U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Avenue
Suite 205, Plaza 35
Avenel, NJ 07001
Phone: 732-750-3270 Fax: 732-750-4737

Citation and Notification of Penalty

To: Ms. Jennifer Mulcahy, Dir. Corp. Compliance
Symrise Inc.
and its successors
172 Industrial Pkwy.
Branchburg, NJ 08876

Inspection Site:
172 Industrial Pkway.
Branchburg, NJ 08876

Inspection Number: 1089712
Inspection Date(s): 09/03/2015 - 09/14/2015
Issuance Date: 12/01/2015

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 $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 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 12/01/2015. The conference will be held by telephone or at the OSHA office located at 1030 St. Georges Avenue, Suite 205, Plaza 35, Avenel, NJ 07001 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1089712

Company Name: Symrise Inc.
Inspection Site: 172 Industrial Pkway., Branchburg, NJ 08876
Issuance Date: 12/01/2015

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, 1030 St. Georges Avenue, Suite 205, Plaza 35, Avenel, NJ 07001**

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: Symrise Inc.
Inspection Site: 172 Industrial Pkway., Branchburg, NJ 08876

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

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

Symrise Inc./Branchburg, NJ Site- Flavor Production Area

a) Vertical tanks, including but not limited to the Bowen Tank and the Anhydro Tank, periodically entered by maintenance employees to perform maintenance of mechanical devices, such as but not limited to, agitators(aka wings), were not evaluated to determine if they are permit-required spaces prior to entry.

b)Vertical tanks, including but not limited to the Bowen Tank and the Anhydro Tank, used to create batch products, using chemicals such as but not limited to, Acetaldehyde a flammable material with an OSHA PEL of 200 ppm, are periodically entered by tank operators to clean the inside of the tanks. The tanks were not monitored prior to entry to determine flammability and oxygen levels.

Observed on/or about 09/03/2015.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 12/28/2015
Proposed Penalty: $7000.00

Citation and Notification of Penalty

Company Name: Symrise Inc.
Inspection Site: 172 Industrial Pkway., Branchburg, NJ 08876

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 Type of Violation: **Serious**

29 CFR 1910.146(c)(4): The employer did not develop and implement a written permit space program for employees who enter permit space. The written program was not available for inspection by employees and their authorized representatives.

a) Symrise Inc./Branchburg, NJ Site-Flavors Production Area: A written permit space program was not developed or implemented for employees who enter vertical tanks such as but not limited to the Bowen Tank and the Anhydro Tank. The tanks, using chemicals and mechanical devices, such as but not limited to, agitators(aka wings) and Acetaldehyde (flammable material), are entered periodically by the maintenance employees who are required to perform maintenance checks on the agitators and by the tank operators (compounders) who are required to clean the inside of the tanks.

Observed on/or about 09/03/2015.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 12/19/2015
Proposed Penalty: $7000.00

Citation and Notification of Penalty

Company Name: Symrise Inc.
Inspection Site: 172 Industrial Pkway., Branchburg, NJ 08876

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

29 CFR 1910.146(d)(3)(i): The employer did not develop and implement acceptable procedures and conditions for safe entry:

Symrise Inc./Branchburg, NJ Site- Flavors Production Area:
a) Employer failed to specify acceptable entry conditions for vertical tanks such as but not limited to the Bowen Tank and the Anhydro Tank, which are periodically entered by the maintenance employees who are required to perform maintenance checks on the agitators , aka wings

b)) Employer failed to specify acceptable entry conditions for vertical tanks such as but not limited to the Bowen Tank and the Anhydro Tank, entered by the tank operators (compounders) who are required to clean the inside of the tanks.

The tanks, using chemicals and mechanical devices, such as but not limited to, agitators(aka wings) and Acetaldehyde (flammable material), were not evaluated/monitored prior to entry for flammability and oxygen levels to determine if the space was safe for employees to work.

Observed on/or about 09/03/2015.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/03/2016

Citation and Notification of Penalty

Company Name: Symrise Inc.
Inspection Site: 172 Industrial Pkway., Branchburg, NJ 08876

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 1910.146(c)(5)(i)(A): When the employer used the alternate procedures specified in 29 CFR 1910.146(c)(5)(ii) for entering a permit space, the employer could not demonstrate that the only hazard posed by the permit space was an actual or potential hazardous atmosphere:

Symrise Inc./Branchburg, NJ Site -Flavor Production Area:
a) The employer did not demonstrate that the only hazard posed by the permit space was an actual or potential hazardous atmosphere for vertical tanks such as but not limited to the Bowen Tank and the Anhydro Tank, which are periodically entered by the maintenance employees who are required to perform maintenance checks on the agitators , aka wings

b)) The employer did not demonstrate that the only hazard posed by the permit space was an actual or potential hazardous atmosphere for vertical tanks such as but not limited to the Bowen Tank and the Anhydro Tank each containing agitators (aka wings). Each are entered by the tank operators (compounders) who are required to clean the inside of the tanks.

Observed on/or about 09/03/2015.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/03/2016
Proposed Penalty: $7000.00

Citation and Notification of Penalty

Company Name: Symrise Inc.
Inspection Site: 172 Industrial Pkway., Branchburg, NJ 08876

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

29 CFR 1910.146(c)(5)(i)(C): 29 CFR 146(c)(5)(i)(C): The employer did not develop monitoring and inspection data that supported the demonstrations required by paragraphs (c)(5)(i)(A) and (c)(5)(i)(B) of this section:

Symrise Inc./Branchburg, NJ Site -Flavor Production Area:

a) The employer did not develop monitoring and inspection data that supported the demonstrations required by paragraphs (c)(5)(i)(A) and (c)(5)(i)(B) of this section for equipment, including but not limited to the Bowen Tank and the Anhydro Tank, periodically entered by maintenance employees to perform maintenance of mechanical devices, such as but not limited to, agitators(aka wings).

b) The employer did not develop monitoring and inspection data that supported the demonstrations required by paragraphs (c)(5)(i)(A) and (c)(5)(i)(B) of this section for equipment, including but not limited to the Bowen Tank and the Anhydro Tank. The vessels, used to create batch products with chemicals such as but not limited to, Acetaldehyde a flammable material with an OSHA PEL of 200 ppm and mechanical devices, such as but not limited to, agitators(aka wings) are required to be entered by tank operators to clean the inside of the tanks.

Observed on/or about 09/03/2015.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/20/2016

Citation and Notification of Penalty

Company Name: Symrise Inc.
Inspection Site: 172 Industrial Pkway., Branchburg, NJ 08876

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

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work is regulated by 29 CFR 1910.146, permit required confined spaces, acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned:

Symrise Inc./Branchburg, NJ Site - Flavors Production Area:
a) The employers did not provide permit required space training to maintenance employees periodically entering tanks including but not limited to the Bowen Tank and the Anhydro Tank, to perform maintenance of mechanical devices, such as but not limited to, agitators(aka wings).

b) The employers did not provide permit required space training to maintenance employees periodically entering tanks, including but not limited to the Bowen Tank and the Anhydro Tank, to clean the inside of the tanks. The vessels are used to create batch products with chemicals such as but not limited to, Acetaldehyde a flammable material with an OSHA PEL of 200 ppm and mechanical devices, such as but not limited to, agitators(aka wings).

Observed on/or about 09/03/2015.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/03/2016
Proposed Penalty: $7000.00

FOR

Patricia Jones
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Avenue
Suite 205, Plaza 35
Avenel, NJ 07001
Phone: 732-750-3270 Fax: 732-750-4737

INVOICE / DEBT COLLECTION NOTICE

Company Name:	**Symrise Inc.**
Inspection Site:	**172 Industrial Pkway., Branchburg, NJ 08876**
Issuance Date:	**12/01/2015**

Summary of Penalties for Inspection Number	**1089712**
Citation 1, Serious	**$28000.00**
TOTAL PROPOSED PENALTIES	**$28000.00**

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 $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.

John Lambert For

Patricia Jones

Area Director

Dec. 1, 2015

Date

U.S. Department of Labor Occupational Safety and Health Administration
1030 St. Georges Avenue,
Suite 205, Plaza 35
Avenel, NJ 07001
Phone: 732-750-3270 Fax: 732-750-4737

12/01/2015

Ms. Jennifer Mulcahy, Dir. Corp. Compliance
Symrise Inc.
172 Industrial Pkwy.
Branchburg, NJ 08876

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dated together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,

For

Patricia Jones
Area Director
PJ/bw

Enclosures