ppm set by NIOSH.
- d. On or about 1-9-14 in the pie room, the employer failed to consider that the atmosphere in the room was IDLH. The CO₂ concentration was sampled at 41,008 ppm, which is greater than the IDLH concentration of 40,000 ppm set by NIOSH.

Among other methods, feasible and acceptable means to correct this hazard include, but are not limited to, the following:

Reduce all employee exposure to carbon dioxide below IDLH limits.
Improve the ventilation system to capture carbon dioxide at the source of evolution so employee exposure is maintained below recommended limits in the areas where carbon dioxide is used.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Company Name: Acadian Fine Foods, L.L.C.
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Maintain seals on freezers or replace the seal on freezers to limit leaks and release of carbon dioxide into the facility where employees work.
Replace bent freezer doors to prevent carbon dioxide from escaping freezer.
Prevent employees from entering IDLH areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/20/2014
Proposed Penalty:	\$38500.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 2 Item 1 b Type of Violation: **Willful**

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of carbon dioxide (CO₂) listed in Table Z-1 in excess of the 8 hour Time Weighted Average concentration of 5000 parts per million (ppm).

a. On or about 1-9-14 in the boudin room, the employer failed to ensure that employee exposures did not exceed the 8 hour time weighted average (TWA) permissible exposure limit (PEL) of 5000 ppm for CO₂. A worker in the boudin room, while putting racks of food in a CO₂ freezer and also while CO₂ was being directly applied to food for cooling purposes, was exposed to an 8-hour TWA concentration of 7918.92 ppm, approximately 1.6 times the PEL. The exposure was derived from a sample taken over a 425 minute period. Zero exposure was assumed for the 55 minutes not sampled.

b. On or about 1-9-14 in the processing area, the employer failed to ensure that employee exposures did not exceed the 8 hour time weighted average (TWA) permissible exposure limit (PEL) of 5000 ppm for CO₂. A worker in the processing area, while working around a CO₂ pneumatic powered sealer machine, was exposed to an 8-hour TWA concentration of 10769.18 ppm, approximately 2.1 times the PEL. The exposure was derived from a sample taken over a 432 minute period. Zero exposure was assumed for the 48 minutes not sampled.

c. On or about 1-9-14 in the kitchen, the employer failed to ensure that employee exposures did not exceed the 8 hour time weighted average (TWA) permissible exposure limit (PEL) of 5000 ppm for CO₂. The kitchen cook, while directly applying CO₂ to food for cooling purposes with a cone applicator, was exposed to an 8-hour TWA concentration of 5292.17 ppm, approximately 1.06 times the PEL. The exposure was derived from a sample taken over a 404 minute period. Zero exposure was assumed for the 76 minutes not sampled.

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06/26/2014

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Citation 2 Item 1 c Type of Violation: **Willful**

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d). Protective equipment or any other protective measures were not used to keep the exposure of employees to air contaminants within the limits prescribed in this section.

On or about 1-9-14, the employer failed to use control measures to prevent employee exposure to carbon dioxide (CO₂) at or above 5000 ppm over on 8 hour time weighted average. Employees were exposed to CO₂ from machinery leaks and also from directly applying CO₂ to quick freeze food products.

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Citation 2 Item 1 d Type of Violation: **Willful**

29 CFR 1910.134(a)(2): A respirator was not provided by the employer to each employee when such equipment was necessary to protect the health of the employee.

On or about 1-9-2014, the employer failed to provide respiratory protection to employees who were overexposed to the Permissible Exposure Limit (PEL) (5000 ppm) of carbon dioxide (CO₂). CO₂ overexposures were found in the processing area, boudin room, and kitchen.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 2 Item 1 e Type of Violation: **Willful**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer was unable to identify or reasonably estimate the employee exposure, the employer did not consider the atmosphere to be IDLH (Immediately Dangerous to Life or Health).

- a. On or about 1-9-14, in the boudin room, the employer failed to evaluate the employee exposure to respiratory hazards associated with carbon dioxide (CO₂). A worker in the boudin room, while putting racks of food in a CO₂ freezer and also while CO₂ was being directly applied to food for cooling purposes, was exposed to an 8-hour TWA concentration of 7918.92 ppm, approximately 1.6 times the PEL.
- b. On or about 1-9-14, in the processing area, the employer failed to evaluate the employee exposure to respiratory hazards associated with carbon dioxide (CO₂). A worker in the processing area, while working around a CO₂ pneumatic powered sealer machine, was exposed to an 8-hour TWA concentration of 10769.18 ppm, approximately 2.1 times the PEL.
- c. On or about 1-9-14, in the kitchen, the employer failed to evaluate the employee exposure to respiratory hazards associated with carbon dioxide (CO₂). The kitchen cook, while directly applying CO₂ to food for cooling purposes with a cone applicator, was exposed to an 8-hour TWA concentration of 5292.17 ppm, approximately 1.06 times the PEL.
- d. On or about 1-9-14 in the boudin Room, the employer failed to consider that the atmosphere in the room was IDLH. The carbon dioxide (CO₂) concentration was sampled at 97,954 parts per million (ppm), which is greater than 2 times the IDLH concentration of 40,000 ppm set by NIOSH.
- e. On or about 1-9-14 in the employee bathroom, the employer failed to consider that the atmosphere in the room was IDLH. The CO₂ concentration was sampled at 49,200 ppm, which is greater than the IDLH concentration of 40,000 ppm set by NIOSH.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 953058
Inspection Date(s): 12/20/2013 - 04/17/2014
Issuance Date: 06/18/2014



Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

f. On or about 1-9-14 in the kitchen, the employer failed to consider that the atmosphere in the room was IDLH. The CO2 concentration was sampled at 66,357 ppm, which is greater than the IDLH concentration of 40,000 ppm set by NIOSH.

g. On or about 1-9-14 in the pie room, the employer failed to consider that the atmosphere in the room was IDLH. The CO2 concentration was sampled at 41,008 ppm, which is greater than the IDLH concentration of 40,000 ppm set by NIOSH.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 06/20/2014

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525

Citation 3 Item 1 Type of Violation: **Repeat**

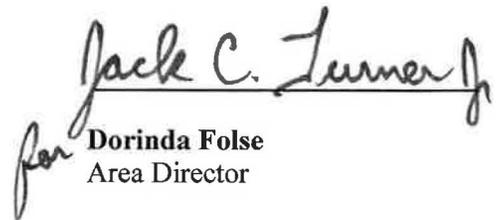
29 CFR 1910.305(d)(2): Panelboards were not mounted in cabinets, cutout boxes, or enclosures approved for the purpose and were not dead front.

On or about 1-9-14, the employer failed to ensure that a panel box in the electrical room was dead front. The panel box had missing breakers that exposed open areas in the panel box.

Acadian Fine Foods, L.L.C. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(d)(2) which was contained in OSHA inspection number 388142, citation number 1 item number 2 and was affirmed as a final order on 6-12-2012 with respect to a workplace located at 329 S. Main St. Church Point, LA 70525.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 06/20/2014
Proposed Penalty: \$10780.00

for 
Dorinda Folse
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
9100 Bluebonnet Centre Blvd.
Suite 201
Baton Rouge, LA 70809
Phone: 225-298-5458 Fax: 225-298-5457



INVOICE / DEBT COLLECTION NOTICE

Company Name: Acadian Fine Foods, L.L.C.
Inspection Site: 329 S Main St, Church Point, LA 70525
Issuance Date: 06/18/2014

Summary of Penalties for Inspection Number	953058
Citation 1, Serious	\$72380.00
Citation 2, Willful	\$38500.00
Citation 3, Repeat	\$10780.00
TOTAL PROPOSED PENALTIES	\$121660.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

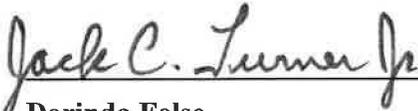
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Dorinda Folse
Area Director

6-17-14
Date