

U.S. Department of Labor
Occupational Safety and Health Administration
660 White Plains Rd
4th Floor
Tarrytown, NY 10591
Phone: 914-524-7510 Fax: 914-524-7515



Citation and Notification of Penalty

To:
Ferdo Refrigeration Equipment, Inc.
429 Devoe Avenue
Bronx, NY 10460

Inspection Number: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013

Inspection Site:
429 Devoe Avenue
Bronx, NY 10460

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.

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, 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 11/14/2013. The conference will be held by telephone or at the OSHA office located at 660 White Plains Rd, 4th Floor, Tarrytown, NY 10591 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 906943

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460
Issuance Date: 11/14/2013

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, 660 White Plains Rd, 4th Floor, Tarrytown, NY 10591**

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: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013



Citation and Notification of Penalty

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

a) 429 Devoe Avenue, Bronx, New York, Main Floor. Compressed Nitrogen cylinder not in use, was left standing in the middle of the main floor exposed to forklift traffic and no valve protection cap was kept on, in accordance with CGA Pamphlet P-1-1965, Section 3.3 Storing Cylinders, paragraph 3.3.8. Observed on or about 17 June 2013.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/11/2013
Proposed Penalty:	\$1600.00

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

Inspection Number: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013



Citation and Notification of Penalty

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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

29 CFR 1910.136(a): The employer did not ensure that each affected employee uses protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee's feet are exposed to electrical hazards:

a) 429 Devoe Avenue, Bronx, New York, facility wide. Employer did not ensure that employees were using protective footwear while moving heavy equipment using dollies and johnson bars. Observed on or about 15 May 2013.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/03/2014
Proposed Penalty:	\$1600.00

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: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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 3 a Type of Violation: **Serious**

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates and markings were in place:

a) 429 Devoe Avenue, Bronx, New York, Main floor. Employee(s) used a Propane powered White-Mobi-Lift forklift in operation for lifting refrigeration equipment. The forklift did not have nameplates or markings to identify weight capacities/limitations or other information. Observed on or about; 15 May 2013.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/03/2014
Proposed Penalty:	\$1600.00



Citation and Notification of Penalty

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

a) 429 Devoe Avenue, Bronx, New York, facility. The employer did not ensure that employees operating propane powered White-Mobi-Lift forklift were provided training in the operation of such lift. Observed on or about; 15 May 2013.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated:

01/03/2014

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

Inspection Number: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013



Citation and Notification of Penalty

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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

29 CFR 1910.243(c)(4): The angular exposure on the grinding wheel periphery and sides for safety guard(s) used on portable grinding machine(s) exceeded 180 degrees:

a) 429 Devoe Avenue, Bronx, New York. Main Floor. Employee was using a hand-held Ryobi Model AG402 circular grinding wheel used to cut metal. There was no guard on the cutting wheel. Observed on or about 17 June 2013.

Because abatement of this violation is already documented in the inspection case file, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2000.00

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

Inspection Number: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013



Citation and Notification of Penalty

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

Citation 1 Item 5 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, unless located and arranged so the purpose is evident:

(a) 429 Devoe Avenue, Bronx, New York. Second floor showroom circuit breaker panel contained circuit breakers not marked to indicate their purpose. Observed on or about 15 May 2013.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/03/2014
Proposed Penalty:	\$1600.00

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

Inspection Number: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013



Citation and Notification of Penalty

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

a) 429 Devoe Avenue, Bronx, New York Rear Circuit Breaker Panel. Employees plugged in tools and equipment into a BELKIN 10 Outlet Power Station that was not grounded; on or about 17 June 2013.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/04/2013
Proposed Penalty:	\$1600.00

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

Inspection Number: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013



Citation and Notification of Penalty

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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

29 CFR 1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings were not effectively closed:

a) 429 Devoe Avenue, Bronx, New York Second floor showroom. Circuit breaker panel had open recesses exposing live electrical equipment which could be inadvertently contacted. Observed on or about 15 May 2013.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/03/2014
Proposed Penalty:	\$1600.00

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: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

a) 429 Devoe Avenue, Bronx, New York Rear Exit. Exit route leading outside of the rear of the establishment was obstructed by various equipment, thus impeding employees' ability to exit the establishment in the event of an emergency. Observed on or about 15 May 2013.

Ferdo Refrigeration Equipment, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.37(a)(3), under the company name of Ferdo Supermarket Equipment Corp. which was contained in OSHA inspection number 786021, citation number 1, item number 2b and was affirmed as a final order on 29 April 2013 with respect to a workplace located at 429 Devoe Avenue, Bronx, New York.

The employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/04/2013
\$3200.00

A handwritten signature in black ink, appearing to read "Diana Cortez", written over a horizontal line.

Diana Cortez
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
660 White Plains Rd
4th Floor
Tarrytown, NY 10591
Phone: 914-524-7510 Fax: 914-524-7515



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ferdo Refrigeration Equipment, Inc.
Inspection Site: 429 Devoe Avenue, Bronx, NY 10460
Issuance Date: 11/14/2013

Summary of Penalties for Inspection Number	906943
Citation 1, Serious	\$11600.00
Citation 2, Repeat	\$3200.00
TOTAL PROPOSED PENALTIES	\$14800.00

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.

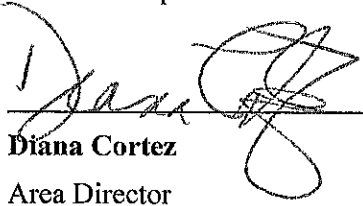
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Diana Cortez
Area Director

11/14/13

Date

U.S. Department of Labor
Occupational Safety and Health Administration
660 White Plains Rd
4th Floor
Tarrytown, NY 10591
Phone: 914-524-7510 Fax: 914-524-7515



Notification of Failure to Abate Alleged Violations

To:
Ferdo Supermarket Equipment Corp.
429 Devoe Ave.
Bronx, NY 10460

Original Inspection Number: 786021
Original Inspection Date: 12/13/2012 - 01/28/2013

Inspection Number: 906943
Inspection Date(s): 05/15/2013 - 06/17/2013
Issuance Date: 11/14/2013

Inspection Site:
429 Devoe Ave.
Bronx, NY 10460

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

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon re-inspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

Notification of Corrective Action - For **each** violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of OSHA office issuing the citation and identified above. The certification **must** be sent by you within **10 calendar days** of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states the abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certificate is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Notification 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 the Notification is affirmed by the Review Commission.

Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.

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 the OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 11/14/2013. The conference will be held by telephone or at the OSHA office located at 660 White Plains Rd, 4th Floor, Tarrytown, NY 10591 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Original Inspection Number: 786021

Company Name: Ferdo Supermarket Equipment Corp.
Inspection Site: 429 Devoe Ave., Bronx, NY 10460
Issuance Date: 11/14/2013

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, 660 White Plains Rd, 4th Floor, Tarrytown, NY 10591**

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.

NAME OF COMPANY OFFICIAL

DATE

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.



Notification of Failure to Abate Alleged Violation

Original Inspection: 786021

Inspection Number: 906943

Original Inspection Dates: 12/13/2012 - 01/28/2013

Inspection Date(s): 05/15/2013 - 06/17/2013

Issuance Date: 11/14/2013

Company Name: Ferdo Supermarket Equipment Corp.

Inspection Site: 429 Devoe Ave., Bronx, NY 10460

Citation 1 Item 1

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards:

Location: Establishment, Storage Room

a) Storage room utilized by employer for storing refrigerator parts did not have railings to prevent employees from falling up to 9 feet to the workroom floor below; on or about 5/15/13.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Additional Penalty:

\$ 15680.00



Notification of Failure to Abate Alleged Violation

Original Inspection: 786021

Inspection Number: 906943

Original Inspection Dates: 12/13/2012 - 01/28/2013

Inspection Date(s): 05/15/2013 - 06/17/2013

Issuance Date: 11/14/2013

Company Name: Ferdo Supermarket Equipment Corp.

Inspection Site: 429 Devoe Ave., Bronx, NY 10460

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 2 a

29 CFR 1910.36(c)(1): Each exit discharge did not lead directly outside or to a street, walkway, refuge area, public way, or open space with access to the outside:

Location: Establishment, Rear Exit

a) Rear exit discharge lead to an extendable metal staircase (fire escape) that did not extend down to the ground, thus exposing employees to falling and egress hazards in the event of an emergency exit from the establishment; on or about 5/15/12.

Because abatement of this violation is already documented in the inspection case file, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Additional Penalty:

\$ 11200.00

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 786021

Inspection Number: 906943

Original Inspection Dates: 12/13/2012 - 01/28/2013

Inspection Date(s): 05/15/2013 - 06/17/2013

Issuance Date: 11/14/2013

Company Name: Ferdo Supermarket Equipment Corp.

Inspection Site: 429 Devoe Ave., Bronx, NY 10460

Citation 1 Item 2 c

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

Location: Establishment, Rear Exit

a) Rear exit of the establishment was not marked and visible with a sign reading "exit", thus impairing employees ability to safely egress the establishment; on or about 5/15/13.

Because abatement of this violation is already documented in the inspection case file, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Additional Penalty: \$ 11200.00

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 786021

Original Inspection Dates: 12/13/2012 - 01/28/2013

Inspection Number: 906943

Inspection Date(s): 05/15/2013 - 06/17/2013

Issuance Date: 11/14/2013

Company Name: Ferdo Supermarket Equipment Corp.

Inspection Site: 429 Devoe Ave., Bronx, NY 10460

Citation 1 Item 3 b

29 CFR 1910.305(g)(1)(iv)(B): Flexible extension cords were run through holes in walls, ceilings, or floors:

Location: Establishment, Outside Spray Booth

a) Employees in the spray area used flexible extension cords run from walls outside of the spray area into the spray booth; on or about 5/15/13.

Because abatement of this violation is already documented in the inspection case file, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Additional Penalty:

\$ 11200.00

A handwritten signature in black ink, appearing to read "Diana Cortez", written over a horizontal line.

Diana Cortez
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
660 White Plains Rd
4th Floor
Tarrytown, NY 10591
Phone: 914-524-7510 Fax: 914-524-7515



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ferdo Supermarket Equipment Corp.
Inspection Site: 429 Devoe Ave., Bronx, NY 10460
Issuance Date: 11/14/2013

Summary of Additional Penalties for Inspection Number 786021
Followup Inspection Number 906943

TOTAL ADDITIONAL PROPOSED PENALTIES \$ 49280.00

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 full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

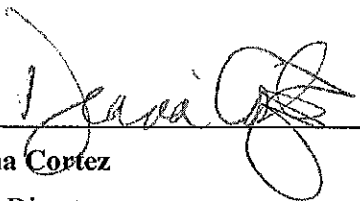
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.

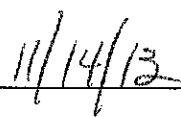
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). 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 to 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 accessed occurring 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 accessed for demand letters sent in an attempt to collect the unpaid debt.



Diana Cortez
Area Director



Date