

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street, Room 620
Columbus, OH 43215
Phone: 614-469-5582 Fax: 614-469-6791



Citation and Notification of Penalty

To:
Case Farms Processing, Inc., dba Case Farms Chicken
and its successors
P.O. Box 185
Winesburg, OH 44690

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011

Inspection Site:
1818 County Road 160
Winesburg, OH 44690

7011 0110 0001 8776 9210

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 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements 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, 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, but not sooner than 30 calendar days after the citation issuance date. 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 December 27, 2011. The conference will be held at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 77252

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690
Issuance Date: December 27, 2011

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, 200 N. High Street, Room 620 Columbus, OH 43215**

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.23(a)(5): Every pit and trapdoor floor opening, infrequently used, shall be guarded by a floor opening cover of standard strength and construction. While the cover is not in place, the pit or trap opening shall be constantly attended by someone or shall be protected on all exposed sides by removable standard railings:

- a. An employee accessed the lower platform to un-jam feathers going to the waste bin in the feather room. In the feather room, there was an opening that measured 20 inches by 20 inches. The opening was not protected by a cover or attendant, thereby exposing employees to a trip/fall hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/06/2012
\$6000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.23(c)(1): Every open-sided floor or platform four (4) feet or more above adjacent floor or ground level shall be guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides except where there is entrance to a ramp, stairway, or fixed ladder. For infrequently used stairways where traffic across the opening prevents use of standard railings, the guard shall consist of a hinged floor opening cover of standard strength and construction and removable standard railings on all exposed sides (except at entrance to stairway):

- a. In the feather department on the upper feather platform where employees pass across the runway over the feather conveyor a top rail was not provided, thereby exposing employees to an eight foot fall hazard.
- b. On the top of the deboner cone line employees were observed standing on top of the conveyor line to perform sanitation clean-up without a fall protection system, thereby exposing employees to a four foot, five inch fall hazard.
- c. On or about July 7, 2011, the walkway around the ammonia tank where employees walk from the work shop to the plant, a fall protection system such as, but not limited to, guardrails were not provided thereby exposing employees to a seven foot fall hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/26/2012
\$7000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.23(c)(2): Every runway shall be guarded by a standard railing (or the equivalent as specified in paragraph(e)(3) of this section) on all open sides four feet or more above floor or ground level. Wherever tools, machine parts, or materials are likely to be used on the runway, a toeboard shall also be provided on each exposed side. Runways used exclusively for special purposes (such as oiling, shafting, or filling tank cars) may have the railing on one side omitted where operating conditions necessitate such omission, providing the falling hazard is minimized by using a runway of not less than 18 inches wide. Where persons entering upon runways become thereby exposed to machinery, electrical equipment, or other danger not a falling hazard, additional guarding than is here specified may be essential for protection:

- a. In the plant beside the chiller an employee was observed during third shift performing sanitation work standing on a metal runway to clean equipment and was not provided a fall protection system, thereby exposing the employee to a six foot eight inch fall hazard.
- b. In the plant employees were observed walking on the chicken receiving runway to push cages out to the forklifts and down to the areas to be loaded onto the conveyor. A fall protection system for the receiving runway such as, but not limited to, guardrails was not provided, thereby exposing employees to a five foot, eight inch fall hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/26/2012
Proposed Penalty: \$7000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.23(c)(3): Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards shall be guarded with a standard railing and toeboard:

- a. Above the second processing deep tank for the chiller an employee was observed walking on the work platform to perform sanitation work and a guardrail system was not provided, thereby exposing employees to a five to six foot fall hazard into 360 degree hot water or a concrete floor.
- b. In the mechanically separating room the employee was observed standing on the two inch rim of the FPEC grinding auger machine to sanitize the machine before the next shift with a power sprayer to clean and sanitize the machine without a fall protection system, thereby exposing the employee to a four foot four inch fall hazard.
- c. In the chicken killing room an employee was observed standing on the top section of scalders spraying and sanitizing machines without fall protection, thereby exposing the employee to a seven foot, five inch fall hazard into 360 degree hot water or to the floor below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/26/2012
\$7000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.132(a): 'Application. Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact:

- a. On the pitched roof between the compressor room and the plant where employees went to the roof to perform maintenance and check refrigeration systems a fall protection system such as, but not limited to, guardrails was not provided, thereby exposing employees to a ten foot fall hazard.
- b. On or about July 5, 2011 when employees worked on a flat roof at different times to check and perform maintenance on aluminum systems and piping a fall protection system such as, but not limited to, guardrails was not provided, thereby exposing employees to a 20 foot fall hazard.
- c. In the live hang room an employee was observed standing on the top of the hanging rail and conveyor motor without fall protection, thereby exposing the employee to a ten foot six inch fall hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/26/2012
\$7000.00

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.147(c)(6)(i): The employer shall conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard are being followed:

a. The employer failed to conduct a periodic inspection of the hazardous energy control procedures used in the plant. The procedures in use exposed employees to struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/26/2012
\$5000.00

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.147(c)(7)(i): The employer shall provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees. The training shall include the following:

- a. In the plant where employees were exposed to moving machinery when equipment is locked out and then restarted, training to affected or authorized employees was not provided, thereby exposing employees to a caught-in/struck-by hazard.
- b. In the waste water treatment area, each employee did not fully understand the procedures for performing the lock-out when working on machinery and augers thereby exposing employees to a struck-by hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/26/2012
\$7000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.212(a)(1): Types of guarding. One or more methods of machine guarding shall be 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. Examples of guarding methods are barrier guards, two-hand tripping devices, electronic safety devices, etc:

- a. In the chicken dumpster area where cages for chickens were off loaded to a conveyor belt at the start of the processing area, the cage dump device was not guarded to prevent employees from being caught-in the side of the machine when ensuring that the chickens were out of their cage thereby exposing employees to a pinch point hazard.
- b. In the waste water building on top of the DAF tub where employees went to check the operation of the machine, the baffle plates rose out of the tub beside the walk platform thereby exposing employees to a caught-in hazard.
- c. In the maintenance shop where a Dake horizontal band saw was used to cut pipes for fixing equipment, there was an unguarded portion of the blade thereby exposing employees to a contact hazard.
- d. In the waste water treatment building where waste from the plant was sent for processing, there was a nine inch opening in the top of the auger thereby exposing employees to a caught-in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/26/2012
\$5000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.212(a)(5): Exposure of blades. When the periphery of the blades of a fan is less than seven (7) feet above the floor or working level, the blades shall be guarded. The guard shall have openings no larger than one-half (1/2) inch:

- a. In the live receiving area where large industrial fans were positioned to keep the chickens cool until they were processed, the back of the first industrial fan had a nine inch by ten inch opening in the wire guard screen which was located six (6) feet two (2) inches from the ground, thereby exposing employees to a caught-in hazard when in or around the fans to clean or travel to other buildings in the area.
- b. In the live receiving area where large industrial fans were positioned to keep the chickens cool until they were processed the back of the fifth industrial fan on the bottom had a six inch by eight inch and a seven inch by nine inch opening located four (4) feet eight (8) inches from the ground, thereby exposing employees to a caught in/struck-by hazard when in the area to clean or check the operation of the fans.
- c. In the live receiving area where large industrial fans were positioned to keep the chickens cool until they were processed the ninth industrial fan on the bottom row had a six inch by eight inch and a ten inch by 11 inch opening located four (4) feet six (6) inches from the ground, thereby exposing employees to a caught-in/struck-by hazard when in the area to clean or check on the equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/03/2012
\$5000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.219(c)(2)(i): All exposed parts of horizontal shafting seven (7) feet or less from floor or working platform, excepting runways used exclusively for oiling, or running adjustments, shall be protected by a stationary casing enclosing shafting completely or by a trough enclosing sides and top or sides and bottom of shafting as location requires:

- a. In the feather room where chickens were slaughtered and processed for retail sale there were horizontal shafts not completely enclosed and located approximately two feet off the floor to a booster pump thereby exposing employees to hazards of contact/caught-in upon inadvertent contact.
- b. In the offal room where chickens were processed there was a horizontal shaft which was not completely enclosed approximately one foot off the ground, thereby exposing employees to the hazards of contact/caught-in upon inadvertent contact.
- c. In the engine room of the waste water treatment center there was a horizontal shaft located approximately two (2) feet off the ground which was not completely enclosed, thereby exposing employees to a contact/caught-in upon inadvertent contact.
- d. In the waste water building there were two horizontal shafts that were not completely enclosed approximately two (2) feet from the ground and exposed employees to the hazards of contact/caught-in upon inadvertent contact.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/19/2012
\$7000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.219(e)(1)(i): Where both runs of horizontal belts are seven (7) feet or less from the floor level, the guard shall extend to at least fifteen (15) inches above the belt or to a standard height, except that where both runs of a horizontal belt are 42 inches or less from the floor, the belt shall be fully enclosed in accordance with paragraphs (m) and (o) of this section:

- a. In the Sonoma Room the four belts and pulleys to the Roto Jet pump were not completely enclosed approximately two (2) feet off the floor, thereby exposing employees to hazards of contact/caught-in upon inadvertent contact:
- b. In the engine room belts and pulleys for the Reco pumps were not completely enclosed approximately 2 1/2 feet off the ground, thereby exposing employees to a contact/caught-in upon inadvertent contact.
- c. In the waste water (DAF) building there was a belt and pulley which was not completely enclosed approximately two (2) to three (3) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.
- d. In the waste water building, the belts and pulleys for the dirty pit pumps were not completely enclosed approximately two (2) to three (3) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.
- e. In the waste water building the three belts and pulleys for the clean pit were not completely enclosed approximately two (2) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.
- f. In the waste water building the two belts and pulleys for the lower DAF unit were not completely enclosed approximately two (2) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

g. In the feather room where chickens were processed the belt and pulley for the Baldor motor was not completely enclosed approximately two (2) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/26/2012
Proposed Penalty: \$7000.00

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

29 CFR 1910.219(d)(1): Guarding. Pulleys, any parts of which are seven (7) feet or less from the floor or working platform, shall be guarded in accordance with the standards specified in paragraphs (m) and (o) of this section. Pulleys serving as balance wheels (e.g., punch presses) on which the point of contact between belt and pulley is more than six (6) feet six (6) inches from the floor or platform may be guarded with a disk covering the spokes:

- a. In the Sonoma Room the pulleys to the Roto Jet pump were not completely enclosed approximately two (2) feet off the floor, thereby exposing employees to hazards of contact/caught-in upon inadvertent contact.
- b. In the engine room pulleys for the Reco pumps were not completely enclosed approximately 2 1/2 feet off the ground, thereby exposing employees to a contact/caught-in upon inadvertent contact.
- c. In the waste water (DAF) building there was a pulley which was not completely enclosed approximately two (2) to three (3) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.
- d. In the waste water building, the pulleys for the dirty pit pumps were not completely enclosed approximately two (2) to three (3) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

- e. In the waste water building the pulleys for the clean pit were not completely enclosed approximately two (2) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.
- f. In the waste water building the pulleys for the lower DAF unit were not completely enclosed approximately two (2) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.
- g. In the feather room where chickens were processed the pulley for the Baldor motor was not completely enclosed approximately two (2) feet off the ground, thereby exposing employees to a contact/caught-in hazard upon inadvertent contact.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/26/2012

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

29 CFR 1910.219(f)(3): Sprockets and chains. All sprocket wheels and chains shall be enclosed unless they are more than seven (7) feet above the floor or platform. Where the drive extends over other machine or working areas, protection against falling shall be provided. This subparagraph does not apply to manually operated sprockets:

- a. In the hock cutter picking room where chickens move through on a conveyor and employees can inadvertently come into contact with the chain and sprocket there was a chain and sprocket on one of the machines located five (5) feet from the ground that was not completely enclosed, thereby exposing employees to a caught in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/06/2012
Proposed Penalty: \$5000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.219(i)(2): Couplings. Shaft couplings shall be so constructed as to present no hazard from bolts, nuts, setscrews, or revolving surfaces. Bolts, nuts, and setscrews will, however, be permitted where they are covered with safety sleeves or where they are used parallel with the shafting and are countersunk or else do not extend beyond the flange of the coupling:

- a. In the blower room where waste water operations were performed there were two blower motors with unguarded shaft couplers, thereby exposing employees to a caught-in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/26/2012
Proposed Penalty: \$5000.00

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

29 CFR 1910.303(f)(1): Motors and appliances. Each disconnecting means required by this subpart for motors and appliances shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident:

- a. In the live receiving area where chickens were transported by truck to the processing area and employees would have to shut down the disconnect in case of an emergency, there was an electrical disconnect that was not marked with the equipment it controlled, and it was not evident by disconnect placement which equipment it was connected to, thereby exposing employees to a contact hazard.
- b. In the feather room where chickens were processed, employees working in the area to prepare chickens for processing could not determine which disconnect to shut off in the event of an emergency because the electrical disconnects for the hot water tanks were not marked to identify the equipment to which they were connected nor was it evident by disconnect placement which equipment it was connected to, thereby exposing employees to a contact hazard.



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
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c. In the engine room of the chicken processing facility employees were not able to identify the disconnects in the event of an emergency because there was an electrical disconnect that was unmarked with its associated equipment nor was it evident by disconnect placement which equipment it was connected to, thereby exposing employees to a contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/03/2012
Proposed Penalty: \$5000.00

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.303(g)(2)(i): Except as elsewhere required or permitted by this standard, live parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the means listed in 1910.303(g)(2)(i)(A) through 1910.303(g)(2)(i)(D):

a. In the feather room the covers for the 240 volt electrical panels were removed for maintenance and the energized panels were left unattended, thereby exposing employees to a contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/26/2012
Proposed Penalty: \$5000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 16 a Type of Violation: **Serious**

29 CFR 1910.305(a)(1)(i): Metal raceways, cable trays, cable armor, cable sheath, enclosures, frames, fittings, and other metal noncurrent-carrying parts that are to serve as grounding conductors, with or without the use of supplementary equipment grounding conductors, shall be effectively bonded where necessary to ensure electrical continuity and the capacity to conduct safely any fault current likely to be imposed on them. Any nonconductive paint, enamel, or similar coating shall be removed at threads, contact points, and contact surfaces or be connected by means of fittings designed so as to make such removal unnecessary:

a. In the feather room where chickens were processed the metal conduit coming out of the top of the 240 Volt electrical disconnect was broken thereby interfering with effective electrical continuity between the conductive surfaces of two pieces of equipment during fault conditions, and exposing employees to a contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/11/2012
Proposed Penalty: \$5000.00

Citation 1 Item 16 b Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(iv): There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment, such as parts that are broken, bent, cut, or deteriorated by corrosion, chemical action, or overheating:

a. In the feather room where chickens were processed, the metal conduit coming out of the top of the 240 volt electrical disconnect was broken thereby exposing employees to an inadvertent contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/11/2012



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings shall be effectively closed:

- a. In the live receiving area where chickens were brought by truck to be off loaded onto the conveyor for slaughter there was an unused opening in the bottom of the 480 volt energized disconnect, thereby exposing employees to a fire hazard from dirt and feathers entering the electrical disconnect from the surrounding environment:
- b. In the engine room there was an unused opening in the bottom right side of the energized 480 volt compressor 2 control panel, thereby exposing employees to a fire hazard from dirt and water entering the energized electrical panel from the surrounding environment.
- c. In the engine room there was an unused opening in the bottom left side of the energized 480 volt compressor 2 control panel, thereby exposing employees to a fire hazard from dirt and other contaminants from the surrounding environment.
- d. In the pre shop area there was an unused opening in the bottom of the 240 volt kill machine disconnect, thereby exposing employees to a fire hazard from the dust in the surrounding environment.
- e. In the EFF affluent building, there were three unused openings in the side of the energized three phase 480 volt electrical panel, thereby exposing employees to a fire hazard from water, dirt, and feathers in the surrounding environment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/11/2012
\$5000.00

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.305(b)(2)(i): All pull boxes, junction boxes, and fittings shall be provided with covers identified for the purpose. If metal covers are used, they shall be grounded. In completed installations, each outlet box shall have a cover, faceplate, or fixture canopy. Covers of outlet boxes having holes through which flexible cord pendants pass shall be provided with bushings designed for the purpose or shall have smooth, well-rounded surfaces on which the cords may bear:

a. In the live chicken receiving area where large industrial fans were installed to cool the chickens before processing the electrical enclosure was missing a cover over the 480 volt wiring cable tray, thereby exposing employees to an inadvertent contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

01/11/2012
\$5000.00

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 19.a Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(A): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used as a substitute for the fixed wiring of a structure:

- a. Flexible cords(extension cords) were used in the "feather room" to provide power to the conveyor system as a substitute for installing approved fixed wiring in the chicken processing area. Employees were exposed to a fire and shock hazard from inner insulation break down likely to occur in flexible cords under constant loads.

- b. Flexible cords (extension cords) were used in the waste water building to supply power to the pumps being used to flush the main water system as a substitute for installing approved fixed wiring in the waste water building area. Employees were exposed to a fire and shock hazards from inner insulation breakdown likely to occur in flexible cords under constant loads.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	01/11/2012
Proposed Penalty:	\$5000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 19 b Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(B): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used where the cords run through holes in walls, ceilings, or floors:

a. Flexible cords (extension cords) were ran through holes in the ceiling to provide power to equipment in the "Deboning Area" as a substitute for providing the area with approved fixed wiring. The cords were exposed to physical damage and strain against sharp edges. Employees coming in contact with connected equipment were exposed to shock and burn hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

01/26/2012

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints or terminal screws:

a. On the Red Water Chiller there were energized electrical wires pulled from the main connection and not fitted with strain relief, thereby exposing employees to a contact hazard:

b. In the live receiving area where extension cords were used to supply power to conveyors moving chickens through the processing area strain relief was not installed to prevent energized electrical wires from pulling out of the connections, thereby exposing employees to a contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

01/03/2012

Proposed Penalty:

\$5000.00

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 21 Type of Violation: **Serious**

29 CFR 1910.332(b)(1): Practices addressed in this standard. Employees shall be trained in and familiar with the safety-related work practices required by 1910.331 through 1910.335 that pertain to their respective job assignments:

a. In the plant employees who routinely performed work around energized parts up to 480 VAC, such as testing, trouble shooting, adjusting speed sensors and turning off energized electrical systems, were not provided training to understand the specific hazards associated with electrical energy and safety related work practices and requirements necessary to provide protection from the electrical hazards with their respective job or task assignments.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

02/09/2012
\$7000.00

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011.



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 22 Type of Violation: **Serious**

29 CFR 1910.333(a): "General." Safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards:

a. At the plant where employees routinely performed work on or around energized electrical circuits, such as when adjusting the speed sensor on the conveyor line by reaching into an energized electrical panel, safety related work practices had not been performed to determine the proper personal protection needed to protect employees from contact hazard.

ABATEMENT NOTE: One method of abatement among others includes conducting a Safety Related Work Practice in compliance with the electrical standard to determine the Flash Protection Boundary and the use of electrical protective equipment necessary for the specific related hazards of each task.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	01/26/2012
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 23 a Type of Violation: **Serious**

29 CFR 1910.334(a)(4): Conductive work locations. Portable electric equipment and flexible cords used in highly conductive work locations (such as those inundated with water or other conductive liquids), or in job locations where employees are likely to contact water or conductive liquids, shall be approved for those locations:

- a. On the control panel beside the PAWS conveyor the energized electrical box that was used in a wet environment was not sealed from water entering the insides of the energized electrical enclosure, thereby exposing employees to a contact hazard.
- b. In the evisceration area where chickens were hung on hooks for slaughter extension cords were run through water on the floor, thereby exposing employees to a contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/03/2012
Proposed Penalty: \$5000.00

Citation 1 Item 23 b Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(ii): If there is a defect or evidence of damage that might expose an employee to injury, the defective or damaged item shall be removed from service, and no employee may use it until repairs and tests necessary to render the equipment safe have been made.

- a. In the maintenance department locker, there was an extension cords pinched in the doors of the locker supplying power to a battery charger causing damage to the cords, thereby exposing employees to a contact hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/06/2012



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 24 Type of Violation: **Serious**

29 CFR 1910.335(a)(1)(i): Employees working in areas where there are potential electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed. Note: Personal protective equipment requirements are contained in subpart I of this part:

- a. Employees working to troubleshoot a 480 volt motor control circuit where there were unknown electrical hazards was not provided with, and did not use, electrical protective equipment such as arc rated apparel; head, face and eye ; and electrically insulated gloves with leather protectors as appropriate for protection from electrocution and arc flash/blast hazards.
- b. Employees working in the deboner area working to troubleshoot a 480 volt energized electrical disconnect where there were unknown electrical hazards was not provided with, and did not use, electrical protective equipment such as arc rated apparel; head, face and eye protection; and electrically insulated gloves with leather protectors as appropriate for protection from electrocution and arc flash/blast hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/11/2012
Proposed Penalty: \$7000.00



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 1 Item 25 a Type of Violation: **Serious**

29 CFR 1910.335(b)(1): Safety signs and tags. Safety signs, safety symbols, or accident prevention tags shall be used where necessary to warn employees about electrical hazards which may endanger them, as required by 1910.145:

a. In the feather room where chickens were processed the electrical disconnects were not marked with arc flash warnings, thereby exposing employees who are likely to troubleshoot the equipment while energized to arc flash/blast hazards and related injuries, such as, third degree burns, concussion and electrical shock.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/26/2012
Proposed Penalty: \$4000.00

Citation 1 Item 25 b Type of Violation: **Serious**

29 CFR 1910.303(e)(1)(ii): Other markings giving voltage, current, wattage, or other ratings as necessary:

a. In the feather room where parts of chicken such as feathers are brought through on a conveyor to be discarded off site, the energized electrical disconnect was not marked with the applicable markings such as, but not limited, to current wattage and other electrical measurements thereby exposing employees to an electrocution/shock hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 01/26/2012

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

Inspection Number: 77252
Inspection Date(s): 06/30/2011 - 06/30/2011
Issuance Date: 12/27/2011



Citation and Notification of Penalty

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.147(c)(5)(ii)(D): Identifiable. Lockout devices and tagout devices shall indicate the identity of the employee applying the device(s):

a. In the blower room of the waste water treatment building there was a lock out device applied to a piece of equipment that was not identified.

Date by which Violation must be Abated:
Proposed Penalty:

01/03/2012
\$.00

A handwritten signature in black ink, appearing to read "Deborah J. Zubaty", written over a horizontal line.

Deborah J. Zubaty
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
200 N. High Street,
Room 620
Columbus, OH 43215
Phone: 614-469-5582 Fax: 614-469-6791



INVOICE / DEBT COLLECTION NOTICE

Company Name: Case Farms Processing, Inc., dba Case Farms Chicken
Inspection Site: 1818 County Road 160, Winesburg, OH 44690
Issuance Date: 12/27/2011

Summary of Penalties for Inspection Number	77252
Citation 1, Serious	\$145000.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$145000.00

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.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order 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.



Deborah J. Zubaty
Area Director