

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:
ConAgra Foods, Inc, dba ConAgra Mills
and its successors
4200 Sullivant Ave
Columbus, OH 43228

Inspection Number: 941008
Inspection Date(s): 09/11/2013 - 12/16/2013
Issuance Date: 03/03/2014

Inspection Site:
4200 Sullivant Ave
Columbus, OH 43228

7012 2210 0001 2080 2174

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 03/03/2014. The conference will be held by telephone or 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: 941008

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228
Issuance Date: 03/03/2014

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, 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



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

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

29 CFR 1910.23(a)(3): Every hatchway and chute floor opening shall be guarded by one of the following:

29 CFR 1910.23(a)(3)(ii): A removable railing with toeboard on not more than two sides of the opening and fixed standard railings with toeboards on all other exposed sides. The removable railings shall be kept in place when the opening is not in use. Where operating conditions necessitate the feeding of material into any hatchway or chute opening, protection shall be provided to prevent a person from falling through the opening:

a. The employer did not provide fall protection to employees that retrieved samples and checked bin levels from the top bin openings on the bin roof to prevent an employee from falling through the opening.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/20/2014
Proposed Penalty:	\$7000.00

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: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

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

29 CFR 1910.37(b)(2): Each exit must be clearly visible and marked by a sign reading "Exit:"

- a. On the fourth floor of the mill, the East emergency exit was not marked by an Exit sign.
- b. On the fifth floor of the mill, the East emergency exit was not marked by an Exit sign.
- c. On the sixth floor of the mill, the East emergency exit was not marked by an Exit sign.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/20/2014
\$5500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

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

29 CFR 1910.178(1)(2)(ii): Training shall consist of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace:

- a. At the workplace, the employer provided forklift training that did not consist of practical training exposing employees to a struck by hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/20/2014
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

Citation 1 Item 4 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. At the packer station located at the Bemis packing machine, the conveyor belt had an ingoing nip point not properly guarded, exposing employees to a caught-in hazard.
- b. On the third floor of the mill, the system A rebolt sifter, had a rotating part connecting bearings from drive mechanism to the sifter, exposing employees to a caught-in hazard.
- c. On the third floor of the mill, the system A rebolt sifter created a pinch point between the moving sifter container and equipment frame, exposing employees to a caught-by hazard.
- d. On the third floor of the mill, the system B rebolt sifter, had a rotating part connecting bearings from the drive mechanism to the sifter, exposing employees to a caught-in hazard.
- e. On the third floor of the mill, the system B rebolt sifter created a pinch point between the moving sifter container and equipment frame, exposing employees to a caught-by hazard
- f. On the fourth floor of the mill, the system A rebolt sifter, had a rotating part connecting bearings from the drive mechanism to the sifter, exposing employees to a caught-in hazard.
- g. On the fourth floor of the mill, the system A rebolt sifter created a pinch point between the moving sifter container and equipment frame, exposing employees to a caught-by hazard.
- h. On the fourth floor of the mill, the system B rebolt sifter, had a rotating part connecting bearings from the drive mechanism to the sifter, exposing employees to a caught-in hazard.
- i. On the fourth floor of the mill, the system B rebolt sifter created a pinch point between the moving sifter container and equipment frame, exposing employees to a caught-in by hazard

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: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

j. In the mill basement, the dirty wheat leg C720, had an unguarded rotating sensor wheel, exposing employees to a caught-in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/20/2014
Proposed Penalty: \$5500.00

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

29 CFR 1910.212(a)(2): General requirements for machine guards. Guards shall be affixed to the machine where possible and secured elsewhere if for any reason attachment to the machine is not possible. The guard shall be such that it does not offer an accident hazard in itself.:

- a. On the sixth floor of the mill, 4th Midds Drum Detacher M633, had a shaft and coupler guard that was not affixed to the machine or secured elsewhere.
- b. On the sixth floor of the mill, Airlock Bench #4 M609, had a shaft and coupler guard that was not affixed to the machine or secured elsewhere.
- c. On the sixth floor of the mill, 7 Midds Drum Detacher M626, had a shaft and coupler guard that was not affixed to the machine or secured elsewhere.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/13/2014
Proposed Penalty: \$5500.00

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: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

Citation 1 Item 6 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. On the sixth floor of the mill, the 7 Midds Drum Detacher M626 had a motor cooling fan with an opening measuring one and a half inch by one inch, exposing employees to an amputation hazard. The fan was approximately 53 inches from the floor level.
- b. On the roof, at bin opening 71, a motor cooling fan did not have a guard installed, exposing employees to an amputation hazard. The fan was approximately 57 inches from the floor level.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/20/2014
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

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

29 CFR 1910.219(c)(4)(i): Projecting shaft ends shall present a smooth edge and end and shall not project more than one-half the diameter of the shaft unless guarded by nonrotating caps or safety sleeves:

- a. On the sixth floor of the mill, Airlock Bench #4 M609, had a rotating shaft end that was not fully guarded to prevent accidental contact. The diameter of the shaft was approximately 1-1/4 inch in diameter and protruded approximately three inches from the equipment.
- b. In the mill basement, the feed loadout Airlock Motor F032, had a rotating shaft end that was not fully guarded to prevent accidental contact. The diameter of the shaft was approximately 1-1/4 inch in diameter and protruded approximately three inches from the equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/20/2014
Proposed Penalty:	\$5500.00

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: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

Citation 1 Item 8 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 feet six inches (6 ft. 6 in.) from the floor or platform may be guarded with a disk covering the spokes:

- a. On the third floor of the mill, 2 Midds Roll #6 M306 had an approximately five inches by one and a half inches opening in the guard, therefore, did not guard all parts of the pulley, exposing employees to a caught-in hazard. The exposed portion of the pulley was approximately two feet from the floor level.
- b. On the fifth floor of the mill, V2 Vibro Sifter West M507 had an approximately three inch by two inch opening in the guard behind the pulley, thereby exposing employees to a caught-in hazard. The exposed portion of the pulley was approximately 30 inches from the floor level.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/20/2014
Proposed Penalty: \$5500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

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

Citation 1 Item 9 a 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. On the sixth floor of the mill, Airlock Bench #4 M609, had a rotating chain and sprocket that was not fully guarded to prevent accidental contact. The chain and sprocket was located approximately 53 inches from the floor level.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/20/2014
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

Citation 1 Item 9 b 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. On the sixth floor of the mill, 4th Midds Drum Detacher M633, had a rotating shaft coupling that was not fully guarded to prevent accidental contact.
- b. On the sixth floor of the mill, Airlock Bench #4 M609, had a rotating shaft coupling that was not fully guarded to prevent accidental contact.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/20/2014



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

Citation 1 Item 10 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. At shipping dock #1, outside by the Dok-Lok mechanism, an electrical junction box did not have a cover to prevent contact with live electrical wires.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/13/2014
\$5500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

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

29 CFR 1904.29(b)(1): What do I need to do to complete the OSHA 300 Log? You must enter information about your business at the top of the OSHA 300 Log, enter a one or two line description for each recordable injury or illness, and summarize this information on the OSHA 300-A at the end of the year:

Located at ConAgra Foods in Columbus, Ohio:

- a. On the 2014 OSHA 300 Log the employer did not provide all information required in Column F such as the actual cause of injury. Case 28600, column F stated, "Back Strain", which is insufficient to determine what caused the injury.

ConAgra Foods was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 313207565, citation number 2, item number 1, and was affirmed as a final order on November 30, 2010, with respect to a workplace located at 153 Industrial Blvd., Turners Falls, Massachusetts 01376

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/11/2014
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

Citation 2 Item 2 Type of Violation: **Repeat**

29 CFR 1910.24(h): "Railings and handrails." Standard railings shall be provided on the open sides of all exposed stairways and stair platforms. Handrails shall be provided on at least one side of closed stairways preferably on the right side descending. Stair railings and handrails shall be installed in accordance with the provisions of 1910.23:

a. The top guardrail of the stairway leading down to the elevator basement did not have an intermediate rail on each side, exposing employees to a 7.5 foot fall hazard.

ConAgra Foods Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 312728660, citation number 1, item number 1, and was affirmed as a final order on September 11, 2009, with respect to a workplace located at 195 Alexander Way, Carol Stream, Illinois 60188.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/20/2014
Proposed Penalty:	\$27500.00



Citation and Notification of Penalty

Company Name: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

Citation 2 Item 3 Type of Violation: **Repeat**

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. On the sixth floor of the mill, the 4th Midds Drum Detacher M633 did not have a guard that was completely enclosing the horizontal shaft, thereby exposing employees to a caught-in hazard. The shaft was approximately 53 inches from the floor.
- b. On the sixth floor of the mill, Airlock Bench #4 M609 did not have a guard that was completely enclosing the shaft, thereby exposing employees to a caught-in hazard. The shaft was approximately 53 inches from the floor.
- c. On the sixth floor of the mill, 7 Midds Drum Detacher M626 did not have a guard that was completely enclosing the shaft, thereby exposing employees to a caught-in hazard. The shaft was approximately 53 inches from the floor.
- d. On the roof, the Elevator Side Filter Screw with Airlock E761 had a shaft that was not guarded ,thereby exposing employees to a caught-in hazard. The shaft was approximately 68 inches from the floor.
- e. In the mill basement, the Drag Conveyor C008 had a shaft that was not guarded, thereby exposing employees to a caught-in hazard. The shaft was approximately 58 inches from the floor.

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: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228

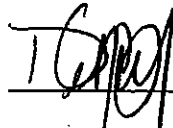
f. On the 4th floor of the mill, the Agitator, had three shafts that were not guarded, thereby exposing employees to a caught-in hazard. The shaft was approximately 24 inches from the floor.

ConAgra was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 315638601, citation number 2, item number 1, and was affirmed as a final order on November 25, 2011, with respect to a workplace located at 6 Santa Fe Way, Cranbury, New Jersey 08512.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/20/2014
\$27500.00



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: ConAgra Foods, Inc, dba ConAgra Mills
Inspection Site: 4200 Sullivant Ave, Columbus, OH 43228
Issuance Date: 03/03/2014

Summary of Penalties for Inspection Number	941008
Citation 1, Serious	\$56500.00
Citation 2, Repeat	\$60500.00
TOTAL PROPOSED PENALTIES	\$117000.00

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.



Deborah J. Zubaty
Area Director