

U.S. Department of Labor

Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209
Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515



Citation and Notification of Penalty

To:

McKeefe Ventures, LLC d/b/a Colorado Blue Ribbon
Foods, LLC
McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC
McKeefe Ventures, LLC d/b/a Rocky Mountain Food
Companies, LLC
and its successors
20094 E. HWY 50
Rocky Ford, CO 81067

Inspection Site:

20094 E. HWY 50
Rocky Ford, CO 81067

Inspection Number: 62962**Inspection Date(s):** 06/02/2011 - 11/08/2011**Issuance Date:** 11/29/2011

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 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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Citation and Notification of Penalty

Company Name:

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McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC
McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC
Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm in that employees were exposed to over-pressuring/explosion and ammonia hazards:

a) On or about June 2, 2011 and at times prior the employer operated an ammonia refrigeration system using pressure relief valves that were not inspected or tested within the last five years.

One feasible abatement method would be to maintain and test all pressure relief valves in accordance with the American National Standards Institute (ANSI) K61.1 (1999) - Safety Requirements for the Storage and Handling of Anhydrous Ammonia, Section 5.8.15, and International Institute of Ammonia Refrigeration (IIR) Bulletin # 110 (2002)- Start-up, Inspection and Maintenance of Ammonia Refrigerating Systems, Section 6.6.3.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011
Proposed Penalty: \$4620.00

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McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC
Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm in that employees were exposed to over-pressuring/explosion and ammonia hazards:

a) On or about June 2, 2011 and at times prior, the employer operated an ammonia refrigeration system that had operating instrumentation which was not in working order in that gauges and valve stems/wheels were broken and/or missing.

One feasible abatement method would be to fix and maintain all instruments in accordance with the American National Standards Institute (ANSI)/American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 15 (2007) - Safety Standard for Refrigeration Systems, Sections 11.1 and 11.6 and ANSI K61.1 (1999) - Requirements for the Storage and Handling of Anhydrous Ammonia, Section 5.11.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011
Proposed Penalty: \$3300.00

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McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC
Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm in that employees were exposed to over-pressuring/explosion and ammonia hazards:

a) On or about June 2, 2011, and at times prior, the employer operated an ammonia refrigeration system without developing or utilizing any procedures for normal operations and emergency shutdown situations.

One feasible abatement method would be to develop procedures for normal operations and emergency shutdown situations in accordance with the American National Standards Institute (ANSI)/American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 15 (2007) - Safety Standard for Refrigeration Systems, Section 11.7.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	1/12/2012
Proposed Penalty:	\$3960.00

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Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition:

a) On or about June 2, 2011, and at times prior, employees were exposed to slip, trip, and fall hazards from working in the shop area which was not kept in an orderly condition.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011
Proposed Penalty: \$3300.00

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards were present, or were likely to be present, which necessitated the use of personal protective equipment:

On or about June 2, 2011, and at times prior, the employer did not adequately evaluate the hazards present in the compressor, shop, and kitchen areas and the appropriate personal protective equipment (PPE) employees would be required to wear to mitigate the hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011
Proposed Penalty: \$3300.00

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Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 1 Item 5 b 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:

a) On or about June 2, 2011, and at times prior, employees were exposed to crushing hazards from moving carts and food trays without proper foot protection in the kitchen area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

12/20/2011

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

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedures, employee training and periodic inspections to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

a) On or about June 2, 2011, and at times prior, the employer did not develop a lockout/tagout program for employees performing maintenance activities on equipment in the kitchen, production, and compressor areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

12/20/2011

Proposed Penalty:

\$4620.00

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

29 CFR 1910.178(l)(4)(ii)(B): Refresher training in relevant topics was not provided to the operator when the operator had been involved in an accident or near-miss incident:

a) On or about June 2, 2011, and at times prior, the employer did not perform refresher training for an operator of a forklift that was involved in an incident that resulted in an employee injury.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/06/2011
Proposed Penalty: \$4620.00

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by:

a) On or about June 2, 2011, and at times prior, employees were exposed to caught-in/amputation hazards from loading meat into a cooker that has a rotating auger in operation during loading.

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Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.303(g)(1)(ii): The required working space about electric equipment rated 600 volts, nominal, or less to ground, was used for storage:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrical and fire hazards from placing storage racks and other materials directly in front of electrical panels.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011
Proposed Penalty: \$1980.00

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.305(b)(2)(i): Each outlet box in completed installations did not have a cover, faceplate, or fixture canopy:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrical shock hazards from working near uncovered electrical boxes in the following locations:

1. Electrical plug outlets with broken covers in the cafeteria area.
2. High pressure safety switch with duct tape as a cover in the compressor area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 11/30/2011
Proposed Penalty: \$3960.00

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Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.305(b)(3)(ii): Pull and junction boxes used on systems rated over 600 volts, nominal, were not closed by suitable covers securely fastened in place:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrical shock hazards from working on or near electrical cabinets that could not be completely closed in the boiler room and ammonia receiver areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/06/2011
Proposed Penalty: \$2640.00

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iii): Flexible cords and cables were used for purposes prohibited by subparagraphs (a) through (e) of this paragraph:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrical shock hazards from using flexible wiring to power permanent pieces of equipment for the ammonia refrigeration system.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011
Proposed Penalty: \$1980.00

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Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.305(j)(2)(iv): A receptacle installed in a wet or damp location was not suitable for the location:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrical shock hazards from using an unprotected electrical outlet in a wet location in the kitchen area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/06/2011
Proposed Penalty: \$3960.00

Citation 1 Item 14 a Type of Violation: **Serious**

29 CFR 1910.333(a): Safety-related work practices were not employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work was performed near or on equipment or circuits which were or could be energized:

a) On or about June 2, 2011, and at times prior, employees were not trained on proper lockout/tagout procedures for de-energizing electrical equipment prior to performing maintenance activities.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011
Proposed Penalty: \$4620.00

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Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 1 Item 14 b Type of Violation: **Serious**

29 CFR 1910.333(b)(2)(i): The employer did not make a written copy of the procedures outlined in paragraph (b)(2) of 29 CFR 1910.333 available for inspection by employees and by the Assistant Secretary of Labor and his or her authorized representatives:

a) On or about June 2, 2011, and at times prior, the employer did not establish and maintain procedures for de-energizing electrical circuits prior to performing maintenance activities.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/20/2011

Citation 1 Item 15 a Type of Violation: **Serious**

29 CFR 1910.333(a)(1): Live parts to which an employee may be exposed shall be de-energized before the employee works on or near them:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrocution hazards from installing the new flood light security system, located above the entrance to the facility, without de-energizing the circuit prior to installation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 11/30/2011
Proposed Penalty: \$4620.00

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Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 1 Item 15 b Type of Violation: **Serious**

29 CFR 1910.333(c)(2): Qualified persons were not capable of working safely on energized circuits and were not familiar with the proper use of special precautionary techniques, personal protective equipment, insulating and shielding materials, and insulated tools:

a) On or about June 2, 2011, and at times prior, unqualified employees performed work on an energized electrical circuit that supplied power to a new flood light security system, located above the entrance to the facility.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 11/30/2011

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.334(a)(4): Portable electric equipment and flexible cords used in highly conductive work locations (such a those inundated with water or other conductive liquids), or in job locations where employees are likely to contact water or conductive liquids, were not approved for use in such locations:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrical shock hazards from using an ungrounded fan in a wet area of the compressor room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 11/30/2011
Proposed Penalty: \$3960.00

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Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with electrical protective equipment that was appropriate for the specific parts of the body that needed to be protected and for the work being performed:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrocution hazards from working on energized 240-volt and 480-volt open electrical panels in the compressor area without any personal protective equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/06/2011
Proposed Penalty: \$4620.00

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.335(a)(2)(ii): When normally enclosed live parts were exposed for maintenance or repair, they were not guarded to protect unqualified persons from contact with the live parts:

a) On or about June 2, 2011, and at times prior, unqualified employees were exposed to electrocution hazards from several live 240-volt and 480-volt electrical panels that were left open in the compressor area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/06/2011
Proposed Penalty: \$4620.00

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Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

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

29 CFR 1910.134(c)(1): A written respiratory protection program with worksite-specific procedures was not established and implemented at the workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer:

a) On or about June 2, 2011, and at times prior, the employer had not established and implemented a written respiratory protection program that is compliant with the elements identified in 29 CFR 1910.134(c)(1)(i)-(ix).

McKeefe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.134(c)(1) which was contained in OSHA inspection 313722761 Citation 1 Item 5 issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	01/12/2011
Proposed Penalty:	\$3960.00

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

29 CFR 1910.176(b): Material stored in tiers was not stacked, blocked, interlocked or limited in height so that it was stable and secure against sliding and collapse:

a) On or about June 2, 2011, and at times prior, employees were exposed to struck-by and crushing hazards in that, the materials stored on pallets and racks in the freezer and shop areas were not stable.

McKeefe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.176(b) which was contained in OSHA inspection 313722761 Citation 1 Item 6 issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

12/20/2011

Proposed Penalty:

\$7920.00

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Citation 2 Item 3 Type of Violation: **Repeat - Serious**

29 CFR 1910.178(q)(7): Industrial trucks were not examined before being placed in service:

a) On or about June 2, 2011, and at times prior, employees were exposed to injuries in that, the powered industrial trucks had not been examined prior to being put into service.

McKeeffe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.178(q)(7) which was contained in OSHA inspection 313722761 Citation 1 Item 7b issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

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Citation 2 Item 4 Type of Violation: **Repeat - Serious**

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

a) On or about June 2, 2011, and at times prior, employees were exposed to struck-by and projectile hazards in that, the adjustable tongue guard on the bench grinder was not adjusted to a maximum opening of one-fourth inch.

McKeeffe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.215(b)(9) which was contained in OSHA inspection 313722761 Citation 1 Item 8b issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 11/30/2011
Proposed Penalty: \$5280.00

U.S. Department of Labor
Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209
Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515

Inspection Number: 62962
Inspection Date(s): 06/02/2011 - 11/08/2011
Issuance Date: 11/29/2011



Citation and Notification of Penalty

Company Name:

McKeefe Ventures, LLC d/b/a Colorado Blue Ribbon Foods, LLC
McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC
McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC
Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 2 Item 5 a Type of Violation: Repeat - 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 in 29 CFR 1910.219(m) and (o):

a) On or about June 2, 2011, and at times prior, employees were exposed to caught-in hazards from unguarded pulleys in the following locations:

- 1) Compressor area, compressor #1 motor was missing the back side of the yellow guard.
- 2) Compressor area, compressor #2 motor was missing the lower section of the red guard.
- 3) Hallway outside freezer area, charge pump motor's guard was damaged, exposing the pulley.

McKeefe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.219(d)(1) which was contained in OSHA inspection 313722761 Citation 1 Item 9a issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

12/06/2011
\$9240.00

U.S. Department of Labor
Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209
Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515

Inspection Number: 62962
Inspection Date(s): 06/02/2011 - 11/08/2011
Issuance Date: 11/29/2011



Citation and Notification of Penalty

Company Name:

McKeefe Ventures, LLC d/b/a Colorado Blue Ribbon Foods, LLC
McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC
McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC

Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 2 Item 5 b Type of Violation: Repeat - Serious

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs seven (7) 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 June 2, 2011, and at times prior, employees were exposed to caught-in hazards from unguarded belts in the following locations:

- 1) Compressor area, compressor #1 motor was missing the back side of the yellow guard.
- 2) Compressor area, compressor #2 motor was missing the lower section of the red guard.
- 3) Hallway outside freezer area, charge pump motor's guard was damaged, exposing the belt.

McKeefe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.219(e)(1)(i) which was contained in OSHA inspection 313722761 Citation 1 Item 9b issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

12/06/2011

U.S. Department of Labor
Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209
Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515

Inspection Number: 62962
Inspection Date(s): 06/02/2011 - 11/08/2011
Issuance Date: 11/29/2011



Citation and Notification of Penalty

Company Name:

McKeefe Ventures, LLC d/b/a Colorado Blue Ribbon Foods, LLC
McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC
McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC

Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 2 Item 6 Type of Violation: **Repeat - Serious**

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet or by a non combustible barrier at least 5 feet high having a fire resistance rating of at least one-half hour:

a) On or about June 2, 2011, and at times prior, employees were exposed to fire hazards in that, the employer stored the oxygen and acetylene cylinders next to each other on a fork lift operated platform that was being used throughout the facility.

McKeefe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.253(b)(4)(iii) which was contained in OSHA inspection 313722761 Citation 1 Item 10 issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

12/06/2011

Proposed Penalty:

\$6600.00

U.S. Department of Labor
Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209
Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515

Inspection Number: 62962
Inspection Date(s): 06/02/2011 - 11/08/2011
Issuance Date: 11/29/2011



Citation and Notification of Penalty

Company Name:

McKeefe Ventures, LLC d/b/a Colorado Blue Ribbon Foods, LLC
McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC
McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC
Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 2 Item 7 Type of Violation: **Repeat - Serious**

29 CFR 1910.305(b)(1)(i): Openings through which conductors enter boxes, cabinets, or fittings were not effectively closed:

a) On or about June 2, 2011, and at times prior, employees were exposed to electrical shock hazards in that, a 240 volt electrical panel, in the shop area, had a knockout blank removed exposing internal wiring.

McKeefe Ventures LLC was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29 CFR 1910.305(b)(1) which was contained in OSHA inspection 313722761 Citation 1 Item 11 issued on December 16, 2010 and became final order on January 6, 2011, with respect to a workplace located at 20094 E. Hwy 50, Rocky Ford, CO 81067.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 12/06/2011
Proposed Penalty: \$7920.00

Citation 3 Item 1 a Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illnesses (OSHA Form 300 or equivalent), was not completed in the detail as required by the regulation:

a) The OSHA 300 log for 2010 was inadequate in that the injury description column did not contain detailed information.

Date by which Violation must be Abated: 12/20/2011

U.S. Department of Labor

Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209
Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515

Inspection Number: 62962

Inspection Date(s): 06/02/2011 - 11/08/2011

Issuance Date: 11/29/2011



Citation and Notification of Penalty

Company Name:

McKeefe Ventures, LLC d/b/a Colorado Blue Ribbon Foods, LLC

McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC

McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC

Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Proposed Penalty:

\$660.00

Citation 3 Item 1 b Type of Violation: **Other-than-Serious**

29 CFR 1904.32(b)(4): The annual summary of injuries and illnesses (OSHA 300A form) was not signed by the highest ranking company executive:

- a) The OSHA 300A form for 2010 was not signed and certified by the highest ranking executive on site.

Date by which Violation must be Abated:

12/20/2011

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1904.33(a): The OSHA 300 Log, the privacy case list (if one exists), the annual summary, and the OSHA 301 Incident Report forms was not retained for five (5) years following the end of the calendar year that these records cover:

- a) The employer did not keep an up to date OSHA 300 log for 2011.

Date by which Violation must be Abated:

12/20/2011

Proposed Penalty:

\$660.00

U.S. Department of Labor
Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209
Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515

Inspection Number: 62962
Inspection Date(s): 06/02/2011 - 11/08/2011
Issuance Date: 11/29/2011



Citation and Notification of Penalty

Company Name:

McKeefe Ventures, LLC d/b/a Colorado Blue Ribbon Foods, LLC
McKeefe Ventures LLC d/b/a/ Pueblo Foods, LLC
McKeefe Ventures, LLC d/b/a Rocky Mountain Food Companies, LLC
Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067

Citation 3 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.157(e)(3): Portable fire extinguishers were not subjected to an annual maintenance check:

a) On or about June 2, 2011, and at times prior, the employer did not perform an annual maintenance check on fire extinguishers placed throughout the facility.

Date by which Violation must be Abated:
Proposed Penalty:

12/06/2011
\$660.00

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

David Nelson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
7935 East Prentice Avenue, Suite 209

Greenwood Village, CO 80111
Phone: 303-843-4500 Fax: 303-843-4515



INVOICE / DEBT COLLECTION NOTICE

Company Name: McKeeffe Ventures LLC, dba COLORADO BLUE RIBBON FOODS
Inspection Site: 20094 E. HWY 50, Rocky Ford, CO 81067
Issuance Date: 11/29/2011

Summary of Penalties for Inspection Number	62962
Citation 1, Serious	\$69,300.00
Citation 2, Repeat - Serious	\$44,880.00
Citation 3, Other-than-Serious	\$1,980.00
TOTAL PROPOSED PENALTIES	\$116,160.00

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.

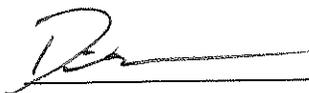
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



David Nelson
Area Director

11/29/11

Date