



## Citation and Notification of Penalty

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not comply with recognized and generally accepted good engineering practices for the height of relief valve header vent lines:

29 CFR 1910.119(d)(3)(ii): The employer did not document that the equipment in the process complied with recognized and generally accepted good engineering practices:

Recent examples of this occurred on 11/15/11, when:

- a) On the roof of Mid Plant Engine room; employer did not document that the relief valve header(s) vent lines Mid Plant which extend nine foot seven inches above the roof line complied with, standards such as but not limited to, ANSI/IIAR 2-2008 Equipment, Design, and Installation of Closed-Circuit Ammonia Mechanical Refrigeration System, Section 11.3.6.4 requiring the discharge from relief devices to the atmosphere shall not be less than 15 feet above adjacent grade or roof level.
- b) On the roof of the Ricotta area; employer did not document that the relief valve header vent line for the chiller which extended twelve feet above roof line complied with standards, such as but not limited to, ANSI/IIAR 2-2008 Equipment, Design, and Installation of Closed-Circuit Ammonia Mechanical Refrigeration System, Section 11.3.6.4 requiring the discharge from relief devices to the atmosphere shall not be less than 15 feet above adjacent grade or roof level.
- c) On the roof of the Main Engine room; employer did not document that the relief valve header vent line for the condenser extended nine feet eleven inches above the roof line complied standards, such as but not limited to, with ANSI/IIAR 2-2008 Equipment, Design, and Installation of Closed-Circuit Ammonia Mechanical Refrigeration System, Section 11.3.6.4 requiring the discharge from relief devices to the atmosphere shall not be less than 15 feet above adjacent grade or roof level.
- d) Outside south of the Main Engine room; employer did not document that the relief valves for the oil cooler discharge directly to atmosphere complied with standards, such as but not limited to, ANSI/IIAR 2-2008 Equipment, Design, and Installation of Closed-Circuit Ammonia Mechanical Refrigeration System, Section 11.3.6.4 requiring the discharge from relief devices to the atmosphere shall not be less than 15 feet above adjacent grade or roof level.

To abate this violation, the employer must ensure that all relief piping installations are installed consistent with recognized and generally accepted good engineering practices as found in good engineering practices,

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



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such as but not limited to, ANSI/IIAR 2-2008 Equipment, Design, and Installation of Closed-Circuit Ammonia Mechanical Refrigeration System, Section 11.3.6.4 Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 7000.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Citation and Notification of Penalty

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not conduct inspections and test of process equipment to maintain its mechanical integrity consistent with applicable manufacturer's recommendations and good engineering practices:

29 CFR 1910.119(j)(4)(iii): The frequency of inspections and tests of process equipment to maintain its mechanical integrity, was not consistent with applicable manufacturers' recommendations and good engineering practices, or more frequently determined to be necessary by prior operating experience:

Recent examples of this occurred on 12/20/11, when:

- a) Throughout the ammonia refrigeration facilities; employer did not conduct inspections of the ammonia refrigeration piping (insulated and uninsulated) in the Main and Mid plant since 10/13/2008 while section 6.7.1 of IIAR Bulletin 110, 3/93 requires annual inspection.
- b) Throughout the ammonia refrigeration facilities; employer did conduct inspections of the ammonia pumps, such as but not limited to, SIHI brand pumps #1,#2,#3, located in the Main Engine room and Hansen brand pumps #1 & #2 located in the Mid Engine room.

To abate violation a), the employer must ensure that all tests and inspections are performed consistent with good engineering practices, such as but not limited to, Section 6.7.1 of IIAR Bulletin 110, 3/93 which requires annual inspection of ammonia piping. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

To abate violation b), the employer must ensure that all ammonia pumps inspections are performed consistent with applicable manufacturer's recommendation and good engineering practices. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

**Date By Which Violation Must be Abated:** 05/26/2012

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



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Proposed Penalty: \$ 7000.00

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

The employer does not update process information as a result of a change in process safety information:

29 CFR 1910.119(l)(4): A change covered by 29 CFR 1910.119(l) resulted in a change in the process safety information required by 29 CFR 1910.119(d) and the process information was not updated:

A recent example of this occurred on 12/20/11, when:

a) In the Mid Plant; Management of change for Mid-04, dated 1/26/11 for installation of a service valve ( V-04011), was approved on 1/26/11 and completed on or about 3/16/11 without updating P&ID JH19208.

To abate this violation, the employer must ensure that all changes in their processes are reflected in the process safety information. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated: 05/26/2012  
Proposed Penalty: \$ 7000.00



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does utilize procedures for the control of hazardous energy when employees are engaged in service and maintenance activities:

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

A recent example of this occurred on 11/1/11, when

a) At the Ricotta Spot Pak line; prior to changing over the suction heads and pads on the Spot-Pak for Lines 1&2&3 operators shut down these machines by turning off the "Cycle" switch and activating the emergency stop rather than using the Sorrento Lactalis, Inc. Lock Out Procedure for Cup Loader Spot-Pak.

b) At the Ricotta Spot Pak line; prior to clearing jams or threading film the Arpac heat sealer on the Spot-Pak for lines 1&2&3 operators open the access door to the heated sealer bar, which is protected by an interlock switch rather than using the Sorrento Lactalis, Inc. Lock Out Procedure for Shrink Wrapper Arpac.

To abate this violation, the employer must ensure that procedures are utilized for the control of potentially hazardous energy when employees are engaged in maintenance activities. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 6600.00



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not have energy control procedures which clearly outline the steps for shutting down and controlling all hazardous energy:

29 CFR 1910.147(c)(4)(ii) (B): The energy control procedures did not clearly and specifically outline the steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy:

A recent example of this occurred on 11/1/11, when:

a) At the Ricotta Spot Pak line; Sorrento Lockout Procedure for #2 Shrink Wrapper ARPAC, did not include the thermal hazard presented by the cutting blade and the control methods to be used by employee(s) prior to clearing jams or threading film on this equipment for lines 1&2&3.

To abate this violation, the employer must ensure that all energy control procedures include all energy sources, shut down and control methods. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 6600.00



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not conduct periodic inspections of the energy control procedures at least annually to ensure they are accurate and being followed:

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

A recent example of this occurred on 11/1/11, when:

a) At the Ricotta spot area; employer did not conduct a periodic inspection of their energy control procedures, such as but not limited to, #3 Cup Loader, #2 Shrink Wrapper Arpac, in that they did not review each procedure to ensure it was accurate and protective and being properly used by each employee engaged in the associated activities, such as but not limited to, replacing the suction heads and the shrink wrap rolls.

To abate this violation, the employer must conduct periodic inspections of all its energy control procedures to ensure they are accurate and being used properly by used employees engaged in associated activities. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 4400.00



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not provide each authorized employee training in the recognition of the applicable hazardous energy sources, type and magnitude of the energy sources available in the workplace and the means and methods necessary for energy isolation:

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

Recent examples occurred on 11/1/11, when:

- a) At the Ricotta Spot Pak line; employees who were authorized to perform tasks, such as but not limited to, changing over of the suction heads and pads on the Spot-Pak for Lines 1&2&3, did not receive the necessary training in the use of the specific energy isolation procedures required for energy isolation and control.
- b) At the Ricotta Spot Pak line; employees who were performing tasks, such as but not limited to, clearing jams and threading film on the Arpac heat sealers found at lines 1 & 2, that were only allowed to be performed by authorized employees did not receive the necessary training in the use of specified and required energy isolation devices.
- c) At the Ricotta Spot Pak line; maintenance employee who perform service and maintenance work, i.e. repairs, preventative maintenance, troubleshooting the Spot-Pak equipment and Arpac heat sealers, did not received the necessary training in the use of the specified energy control procedures.

To abate this violation, the employer must ensure that all employees who are authorized to perform service and maintenance tasks, are trained in the specific isolation procedures and the means and methods for energy isolation and control. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 6600.00





**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not keep the cable to the conveyor motor secured:

29 CFR 1910.305(b)(1)(iii): Cable was not secured to the cabinet, cutout box, or meter socket enclosure:  
A recent example of this occurred on 11/1/11, when

a) At the Spot Pak area line #2; employer did not ensure the cable for the Sterling brand motor ( model S10014PC1, 230/460 volts, 1 HP ) located at the end of the conveyor line was secured to the fitting.

To abate this violation, the employer must ensure the cable is secured to the connector on the conveyor motor located at the end of the conveyor line. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 3300.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## Citation and Notification of Penalty

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

SORRENTO LACTALIS, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1720, CITATION 1, ITEM 3A, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 05/19/2011 WITH RESPECT TO A WORKPLACE LOCATED AT 4912 E. FRANKLIN ROAD NAMPA, IDAHO, 83687

The employer does not document the valve labeling complies with recognized and generally accepted good engineering practices:

29 CFR 1910.119(d)(3)(ii): The employer did not document that the equipment in the process complied with recognized and generally accepted good engineering practices:

A recent example of this occurred on 11/15/11, when:

- a) At the Whey building; employer did not document during valve servicing inspection program the service port on Evaporator EV-1 was labled V-27525 and isolation valve on Evaporator EV-2 was also labled V-27525 on P&ID 01-18585-004 dated 9/5/08 but was not physically labeled in the process and complied with standards, such as but not limited to, ASHRAE 15-2007 11.2.2, requiring valves be provided with durable signs.
- b) At the Whey building; employer did not document during valve servicing inspection program the two process equipment level switches 16503 and isolation valve 16503 were marked with the same number on P&ID 01-18585-005, dated 9/5/08 and the isolation valve was not physically labeled in the process and complied with standards, such as but not limited to, ASHRAE 15-2007 11.2.2, requiring valves be provided with durable signs.

To abate this violation, the employer must ensure that all valves are physically labeled with the correct valve identification markings consistent with the P&ID's being used at the facility, such as but not limited to ASHRAE 15-2007 11.2.2, requiring valves to be provided with durable signs. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

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See pages 1 through 5 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: 316029602  
Inspection Dates: 10/25/2011 -  
Issuance Date: 04/23/2012



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 38500.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

SORRENTO LACTALIS, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1720, CITATION 1, ITEM 5, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 05/19/2011 WITH RESPECT TO A WORKPLACE LOCATED AT 4912 E. FRANKLIN ROAD NAMPA, IDAHO, 83687

The employer does not have written operating procedures for each of the operating phases occurring during normal operations:

29 CFR 1910.119(f)(1)(i)(B): The employer's written operating procedures covering the steps for each operating phase did not address normal operations:

A recent example of this occurred on 11/15/11, when:

a) At the Main and Mid plants; oil draining procedures for the low spots in the systems, such as but not limited to, such as Main plant (V-4) shell and tube heat exchanger, ice builder #1 & #2, chiller vessel (V-19), Crystal Tank #1 (V-50) and Mid plant Surge Drums, V-9,10,11 & 12 and ice builder #3, were not developed.

To abate this violation, the employer must ensure that operating procedures are written for all of the operating phases occurring during normal operations. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 38500.00



## Citation and Notification of Penalty

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

SORRENTO LACTALIS, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1720, CITATION 1, ITEM 6A, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 05/19/2011 WITH RESPECT TO A WORKPLACE LOCATED AT 4912 E. FRANKLIN ROAD NAMPA, IDAHO, 83687

The employer does not establish written procedures to maintain the mechanical integrity of process equipment:

29 CFR 1910.119(j)(2): The employer did not establish written procedures to maintain the on-going mechanical integrity of process equipment:

Recent examples occurred on 10/25/11, when:

- a) Throughout the ammonia refrigeration facilities; employer did not have a written procedure that addressed the inspection and testing of ammonia refrigeration piping and supports in the Main and Mid plant areas.
- b) Throughout the ammonia refrigeration facilities; employer did not have a written procedure that addressed the inspection and testing of pressure vessels in the mid and main plant, such as but not limited to, V-1, V-2, V-3 Mid plant, V-1, V-3, V-10 Main plant).
- c) Throughout the ammonia refrigeration facilities; employer did not have a written procedure that addressed the inspection and testing of process alarms in the Mid and Main plant, such as but not limited to, safety cut out switches on the Frick brand compressors ( Model number RWB II-100, RWB II-100H, RWF-134 ).
- d) Throughout the ammonia refrigeration facilities; employer did not have written procedures that addressed the maintenance of ammonia pumps, such as but not limited to, SIHI brand pumps #1, #2, #3, located in the Main Engine room and Hansen brand pumps #1 & #2 located in the Mid Engine room.

To abate violation a), the employer must ensure they have written procedures for the inspection and testing of ammonia piping and supports, such as but not limited to those described in, Section 6.7.1 of IAR Bulletin 110, Guidelines for Start-up, Inspection and Maintenance of Ammonia Mechanical Refrigeration



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
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Systems. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

To abate violation b), the employer must ensure that have written procedures for the testing and inspection of ammonia pressure vessels, such as but not limited to, Section 9.2 of the IAR 2-2008 Equipment, Design, and Installation of Closed-Circuit Ammonia Refrigeration Systems. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

To abate violation c), the employer must ensure they have written procedures for the inspection and testing of ammonia piping and supports, such as but not limited to those described in, Section 6.3.3 of IAR Bulletin 110, Guidelines for Start-up, Inspection and Maintenance of Ammonia Mechanical Refrigeration Systems. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

To abate violation d), the employer must ensure they have written procedures to maintain the ongoing integrity of the ammonia pumps as per the pump manufacturers recommendations for periodic maintenance program found in Hansen Bulletin HP 237b, February 2011, page 16 and Chapter 7 of the SIHI Operating Instructions manual Section 7.4.1. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 38500.00



### Citation and Notification of Penalty

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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#### Citation 2 Item 4 Type of Violation: Repeat

SORRENTO LACTALIS, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1720, CITATION 1, ITEM 6B, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 05/19/2011 WITH RESPECT TO A WORKPLACE LOCATED AT 4912 E. FRANKLIN ROAD NAMPA, IDAHO, 83687

The employer does not conduct tests on process equipment:

29 CFR 1910.119(j)(4)(i): Inspections and tests were not performed on process equipment to maintain its mechanical integrity:

A recent example of this occurred on 10/25/11, when:

a) At the ammonia refrigeration facilities; employer did not conduct testing of the process alarms in the Mid and Main plant, such as but not limited to, safety cut out switches on the Frick brand compressors ( Model number RWB II-100, RWB II-100H, RWF-134 ).

To abate this violation, the employer must ensure that all tests and inspections are performed consistent with applicable recognized and generally accepted good engineering practices such as but not limited to, Section 6.3.3 of the IIAR Bulletin 110, Guidelines for Start-up, Inspection and Maintenance of Ammonia Mechanical Refrigeration Systems, Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

#### ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 38500.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

**Citation 2 Item 5 Type of Violation: Repeat**

SORRENTO LACTALIS, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 311577704, CITATION 1, ITEM 2, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 12/03/2008 WITH RESPECT TO A WORKPLACE LOCATED AT 4912 E. FRANKLIN ROAD NAMPA, IDAHO, 83687.

The employer does not implement written procedures to manage changes that affect covered processes, i.e. ammonia refrigeration systems.

29 CFR 1910.119(l)(1): The employer did not implement written procedures to manage change to process equipment that affect a covered process:

A recent example of this occurred on 12/20/11, when:

a) At the Mid plant; valve ( V-14009 ) was installed on the five inch liquid return line to V#1 ( Liquid receiver ) on or about the first week of August 2011, to assist in the more efficient draining of this line, without the use of the management of change procedure.

To abate this violation, the employer must ensure that when changes are made to the ammonia refrigeration systems the written procedure to manage changes that affect this process are implemented. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 38500.00





**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not enter the number the of calendar days away from work:

29 CFR 1904.7(b)(3): An entry of the number of calendar days away from work, as a result of a work-related injury or illness, was not recorded on the OSHA 300 log:

Recent examples of this occurred on 10/25/11, when:

a) Throughout the plant; number of lost work days (42) was not entered on the OSHA 300 log of calendar year 2009 for accident occurring on 11/8/09.

b) Throughout the plant; number of lost work days (46) was not entered on the OSHA 300 log of calendar year 2009 for accident occurring on 11/16/09.

c) Throughout the plant; number of lost work days (137) was not entered on the OSHA 300 log of calendar year 2009 for accident occurring on 08/18/09.

d) Throughout the plant; number of lost work days (17) was not entered on the OSHA 300 log of calendar year 2009 for accident occurring on 09/14/09.

To abate this violation, the employer must ensure that the number of calendar days away from work as a result of each work related injury is recorded on each applicable OSHA 300 log. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 0.00



**Citation and Notification of Penalty**

Company Name: SORRENTO LACTALIS, INC.  
Inspection Site: 2375 South Park Avenue, Buffalo, NY 14220

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

The employer does not enter the number of calendar days away from work of work related injuries on their OSHA 300 log:

29 CFR 1904.7(b)(3): An entry of the number of calendar days away from work, as a result of a work-related injury or illness, was not recorded on the OSHA 300 log:

A recent example of not entering the number of calendar days away from work on their OSHA 300 log occurred on 10/25/11, when:

a) On or about 10/25/11 throughout the plant; number of lost work days (180) was not entered on the OSHA 300 log of calendar year 2011 for accident occurring on 01/11/11.

To abate this violation, the employer must enter the number of calendar days away from work of work related injuries on their OSHA 300 log. Pursuant to 29 CFR 1903.19(d), the employer must submit documents describing the steps it is taking to ensure compliance, within 30 days of the date it receives this citation.

**ABATEMENT DOCUMENTATION REQUIRED**

Date By Which Violation Must be Abated:	05/26/2012
Proposed Penalty:	\$ 0.00

A handwritten signature in black ink, appearing to read "Arthur J. Dube".

Arthur J. Dube  
Area Director

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