

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

**Inspection Number:** 1070997  
**Inspection Date(s):** 06/15/2015 - 06/16/2015  
**Issuance Date:** 09/11/2015



**Citation and Notification of Penalty**

**Company Name:** Pilgrim's Pride Corporation  
**Inspection Site:** 214 South Main Street, Moorefield, WV 26836

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

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

(a) Blending Area. A metal bar, intended to hold two v-mag carts together, was used to clear excess mixed chicken product from the blending machine near rotating auger blades of blender unit (MM02), as determined on June 5, 2015.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/23/2015  
\$6600.00

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

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

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

In the alternative:

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

(a) Blending Area. Blender unit (MM02), model CDB2372PVJ, S/N 82223, was not sufficiently guarded to prevent entry into rotating auger blades. A 13 inch opening on the bottom of the guard allowed access into the rotating auger while energized, as determined on June 5, 2015.

Pilgrim's was previously cited for a violation of this occupational safety and health standard or its equivalent standard, Machine Guarding, 1910.212(a)(1), which was contained in OSHA inspection number 315226704, citation number 1, item number 3 and was affirmed as a final order on 3-6-2012, with respect to a workplace located at Pilgrim's in Moorefield, WV.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$33000.00

A handwritten signature in black ink, appearing to read "Prentice Cline".

**Prentice Cline**  
Area Director

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  
405 Capitol Street  
Suite 407  
Charleston, WV 25301  
Phone: 304-347-5937 Fax: 304-347-5275



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Pilgrim's Pride Corporation  
**Inspection Site:** 214 South Main Street, Moorefield, WV 26836  
**Issuance Date:** 09/11/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1070997</b>
<b>Citation 1, Serious</b>	<b>\$6600.00</b>
<b>Citation 2, Repeat</b>	<b>\$33000.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$39600.00</b>

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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](http://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 \$25,000 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.

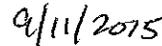
**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Prentice Cline  
Area Director



Date