



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.23(c)(1): Open sided floor(s) or platform(s) 4 feet or more above the adjacent floor or ground level were not guarded by standard railings (or the equivalent as specified in 29 CFR 1910.23(e)(3), on all open sides:

- a) On or about 7/11/11 in the Warehouse area; employees who service the label maker on the mezzanine roof of the the inbound/outbound high rise office, were exposed to a fall of 10 feet 2 inches. Area was guarded with yellow caution tape.
- b) On or about 7/11/11 in the Warehouse area on Mods # 1, 2, and 3; employees removing containers (boxes, packages, materials) from pallet(s), located at heights between 6 feet 2 inches and 21 feet 10 inches within a racking system. When stepping onto the pallet, employees are exposed to a fall hazard at the unprotected side.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 7000.00

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



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

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

WEGMANS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314154584, CITATION 1, ITEM 4A, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 03/22/2010 WITH RESPECT TO A WORKPLACE LOCATED AT 100 WEGMANS MARKET STREET ROCHESTER, NEW YORK, 14603

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) On or about July 11, 2011 in the Warehouse area; employees retrieve cartons, boxes and product which fall of the "take away" belt in Mods 1,2, and 3, are exposed to caught between/struck by hazards. The Wegmans Lockout-Tagout procedure MODS 1-4 created 4/20/2011 was not written for use by the Mod operators but rather for use by maintenance employees and cleaning crews.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 35000.00

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: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

WEGMANS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 310729173, CITATION 1, ITEM 3, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 04/27/2007 WITH RESPECT TO A WORKPLACE LOCATED AT 1500 BROOKS AVENUE ROCHESTER, NEW YORK, 14620

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:

- a) On or about April 28, 2011 in the Warehouse area; employee(s), not trained as an authorized employee, was exposed to a caught between hazard, while retrieving cartons, boxes and product which fall of the "take away" belt in Mods 1,2, and 3.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated: 11/13/2011

A handwritten signature in black ink, appearing to read "Arthur J. Dube". The signature is written in a cursive style.

Arthur J. Dube
Area Director

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: WEGMANS-FOOD-MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.137(b)(2)(viii): Electrical protective equipment were not subjected to periodic electrical tests.
a) On or about May 6, 2011 in the Bread line; during trouble shooting (voltage testing) of dough pump (Wegmans equipment # 1056327) employee(s) were exposed to contact with electrical current (480 volts) when using electrical protective gloves that were last tested on November 11, 2009.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4400.00

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

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) On or about 4/28/11 throughout the Bakery; employer did not conduct a review of the energy control procedure, such as but not limited to, Cheescake Slicer Model # CS-2000ADF, Serial # 2219, Heat Sealer/Tunnel (5600 Compatta), Winkler Admiral Model # ADMIRAL, Box Taper Model # 59300, Gemini Bagel Line.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 7000.00

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



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

- a) On or about on May 6, 2011 on the Bread Line; employees are exposed to caught between hazards being able to reach around the existing guard and access the area of two moving conveyors at the depanner area where the bread pans are separated from the loaves of bread.
- b) On or about on May 17, 2011 on the Par Bake line (mezzanine #2); employees are exposed to caught between and contact hazards of the heat bar on the Arpac Hanagata brand shrink wrap machine.
- c) On or about on June 6, 2011 on the new Muffin line; employees are exposed to caught between hazards of the moving arm (located on the left side facing the loading area) of on the Hines-Brock tray machine when relocating plastic trays or removing excess trays.
- d) On or about June 6, 2011 on the Frozen Bread Packer line (mezzanine # 1); employees are exposed to caught between hazards of the kick arm and the box on the 3M-Matic box taper.

CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 7000.00



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

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

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified at 29 CFR 1910.219(m) & (o):

- a) On or about May 6, 2011 in the Roll line; employees were exposed to caught between hazards when the pulley on the motor drive, located on a platform approximately 15" from from the floor below the roll pan conveyor line, was not guarded.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4400.00

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

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs seven feet or less from the floor level were not guarded with a guard that extended to at least fifteen inches above the belt:

- a) On or about May 6, 2011 in the Roll line; employees were exposed to caught between hazards when the belt on the motor drive, located on a platform approximately 15" from from the floor below the roll pan conveyor line, was not guarded.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
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Citation and Notification of Penalty

Company Name: ~~WEGMANS FOOD MARKETS, INC.~~
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.263(c)(3): Sprocket(s) and Vbelt drive(s) of bakery machinery located within reach from platform(s) or passageway(s) or located within 8 feet 6 inches from the floor were not completely enclosed;

a) On or about on May 5, 2011 at the Bread line oven; Bread Oven (APV serial # 60759) found on Guarding 6A: rear exhaust high speed shaft not guarded - loader sprocket etc not guarded - sprocket on loader cross shaft RH side not guarded " that is the loader sprockets located on right hand side of oven, at a height of seven feet two inches, were not guarded.

b) On or about June 6, 2011 on the new Muffin line; sprocket on the drive chain for the tray loading fingers, at chest height, on the right side facing the loading side of the Hine Brock tray machine was not guarded.

NO BATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated: 11/13/2011



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.263(1)(9)(i): Protecting devices were not properly maintained and kept in working order:

- a) On or about 4/28/11 in the Pita area; Purging 4B " timer was set at 1 minute - must be 8 minutes, timer sticks at times and does not time out "
- b) On or about 4/28/11 in the Bun area; Bun Oven Baker Perkins serial number - 55634, found on the High Temperature Limit Switch " actual temp pointer is stuck at 350 - unit defective.
- c) On or about 4/28/11 in the Cookie area; the High Temperature Limit Switch 8B : " could not make the unit for #1 tower work - set as the manual showed but did not work - turned well below ... and it did not shut burner off"

NO ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 7000.00

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

29 CFR 1910.263(1)(9)(ii): All safety devices on the oven(s) were not inspected at intervals of not less than twice a month by a properly instructed bakery employee:

- a) On or about 4/28/11 throughout the bakery; gas fired ovens, such as but not limited to, Bread Oven (APV brand serial # 60759), Bun Oven (Baker Perkins serial # 55364), Pita Brick Oven, Cake Oven (Baker Perkins serial # 60681) were last inspected on 2/26/11.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 7000.00

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



Citation and Notification of Penalty

Company Name: ~~WEGMANS FOOD MARKETS, INC.~~
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.263(l)(10)(ii): Direct-fired ovens with a heating capacity over 150,000 B.t.u. per hour were not ventilated before the ignition system, combustion air blower, and the fuel were turned on:

- a) On or about 4/28/11 in the Bun area; on the Bun oven (4,760,000 Btu/hr), the Combustion Air Section 1B3: "blower should come on after purge is complete - it also does not shut off when there is a safety fault"
- b) On or about 4/28/11 in the Bun area; on the Bun oven (4,760,00 Btu/hr), the ignition System 3B: "neither of the switches worked - left petcocks open and Maxons can be engaged - this needs to be corrected since the blower does not shut down the oven can repurge and the maxons engage with all of the petcocks left open - just putting raw gas into the oven-could be a big problem"
- c) On or about 4/28/11 in the Cake area; on the Tunnel Oven (Baker Perkins serial # 60681 2,880,000 Btu/hr) found on the Ignition System 3B: FM switch worked the first time by failed on subsequent purges - petcock was left open and maxon's could still be engaged "
- d) On or about 4/28/11 in the Cake area; Tunnel Oven (Baker Perkins serial # 60681 2,880,000 Btu/hr) found on the Standard Exhaust Fans 5A3: switch was stuck - removed both lines and the switch did not shut the system down "

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 7000.00



Citation and Notification of Penalty

Company Name: ~~WEGMANS FOOD MARKETS, INC.~~
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

- a) On or about June 7, 2011 in the Patisseri department; energized conductors, which feed the overhead drop box, located in the middle of the area were exposed.
- b) On or about May 16, 2011 in the Sweets department; energized conductors on the power cord for the Roll-in machine which provides power for the flour brush and roller motor were exposed.

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4400.00



Citation and Notification of Penalty

~~Company Name:~~ WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

Citation 2 Item 1 Type of Violation: Repeat

WEGMANS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314154584; CITATION 1, ITEM 4A, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 03/22/2010 WITH RESPECT TO A WORKPLACE LOCATED AT 100 WEGMANS MARKET STREET, ROCHESTER, NEW YORK, 14603

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) On or about April 29, 2011 on the #1 Bread Bagger line; employee was exposed to a struck by and caught between hazard when he reached approximately 19 inches into the tray feeder for the #1 Bread Bagger to troubleshoot a malfunction. A specific lockout procedure was not developed.

b) On or about May 6, 2011 on the Bread line; employee was exposed to a caught between hazard when he reached into the bread depanner to removed a jammed pan. A specific lockout procedure was not developed.

c) On or about May 16, 2011 on the Par Bake Bread line; employee was exposed to struck by hazard during blade changing on the scorer machine without a specific lockout procedure developed.

d) On or about June 7, 2011 in the Artisan area; employee was exposed to caught between hazard while using a spatula to clean between, in and around the flights on Sancassiano brand mixer Wegmans equipment # 1056134 without using a hazardous energy control procedure.

e) On or about May 17, 2011 in the Cookie area; employee was exposed to caught between hazards when changing the dies and harp assemblies on the 540 Wirecut machine Wegmans equipment # 1656067, without using a hazardous energy control procedure.

f) On or about May 17, 2011 in the Cookie area; employees are exposed to caught between hazards when clearing jams, cleaning the blades and changing the blades on the cheesecake slicer without using the Wegmans Lockout-Tagout procedure for Cheesecake Slicer (Food Tools), Model # CS-2000ADF, Serial # 2219 revised 8/26/2010.

g) On or about May 17, 2011 in the Par Bake Mezzanine; employees are exposed to caught between hazards when setting up the box tapper without using the Wegmans Lockout-Tagout procedure for the Box Taper, Model # 59300, Serial # 5029 revised 6/23/2010.

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: ~~WEGMANS FOOD MARKETS, INC.~~
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

h) On or about May 16, 2011 in the Parbake line; employees clean the MIWE Oven Loader Wing and are exposed to caught between hazards. A specific lockout procedure was not developed.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 35000.00



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

Citation 2 Item 2 Type of Violation: Repeat

WEGMANS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 310729173, CITATION 1, ITEM 3, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 04/27/2007 WITH RESPECT TO A WORKPLACE LOCATED AT 1500 BROOKS AVENUE ROCHESTER, NEW YORK, 14620

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:

- a) On or about April 29, 2011 on the #1 Bread Bagger line; employee(s), not trained as an authorized employee, was exposed to a caught between/struck by hazard when he reached 19 inches into the tray feeder to troubleshoot a malfunction of the #1 Bread Bagger tray feeder.
- b) On or about May 6, 2011 on the Bread line; employee(s), not trained as an authorized employee was exposed to a caught between hazard while reaching into the depanner to remove a jammed pan on the bread line.
- c) On or about May 16, 2011 on the Par Bake Bread line; employee(s), not trained as an authorized employee, was exposed to a struck by hazard while opening the guard on the scorer to change the blade.
- d) On or about May 17, 2011 in the Artisan area; employee(s), not trained as an authorized employee, was exposed to a caught between hazard, while cleaning the mixing blades on the Sancassiano mixer.
- e) On or about May 17, 2011 in the Cookie area; employee(s), not trained as an authorized employee, was exposed to a caught between hazard, while changing the die and harp assemblies on the 540 Wirecut machine Wegmans equipment # 1656067.
- f) On or about May 17, 2011 in the Cookie area; employee(s), not trained as an authorized employee, was exposed to a caught between hazard, while cleaning the blades and changing the blades on the cheesecake slicer.

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: ~~WEGMANS FOOD-MARKETS, INC.~~
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

g) On or about May 17, 2011 in the Par Bake Mezzanine; employee(s), not trained as an authorized employee, was exposed to a caught between/struck by hazard, while setting up the box taper.

h) On or about July 15, 2011 in the Parbake area; employee(s), not trained as an authorized employees, was exposed to caught between hazard, while clean the MIWE Oven Loader Wing.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 35000.00



Citation and Notification of Penalty

Company Name: ~~WEGMANS FOOD MARKETS, INC.~~
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

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

WEGMANS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314154584, CITATION 1, ITEM 4B, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 03/22/2010 WITH RESPECT TO A WORKPLACE LOCATED AT 100 WEGMANS MARKET STREET ROCHESTER, NEW YORK, 14603

29 CFR 1910.147(f)(3)(i): A procedure was not utilized to afford the employees a level of protection equivalent to that provided by the implementation of a personal lockout or tagout device when servicing and/or maintenance was performed by a crew, craft, department, or other group:

- a) On or about 4/12/11 in the Bagel line; two employees, involved in disassembly, cleaning or reassembly of the Gemini Bagel line, were exposed to caught between hazards when neither utilized a procedure that provided protection equivalent to the application of an individual locks, tags or comparable mechanism.

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:	11/13/2011
Proposed Penalty:	\$ 35000.00



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

WEGMANS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314154584, CITATION 1, ITEM 4B, AND WAS AFFIRMED AS A FINAL ORDER DATE ON 03/22/2010 WITH RESPECT TO A WORKPLACE LOCATED AT 100 WEGMANS MARKET STREET ROCHESTER, NEW YORK, 14603

29 CFR 1910.147(f)(1): When lockout or tagout devices were temporarily removed from the energy isolating device and the machine or equipment was energized to test or position the machine, equipment or component thereof, the sequence of actions in 29 CFR 1910.147(F)(1)(i) through (f)(1)(v) were not followed:

- a) On or about 4/29/11 in the Cookie line; employee was exposed to a caught between hazard while reaching into the cookie head to clean and remove previous dough and materials in preparation for change over. This activity requires repositioning of the cookie head and energizing and deenergizing the local energy isolation device. Employee who was exposed to the hazard did not apply, remove and reapply a energy control device during each positioning of the head as per section (F)(1)(v).

ABATEMENT DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated: 11/13/2011



Citation and Notification of Penalty

Company Name: WEGMANS FOOD MARKETS, INC.
Inspection Site: 1500 Brooks Avenue - Bakery, Rochester, NY 14624

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

29 CFR 1910.37(b)(5): Each doorway or passage along an exit access that could be mistaken for an exit was not marked "Not an Exit" or similar designation or was not identified by a sign indicating its actual use (e.g., closet):

a) On or about May 16, 2011 in the Par Bake Mezzaine # 2; doorway (leading to the freezer area) along the exit access route in this work area, was marked with a cardboard sign " Do Not Block".

NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 0.00

A handwritten signature in black ink, appearing to read "Arthur J. Dube", written over a horizontal line.

Arthur J. Dube
Area Director