

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:

Kamal Corporation, dba Trade Fair Supermarket
30-12 30th Avenue
Astoria, NY 11102

Inspection Number: 898233**Inspection Date(s):** 03/27/2013 -**Issuance Date:** 09/11/2013**Inspection Site:**

30-08 30th Avenue
Astoria, NY 11102

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.

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, conditions, or endorsements 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 09/11/2013. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 898233

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102
Issuance Date: 09/11/2013

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

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

Inspection Number: 898233
Inspection Date(s): 03/27/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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 1 a Type of Violation: **Serious**

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points.

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11108

An emergency exit route (Stairwell A) was measured to be 19 inches wide at all points.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/29/2013
\$7000.00



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

A.) Instance 1: On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102
(31st Street Emergency Exit Route)

An emergency exit door was blocked with cardboard boxes and additional food items preventing prompt and safe egress of employees from the building in the event of a fire and/or other emergency.

B.) Instance 2: On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102
(Produce Department)

An emergency exit door located in the produce department was blocked with cardboard boxes and additional food items preventing prompt and safe egress of employees from the building in the event of a fire and/or other emergency.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 898233
Inspection Date(s): 03/27/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102

Stairwell A basement emergency exit sign was not illuminated.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/23/2013

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

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

Inspection Number: 898233
Inspection Date(s): 03/27/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102

The employer failed to provide employees with eye and face protection that are required to use corrosive chemicals, such as but not limited to, bleach and floor cleaners to perform their job duties (i.e. cleaning of meat preparation room equipment and floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/23/2013
\$5000.00

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

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

Inspection Number: 898233
Inspection Date(s): 03/27/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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

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

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102 (Meat Preparation Room)

Unused portions of a Biro MFG. vertical meat saw (Serial Number: 32863) located in the basement used by employees during the cutting of various types of meats (i.e. poultry, beef, lamb) was unguarded exposing employees to amputation hazards.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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

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

Inspection Number: 898233
Inspection Date(s): 03/27/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(2): 29 CFR 1904.32(a)(2): The Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was not created, certified, or posted:

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102

The employer failed to post the OSHA 300A form for calendar year 2012 or an equivalent during the period of February 1 throughout April 30.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00

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

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

Inspection Number: 898233
Inspection Date(s): 03/27/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

Citation 2 Item 2 Type of Violation: **Other-than-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 Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102 (Deli Department & Meat Preparation Room)

Two (2) electrical outlet boxes inside of the building were missing a faceplate exposing employees to electrical hazards.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/30/2013
\$0.00

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

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

Inspection Number: 898233
Inspection Date(s): 03/27/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102 (Deli & Meat Departments)

The employer failed to develop, implement and maintain at the workplace a written hazard communication program for employees that are required to use hazardous chemicals such as but not limited to, bleach and floor cleaner to clean meat preparation room equipment and floors.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/29/2013
\$0.00

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

Inspection Number: 898233
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Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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

29 CFR 1910.1200(g)(8): The employer did not ensure that material safety data sheets were readily accessible to the employees in their work area during each work shift:

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102 (Deli & Meat Departments)

The employer failed to ensure material safety data sheets were readily accessible to employees that are required to use hazardous chemicals, such as but not limited to, bleach and floor cleaners to perform their job duties (i.e. cleaning of meat preparation room equipment and floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013

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

Inspection Number: 898233
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Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

A.) On or about Wednesday, March 27, 2013 at 30-08 30th Avenue, Astoria, NY 11102 (Deli & Meat Department)


The employer failed to provide effective information and training to employees that are required to use hazardous chemicals such as but not limited to; bleach and floor cleaner to perform their job duties (i.e. cleaning of meat preparation room equipment and floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013


For **Kay Gee**
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



INVOICE / DEBT COLLECTION NOTICE

Company Name: Kamal Corporation, dba Trade Fair Supermarket
Inspection Site: 30-08 30th Avenue, Astoria, NY 11102
Issuance Date: 09/11/2013

Summary of Penalties for Inspection Number	898233
Citation 1, Serious	\$19000.00
Citation 2, Other-than-Serious	\$1000.00
TOTAL PROPOSED PENALTIES	\$20000.00

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.



for Kay Gee
Area Director

9/11/13

Date

U.S. Department of Labor

*Occupational Safety and Health Administration
Queens District Office
45-17 Marathon Parkway
Little Neck, New York 11362
(718) 279-9060 Phone
(718) 279-9057 Fax
OSHA Website Address: <http://www.osha.gov>*



September 11, 2013

Frank Jabbar, Owner
Kamal Corporation dba Trade Fair Supermarket
30-08 30th Avenue
Astoria, NY 11102

Re: Inspection Number: 898233

Dear Mr. Jabbar:

An inspection of your workplace at 30-08 30th Avenue on March 27, 2013 disclosed the following hazards:

Employees who are instructed to immediately evacuate the building in the event of a fire and/or other emergency were not provided a written emergency action plan or provided effective training.

Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards.

In the interest of work place safety and health, however, I recommend that you take the following steps voluntarily to eliminate or reduce your employees' exposure to the hazards described above:

- 1.) Development of a written emergency action plan/fire prevention plan as outlined in 29 CFR 1910.38(a) including the following elements:
 - A.) Procedures for reporting a fire or other emergency
 - B.) Procedures for emergency evacuation (i.e. type of evacuation and exit route assignments)
 - C.) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
 - D.) Procedures to account for all employees after evacuation;
 - E.) Procedures to be followed by employees performing rescue or medical duties;
 - F.) The name or job title of every employee who need more information about the plan or an explanation of their duties under the plan.
- 2.) Establish and maintain an employee alarm system

- 3.) Provide training to employees on the emergency action plan as outlined in 29 CFR 1910.38(e).

If you have any questions or require additional information do not hesitate to contact this office.

Respectfully,

Fa Kay Gee
Area Director

A handwritten signature in cursive script, appearing to read "Kevin Blannon".

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:

Ziad Food Corporation, dba Trade Fair Supermarket
30-12 30th Avenue
Astoria, NY 11102

Inspection Number: 902150**Inspection Date(s):** 04/09/2013 -**Issuance Date:** 09/11/2013**Inspection Site:**

22-20 36th Avenue
Long Island City, NY 11106

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.

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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.

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NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/11/2013. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 902150

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket
Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106
Issuance Date: 09/11/2013

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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: Ziad Food Corporation, dba Trade Fair Supermarket
Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation

A.) On or about Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106

The employer failed to provide employees eye and face protection that are required to use corrosive chemicals (i.e. cleaning agents, HDLDC-9 and Bleach) to perform their job duties (i.e. cleaning of preparation room equipment and floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/30/2013
\$5000.00

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

Inspection Number: 902150
Inspection Date(s): 04/09/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket
Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

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

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

A.) On or about Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106, Meat Preparation Area

Unused portions of a Biro MFG Co. (Model Number: 3334) vertical meat saw blade used by employees during the cutting of various meats (i.e. poultry, beef, lamb) was unguarded exposing employees to amputation hazards.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/30/2013
\$7000.00

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

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

Inspection Number: 902150
Inspection Date(s): 04/09/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket
Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(2): The Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was not created, certified, or posted:

A.) On or about Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106

The employer failed to post the OSHA 300A form or an equivalent during the period of February 1 throughout April 30 for the 2012 calendar year.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00

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

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 902150

Inspection Date(s): 04/09/2013 -

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket

Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

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

29 CFR 1910.37(a)(4): Safeguard(s) designed to protect employees during an emergency (e.g., sprinkler systems, alarm systems, fire doors, exit lighting), were not in proper working order at all times:

A.) On or about Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106

An emergency exit sign (Basement Door #1) was not illuminated.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/23/2013

Proposed Penalty:

\$0.00

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

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

Inspection Number: 902150
Inspection Date(s): 04/09/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket
Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

Citation 2 Item 3 Type of Violation: **Other-than-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 Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106 (Deli Department)

Several electrical outlet boxes inside of the building were missing faceplates exposing employees to electrical hazards.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2013
Proposed Penalty:	\$0.00

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: Ziad Food Corporation, dba Trade Fair Supermarket
Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

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

Citation 2 Item 4 a Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

A.) On or about Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106

The employer failed to develop, implement and maintain at the workplace a written hazard communication program for employees that are required to use hazardous chemicals such as but not limited to, bleach, HDLDC-9, Pannerific Supreme and Arrex-10 to perform their job duties (i.e. cleaning of meat preparation room equipment and floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2013
Proposed Penalty:	\$0.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 902150

Inspection Date(s): 04/09/2013 -

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket

Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

Citation 2 Item 4 b Type of Violation: Other-than-Serious

29 CFR 1910.1200(g)(8): The employer did not ensure that material safety data sheets were readily accessible to the employees in their work area during each work shift:

A.) On or about Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106

The employer failed to ensure material safety data sheets were readily accessible to employees that are required to use hazardous chemicals such as but not limited to, bleach, HDLDC-9, Paneriffic Supreme and Arrex-10) to perform their job duties (i.e. cleaning of meat preparation room equipment and floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 902150

Inspection Date(s): 04/09/2013 -

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket

Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106

Citation 2 Item 4 c Type of Violation: Other-than-Serious

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

A.) On or about Tuesday, April 9, 2013 at 22-20 36th Avenue, Long Island City, NY 11106

The employer failed to provide effective information and training to employees that are required to use hazardous chemicals such as but not limited to, bleach, HDLDC-9, Panneffic Supremment and Arrex-10, to perform their job duties (i.e. cleaning of meat preparation equipment and floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013

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

for **Kay Gee**
Area Director

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

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057.



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Ziad Food Corporation, dba Trade Fair Supermarket
Inspection Site: 22-20 36th Avenue, Long Island City, NY 11106
Issuance Date: 09/11/2013

Summary of Penalties for Inspection Number	902150
Citation 1, Serious	\$12000.00
Citation 2, Other-than-Serious	\$1000.00
TOTAL PROPOSED PENALTIES	\$13000.00

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.

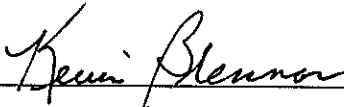
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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.

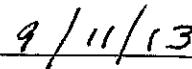
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per 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.



Kay Gee

Area Director



Date

U.S. Department of Labor

*Occupational Safety and Health Administration
Queens District Office
45-17 Marathon Parkway
Little Neck, New York 11362
(718) 279-9060 Phone
(718) 279-9057 Fax
OSHA Website Address: <http://www.osha.gov>*



September 11, 2013

Frank Jabbar, Owner
Ziad Food Corporation dba Trade Fair Supermarket
22-20 36th Avenue
Long Island City, NY 11106

Re: Inspection Number: 902150

Dear Mr. Jabbar:

An inspection of your workplace at 22-20 36th Avenue on April 9, 2013 disclosed the following hazards:

Employees who are instructed to immediately evacuate the building in the event of a fire and/or other emergency were not provided a written emergency action plan or provided effective training.

Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards.

In the interest of work place safety and health, however, I recommend that you take the following steps voluntarily to eliminate or reduce your employees' exposure to the hazards described above:

- 1.) Development of a written emergency action plan/fire prevention plan as outlined in 29 CFR 1910.38(a) including the following elements:
 - A.) Procedures for reporting a fire or other emergency
 - B.) Procedures for emergency evacuation (i.e. type of evacuation and exit route assignments)
 - C.) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
 - D.) Procedures to account for all employees after evacuation;
 - E.) Procedures to be followed by employees performing rescue or medical duties;
 - F.) The name or job title of every employee who need more information about the plan or an explanation of their duties under the plan.
- 2.) Establish and maintain an employee alarm system

3.) Provide training to employees on the emergency action plan as outlined in 29 CFR 1910.38(e).

If you have any questions or require additional information do not hesitate to contact this office.

Respectfully,

Kay Gee
For Area Director

A handwritten signature in cursive script, appearing to read "Kay Gee", written in black ink.

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:

Nadine Food Corporation, dba Trade Fair Supermarket
30-12 30th Avenue
Astoria, NY 11102

Inspection Number: 897338**Inspection Date(s):** 03/12/2013 -**Issuance Date:** 09/11/2013**Inspection Site:**

99-10 Astoria Boulevard
Corona, NY 11368

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.

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, conditions, or endorsements 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 09/11/2013. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 897338

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket

Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

Issuance Date: 09/11/2013

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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 1 a Type of Violation: **Serious**

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

A.) On or about Tuesday, March 12, 2013 at 99-10 Astoria Boulevard, Corona, NY 11369

An emergency exit door located in the rear of the building (Meat Department) was missing an "Exit" sign.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5000.00

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

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

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 be identified by a sign indicating its actual use (e.g. closet):

A.) On or about Tuesday, March 12, 2013 at 99-10 Astoria Boulevard, Corona, NY 11369, Rear Emergency Exit Door (99th Street)

An "Not an Exit" sign was missing from a door that could be mistaken for an exit in the event of a fire and/or other emergency.

ABATEMENT VERFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/30/2013

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

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

A.) On or about Tuesday, March 12, 2013 at 99-10 Astoria Boulevard, Corona, NY 11369 (2nd Floor Stairwell & 1st Floor Main Exit Door

Emergency exit signs inside of the building were not illuminated.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection

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

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation

A.) On or about Tuesday, March 12, 2013 at 99-10 Astoria Boulevard, Corona, NY 11369

The employer failed to provide employees that are required to use corrosive chemicals (i.e. Bleach and Sani T-10) to perform their job duties (i.e. cleaning of meat department equipment) with proper eye and face protection exposing employees to hazards associated with chemical splashes.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/07/2013
\$5000.00

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

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

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

Instance A: On or about Tuesday, May 21, 2013 (Meat Department), 99-10 Astoria Boulevard, Corona, NY 11369 (Biro MFG Co. BandSaw Serial Number # 42961

Instance B: On or about Tuesday, May 21, 2013 (Meat Department), 99-10 Astoria Boulevard, Corona, NY 11369 Biro MFG Co. Bandsaw Serial Number # 55022)

Unused portions of vertical meat saws used by employees inside of the meat department were missing guards and/or enclosures around the unused blade portions exposing employees to amputation hazards.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/30/2013
\$7000.00

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

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(2): The Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was not created, certified, or posted:

A.) On or about Tuesday, March 12, 2013 at 99-01 Astoria Boulevard, Corona, NY 11369

The employer failed to post the OSHA 300A form or an equivalent during the period of February 1 throughout April 30 for the 2012 calendar year.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00

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

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

29 CFR 1910.305(a)(2)(ix): All lamps for general illumination were not protected from accidental contact or breakage by a suitable fixture or lampholder with a guard. Brass shell, paper-lined sockets, or other metal-cased sockets may not be used unless the shell is grounded.

A.) On or about Tuesday, March 12, 2013 at 99-10 Astoria Boulevard, Corona, NY 11369

A lamp used for general illumination in the basement of the building was unprotected exposing employees to electrical hazards.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2013
Proposed Penalty:	\$0.00

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: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

A.) On or about Tuesday, March 12, 2013 at 99-01 Astoria Boulevard, Corona, NY 11369

The employer failed to develop, implement and maintain at the workplace a written hazard communication program for employees that are required to use hazardous chemicals such as but not limited to; bleach and Sani T-10 while performing their job duties (i.e. cleaning of equipment in the meat & deli departments).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2013
Proposed Penalty:	\$0.00



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

29 CFR 1910.1200(g)(8): The employer did not ensure that material safety data sheets were readily accessible to the employees in their work area during each work shift:

A.) On or about Tuesday, March 12, 2013 at 99-10 Astoria Boulevard, Corona, NY 11369

The employer failed to ensure material safety data sheets were readily accessible to employees that are required to use hazardous chemicals such as but not limited to bleach and Sani T-10 to perform their job duties (i.e. cleaning of equipment and preparation room floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013

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

Inspection Number: 897338
Inspection Date(s): 03/12/2013 -
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

A.) On or about Tuesday, March 12, 2013 at 99-10 Astoria Boulevard, Corona, NY 11369

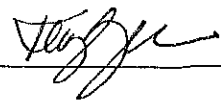
The employer failed to provide effective information and training to employees that are required to use hazardous chemicals such as but not limited to, bleach and Sani T-10 to perform their job duties (i.e. cleaning of equipment and preparation room floors).

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013



Kay Gee
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



INVOICE / DEBT COLLECTION NOTICE

Company Name: Nadine Food Corporation, dba Trade Fair Supermarket
Inspection Site: 99-10 Astoria Boulevard, Corona, NY 11368
Issuance Date: 09/11/2013

Summary of Penalties for Inspection Number	897338
Citation 1, Serious	\$17000.00
Citation 2, Other-than-Serious	\$1000.00
TOTAL PROPOSED PENALTIES	\$18000.00

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.



Kay Gee

Area Director

9/11/13

Date

U.S. Department of Labor

*Occupational Safety and Health Administration
Queens District Office
45-17 Marathon Parkway
Little Neck, New York 11362
(718) 279-9060 Phone
(718) 279-9057 Fax
OSHA Website Address: <http://www.osha.gov>*



September 11, 2013

Frank Jabbar, Owner
Nadine Food Corporation dba Trade Fair Supermarket
99-01 Astoria Boulevard
Corona, NY 11369

Re: Inspection Number: 897338

Dear Mr. Jabbar:

An inspection of your workplace at 99-01 Astoria Boulevard on March 12, 2013 disclosed the following hazards:

Employees who are instructed to immediately evacuate the building in the event of a fire and/or other emergency were not provided a written emergency action plan or provided effective training.

Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards.

In the interest of work place safety and health, however, I recommend that you take the following steps voluntarily to eliminate or reduce your employees' exposure to the hazards described above:

- 1.) Development of a written emergency action plan/fire prevention plan as outlined in 29 CFR 1910.38(a) including the following elements:
 - A.) Procedures for reporting a fire or other emergency
 - B.) Procedures for emergency evacuation (i.e. type of evacuation and exit route assignments)
 - C.) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
 - D.) Procedures to account for all employees after evacuation;
 - E.) Procedures to be followed by employees performing rescue or medical duties;
 - F.) The name or job title of every employee who need more information about the plan or an explanation of their duties under the plan.
- 2.) Establish and maintain an employee alarm system

- 3.) Provide training to employees on the emergency action plan as outlined in 29 CFR 1910.38(e).

If you have any questions or require additional information do not hesitate to contact this office.

Respectfully,



Kay Gee
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:

Crescent Food Corporation, dba Trade Fair
Supermarket
30-12 30th Avenue
Astoria, NY 11102

Inspection Number: 907084**Inspection Date(s):** 04/02/2013 - 04/02/2013**Issuance Date:** 09/11/2013**Inspection Site:**

23-55 Broadway
Long Island City, NY 11106

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.

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, conditions, or endorsements 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 09/11/2013. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 907084

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106
Issuance Date: 09/11/2013

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

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

Inspection Number: 907084
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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 1 a Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106 (Basement Produce Area)

An emergency exit route and door was blocked with cardboard boxes and a conveyor belt preventing prompt and safe egress from the building in the event of a fire and/or other emergency.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/07/2013
\$7000.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 907084

Inspection Date(s): 04/02/2013 - 04/02/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket

Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106

Throughout the establishment emergency exit signs were not illuminated.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/23/2013

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

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

Inspection Number: 907084
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106, Meat Preparation Room & Deli Department

The employer failed to provide employees with eye and face protection who are required to use corrosive chemicals such as but not limited to, HDLDC-9 which contains potassium hydroxide and sodium hypochlorite to clean equipment throughout the building.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/23/2013
Proposed Penalty:	\$5000.00

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

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

Inspection Number: 907084
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

29 CFR 1910.141(a)(3)(ii): Where wet processes were used, drainage was not maintained and false floors, platforms, mats, or other dry standing places were not provided, where practicable, or waterproof footgear was not provided:

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106

The drainage of the building's basement meat preparation room was not maintained in proper working condition and no dry walking/working surface was provided.

ABATEMENT VERIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5000.00

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

Inspection Number: 907084
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

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

A.) On or about June 4, 2013, Meat Preparation Room at 23-55 Broadway, Astoria, NY 11106

The unused portion of a vertical meat saw blade (Biro MFG. Co.) used by employees during the cutting of various meats (i.e. poultry, beef, lamb) was unguarded exposing employees to amputation hazards.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/30/2013
\$7000.00

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

Inspection Number: 907084
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

Citation 2 Item 1 a Type of Violation: **Other-than-Serious**

29 CFR 1910.303(g)(1)(ii): Working space for equipment likely to require examination, adjustment, servicing, or maintenance while energized was used for storage:

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106, Basement, Panel Box #1

An electrical panel box was blocked by cardboard boxes.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/30/2013
\$0.00

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

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

Inspection Number: 907084
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

Citation 2 Item 1 b Type of Violation: **Other-than-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 April 2, 2013 at 23-55 Broadway, Astoria, NY 11106, Deli Department

An electrical outlet box inside of the building (deli department) was missing a faceplate exposing employees to electrical hazards.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/30/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106

The employer failed to develop, implement and maintain at the workplace a written hazard communication program for employees that are required to use hazardous chemicals, such as but not limited to, HDLDC-9, Bleach, Supreme Clean to perform their job duties in both the meat and deli departments.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/29/2013
Proposed Penalty:	\$0.00

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

Inspection Number: 907084
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

29 CFR 1910.1200(g)(8): The employer did not ensure that material safety data sheets were readily accessible to the employees in their work area during each work shift:

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106

The employer failed to ensure material safety data sheets were readily accessible to employees that are required to use hazardous chemicals, such as but not limited to, HDLDC-9, Bleach and Supreme Clean to perform their job duties in the meat and deli departments.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 10/29/2013



Citation and Notification of Penalty

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

A.) On or about April 2, 2013 at 23-55 Broadway, Astoria, NY 11106

The employer failed to provide effective information and training to employees that are required to use hazardous chemicals such as but not limited to, HDLDC-9, Bleach and Supreme Clean to perform their job duties (i.e. cleaning of equipment) in both the meat and deli departments.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013

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

For

Kay Gee
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



INVOICE / DEBT COLLECTION NOTICE

Company Name: Crescent Food Corporation, dba Trade Fair Supermarket
Inspection Site: 23-55 Broadway, Long Island City, NY 11106
Issuance Date: 09/11/2013

Summary of Penalties for Inspection Number	907084
Citation 1, Serious	\$24000.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$24000.00

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.

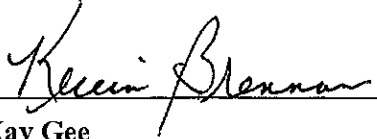
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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

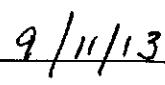
penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order 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.



For Kay Gee
Area Director



Date

U.S. Department of Labor

*Occupational Safety and Health Administration
Queens District Office
45-17 Marathon Parkway
Little Neck, New York 11362
(718) 279-9060 Phone
(718) 279-9057 Fax
OSHA Website Address: <http://www.osha.gov>*



September 11, 2013

Frank Jabbar, Owner
Crescent Food Corporation dba Trade Fair Supermarket
99-01 Astoria Boulevard
Corona, NY 11369

Re: Inspection Number: 907084

Dear Mr. Jabbar:

An inspection of your workplace at 23-55 Broadway on April 2, 2013 disclosed the following hazards:

Employees who are instructed to immediately evacuate the building in the event of a fire and/or other emergency were not provided a written emergency action plan or provided effective training.

Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards.

In the interest of work place safety and health, however, I recommend that you take the following steps voluntarily to eliminate or reduce your employees' exposure to the hazards described above:

- 1.) Development of a written emergency action plan/fire prevention plan as outlined in 29 CFR 1910.38(a) including the following elements:
 - A.) Procedures for reporting a fire or other emergency
 - B.) Procedures for emergency evacuation (i.e. type of evacuation and exit route assignments
 - C.) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
 - D.) Procedures to account for all employees after evacuation;
 - E.) Procedures to be followed by employees performing rescue or medical duties;
 - F.) The name or job title of every employee who need more information about the plan or an explanation of their duties under the plan.
- 2.) Establish and maintain an employee alarm system

- 3.) Provide training to employees on the emergency action plan as outlined in 29 CFR 1910.38(e).

If you have any questions or require additional information do not hesitate to contact this office.

Respectfully,

For Kay Gee
Area Director

A handwritten signature in cursive script, appearing to read "Kevin Blannor".

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:

Loreen Food Corp, dba Trade Fair Supermarket
30-12 30th Ave
Astoria, NY 11102

Inspection Number: 901516**Inspection Date(s):** 04/01/2013 - 04/18/2013**Issuance Date:** 09/11/2013**Inspection Site:**

37-11 Ditmar Blvd
Astoria, NY 11105

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.

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, conditions, or endorsements 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 09/11/2013. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 901516

Company Name: Loreen Food Corp, dba Trade Fair Supermarket
Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105
Issuance Date: 09/11/2013

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

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

Inspection Number: 901516
Inspection Date(s): 04/01/2013 - 04/18/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Loreen Food Corp, dba Trade Fair Supermarket
Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

a) On or about 04/01/13, on the ground floor of 37-11 Ditmars Blvd. Astoria, NY

The employer failed to provide to eye or face protection to employees that are required to use corrosive liquid chemicals to perform their job duties.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/19/2013
\$5000.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 901516

Inspection Date(s): 04/01/2013 - 04/18/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Loreen Food Corp, dba Trade Fair Supermarket

Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105

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

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

a) On or about 04/01/13, at the establishment of 37-11 Ditmars Blvd. Astoria, NY

Unused portion of the meat saw blade was not guarded. The guard on the machine was not being used.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$7000.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 901516

Inspection Date(s): 04/01/2013 - 04/18/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Loreen Food Corp, dba Trade Fair Supermarket

Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(2): The Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was not created, certified, or posted:

a) On or about 04/01/13, at the establishment of 37-11 Ditmars Blvd. Astoria, NY

The employer failed to post the Summary for 2012 of OSHA 300A form or equivalent during the period of February 1 through April 30.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$1000.00

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

Inspection Number: 901516
Inspection Date(s): 04/01/2013 - 04/18/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Loreen Food Corp, dba Trade Fair Supermarket
Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

a) On or about 04/01/2013, at the establishment of 37-11 Ditmars Blvd. Astoria, NY

The employer failed to develop, implement and maintain at the workplace a written hazard communication program for employees that are required to use hazardous chemicals such as, but not limited to E-Z Suds and Swell Grill, Oven & Fat Fry.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

Date By Which Violation Must be Abated:	10/29/2013
Proposed Penalty:	\$0.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 901516

Inspection Date(s): 04/01/2013 - 04/18/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Loreen Food Corp, dba Trade Fair Supermarket

Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105

Citation 2 Item 2 b Type of Violation: Other-than-Serious

29 CFR 1910.1200(g)(8): The employer did not ensure that material safety data sheets were readily accessible to the employees in their work area during each work shift:

a) On or about 04/01/2013; at the establishment of 37-11 Ditmars Blvd. Astoria, NY

The employer failed to ensure material safety data sheets were readily accessible to employees that are required to use hazardous chemicals such as, but not limited to E-Z Suds and Swell Grill, Oven & Fat Fry to perform their job duties.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

10/29/2013

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

Inspection Number: 901516
Inspection Date(s): 04/01/2013 - 04/18/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Loreen Food Corp, dba Trade Fair Supermarket
Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a) On or about 04/01/2013, at the establishment of 37-11 Ditmars Blvd. Astoria, NY

The employer failed to provide effective information and training to employees that are required to use hazardous chemicals such as, but not limited to E-Z Suds and Swell Grill, Oven & Fat Fry to perform their job duties.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

10/29/2013

Kay Gee
Fa Kay Gee
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Loreen Food Corp, dba Trade Fair Supermarket
Inspection Site: 37-11 Ditmar Blvd, Astoria, NY 11105
Issuance Date: 09/11/2013

Summary of Penalties for Inspection Number	901516
Citation 1, Serious	\$12000.00
Citation 2, Other-than-Serious	\$1000.00
TOTAL PROPOSED PENALTIES	\$13000.00

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.



for Kay Gee
Area Director

9/11/13
Date

U.S. Department of Labor

*Occupational Safety and Health Administration
Queens District Office
45-17 Marathon Parkway
Little Neck, New York 11362
(718) 279-9060 Phone
(718) 279-9057 Fax
OSHA Website Address: <http://www.osha.gov>*



September 11, 2013

Frank Jabbar, Owner
Loreen Food Corporation dba Trade Fair Supermarket
37-11 Ditmar Boulevard
Astoria, NY 11105

Re: Inspection Number: 901516

Dear Mr. Jabbar:

An inspection of your workplace at 37-11 Ditmar Boulevard on April 01, 2013 disclosed the following hazards:

Employees who are instructed to immediately evacuate the building in the event of a fire and/or other emergency were not provided a written emergency action plan or provided effective training.

Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards.

In the interest of work place safety and health, however, I recommend that you take the following steps voluntarily to eliminate or reduce your employees' exposure to the hazard described above:

1. Develop a written emergency action plan which meets the minimum requirements outlined in 29 CFR 1910.38 including the following elements:
 - A.) Procedures for reporting a fire or other emergency;
 - B.) Procedures for emergency evacuation (i.e. type of evacuation and exit route assignments;
 - C.) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
 - D.) Procedures to account for all employees after evacuation;
 - E.) Procedures to be followed by employees performing rescue or medical duties; and
 - F.) The name or job title of every employee who need more information about the plan or an explanation of their duties under the plan.

2. Establish and maintain an employee alarm system.

3. Provide training to employees on the emergency action plan as outlined in 29 CFR 1910.38(e).

If you have any questions or require additional information do not hesitate to contact this office.

Respectfully,

For Kay Gee
Area Director

A handwritten signature in cursive script, appearing to read "Kevin Blannan".

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:

Coro Food Corp, dba Trade Fair Supermarket
30-12 30th Ave
Astoria, NY 11102

Inspection Number: 901534**Inspection Date(s):** 04/01/2013 - 05/17/2013**Issuance Date:** 09/11/2013**Inspection Site:**

49-11 30th Ave
Woodside, NY 11377

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.

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, conditions, or endorsements 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 09/11/2013. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 901534

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377
Issuance Date: 09/11/2013

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

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 1 a Type of Violation: **Serious**

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

a) On or about 04/01/13, in the east side of 49-11 30th Ave. Woodside, NY

An exit door in the back of the supermarket was locked with two slide bolts.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

a) On or about 04/01/13, at the east side of 49-11 30th Ave. Woodside, NY

An exit route in the back of the supermarket was blocked with bags of garbage.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

a) On or about 04/01/13, in the east side of 39-11 30th Ave. Woodside, NY

The employer failed to provide eye or face protection to employees that are required to use liquid chemicals such as, but not limited to E-Z Suds and Swell Grill, Oven & Fat Fry to perform their job duties.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/19/2013
\$5000.00

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

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

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

a) On or about 04/01/13, in the meat preparation room of 49-11 30th Ave. Woodside, NY

Unused portion of the meat saw blade (Biro MFG CO. Model: 3334) was not guarded.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(2): 29 CFR 1904.32(a)(2): The Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was not created, certified, or posted:

a) On or about 04/01/13, at the establishment of 49-11 30th Ave. Woodside, NY

The employer failed to post the OSHA 300A form or equivalent during the period of February 1 through April 30.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

Citation 2 Item 2 Type of Violation: **Other-than-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)

a) On or about 04/01/13, at the establishment of 49-11 30th Ave. Woodside, NY

Material was stored in the front of electrical panel boxes.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

a) On or about 04/01/2013, in the meat preparation room of 49-11 30th Ave. Woodside, NY

The employer failed to develop, implement and maintain at the workplace a written hazard communication program for employees that are required to use hazardous chemicals such as, but not limited to E-Z Suds and Swell Grill, Oven & Fat Fry.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

Date By Which Violation Must be Abated:
Proposed Penalty:

10/29/2013
\$0.00

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

Inspection Number: 901534
Inspection Date(s): 04/01/2013 - 05/17/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377

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

29 CFR 1910.1200(g)(8): The employer did not ensure that material safety data sheets were readily accessible to the employees in their work area during each work shift:

a) On or about 04/01/2013, in the meat preparation room of 49-11 30th Ave. Woodside, NY

The employer failed to ensure material safety data sheets were readily accessible to employees that are required to use hazardous chemicals such as, but not limited to E-Z Suds and Swell Grill, Oven & Fat Fry to perform their job duties.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

Corrected During Inspection

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 901534

Inspection Date(s): 04/01/2013 - 05/17/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: Coro Food Corp, dba Trade Fair Supermarket

Inspection Site: 49-11 30th Ave, Woodside, NY 11377

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a) On or about 04/01/2013, in the meat preparation room of 49-11 30th Ave. Woodside, NY

The employer failed to provide effective information and training to employees that are required to use hazardous chemicals such as, but not limited to E-Z Suds and Swell Grill, Oven & Fat Fry to perform their job duties.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

10/29/2013

Kay Gee
for Kay Gee
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



INVOICE / DEBT COLLECTION NOTICE

Company Name: Coro Food Corp, dba Trade Fair Supermarket
Inspection Site: 49-11 30th Ave, Woodside, NY 11377
Issuance Date: 09/11/2013

Summary of Penalties for Inspection Number	901534
Citation 1, Serious	\$19000.00
Citation 2, Other-than-Serious	\$1000.00
TOTAL PROPOSED PENALTIES	\$20000.00

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.

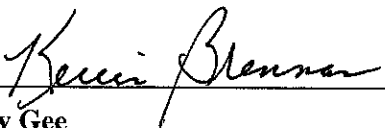
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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.



For Kay Gee
Area Director

9/11/13
Date

U.S. Department of Labor

*Occupational Safety and Health Administration
Queens District Office
45-17 Marathon Parkway
Little Neck, New York 11362
(718) 279-9060 Phone
(718) 279-9057 Fax
OSHA Website Address: <http://www.osha.gov>*



September 11, 2013

Frank Jabbar, Owner
Coro Food Corporation dba Trade Fair Supermarket
49-11 30th Avenue
Woodside, NY 11377

Re: Inspection Number: 901534

Dear Mr. Jabbar:

An inspection of your workplace at 49-11 30th Avenue on April 01, 2013 disclosed the following hazards;

Employees who are instructed to immediately evacuate the building in the event of a fire and/or other emergency were not provided a written emergency action plan or provided effective training.

Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards.

In the interest of work place safety and health, however, I recommend that you take the following steps voluntarily to eliminate or reduce your employees' exposure to the hazard described above:

1. Develop a written emergency action plan which meets the minimum requirements outlined in 29 CFR 1910.38 including the following elements:
 - A.) Procedures for reporting a fire or other emergency;
 - B.) Procedures for emergency evacuation (i.e. type of evacuation and exit route assignments;
 - C.) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
 - D.) Procedures to account for all employees after evacuation;
 - E.) Procedures to be followed by employees performing rescue or medical duties; and
 - F.) The name or job title of every employee who need more information about the plan or an explanation of their duties under the plan.

2. Establish and maintain an employee alarm system.

3. Provide training to employees on the emergency action plan as outlined in 29 CFR 1910.38(e).

If you have any questions or require additional information do not hesitate to contact this office.

Respectfully,

Fo Kay Gee
Area Director

A handwritten signature in cursive script, appearing to read "Kevin Blum".

U.S. Department of Labor

Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



Citation and Notification of Penalty

To:

89-02 FOOD CORP., dba Trade Fair Supermarkets
30-12 30th Avenue
Astoria, NY 11102

Inspection Number: 901538**Inspection Date(s):** 04/02/2013 - 04/02/2013**Issuance Date:** 09/11/2013**Inspection Site:**

89-02 37 th Avenue
Jackson Heights, NY 11372

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.

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, conditions, or endorsements 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 09/11/2013. The conference will be held by telephone or at the OSHA office located at 45-17 Marathon Parkway, Little Neck, NY 11362 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 901538

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372
Issuance Date: 09/11/2013

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, 45-17 Marathon Parkway, Little Neck, NY 11362**

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

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

Inspection Number: 901538
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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 1 a Type of Violation: **Serious**

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

The employer had an emergency exit on the side of the building locked with two slide bolts during the inspection.

ABATEMENT VERIFICATION IS NOT REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 901538

Inspection Date(s): 04/02/2013 - 04/02/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets

Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points:

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

Exit access from the basement prep room to the first floor landing and emergency exit was limited to 17-inches by a permanent conveyer system.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/29/2013

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 901538

Inspection Date(s): 04/02/2013 - 04/02/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets

Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

Employees used chemicals such as E-Z Suds containing an irritant, and DICAL-2 a disinfectant corrosive without eye or face protection. The employer did not provide employees with eye or face protection.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/23/2013
\$5000.00

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

Inspection Number: 901538
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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

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

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

The employer did not ensure the unused parts of the meat saw blade were guarded.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/17/2013
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.

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 901538

Inspection Date(s): 04/02/2013 - 04/02/2013

Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets

Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(2): The Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was not created, certified, or posted:

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

The employer failed to post the 2012 OSHA 300A form or equivalent during the period of February 1 through April 30, 2013.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

09/23/2013

Proposed Penalty:

\$1000.00

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

Inspection Number: 901538
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

The employer failed to develop fire extinguisher training for employees.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

10/29/2013
\$0.00

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

Inspection Number: 901538
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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

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

29 CFR 1910.1200(e) (1): The employer did not have a written Hazard Communication program which at least describes how the criteria specified in 1910.1200(f), (g), and (h) will be met:

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

The employer failed to develop, implement and maintain at the workplace a written hazard communication program for employees that are required to use hazardous chemicals E-Z Suds Liquid and DICAL-2.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19

Date By Which Violation Must be Abated:
Proposed Penalty:

10/29/2013
\$0.00

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

Inspection Number: 901538
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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

29 CFR 1910.1200(g) (8): The employer did not maintain a material safety data sheet each hazardous chemical used in the workplace:

a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

The employer failed to ensure material safety data sheets were readily accessible to employees that are required to use hazardous Chemicals such as but not limited to; E-Z Suds Liquid and DiCAL-2 to perform their job duties.

ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

10/29/2013

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

Inspection Number: 901538
Inspection Date(s): 04/02/2013 - 04/02/2013
Issuance Date: 09/11/2013



Citation and Notification of Penalty

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:


a) On or about April 2, 2013-Job Site at 89-02 37 th Avenue Jackson Heights, NY 11368

The employer failed to provide effective information and training to employees that are required to use hazardous chemicals such as but not limited to; E-Z suds Liquid and DICAL-2 to perform their job duties.

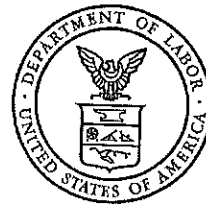
ABATEMENT VERIFICATION IS REQUIRED PURSUANT TO 29 CFR 1903.19.

Date By Which Violation Must be Abated:

10/29/2013


For Kay Gee
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
45-17 Marathon Parkway
Little Neck, NY 11362
Phone: 718-279-9060 Fax: 718-279-9057



INVOICE / DEBT COLLECTION NOTICE

Company Name: 89-02 FOOD CORP., dba Trade Fair Supermarkets
Inspection Site: 89-02 37 th Avenue, Jackson Heights, NY 11372
Issuance Date: 09/11/2013

Summary of Penalties for Inspection Number	901538
Citation 1, Serious	\$19000.00
Citation 2, Other-than-Serious	\$1000.00
TOTAL PROPOSED PENALTIES	\$20000.00

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.

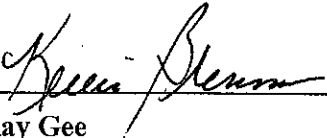
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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.



Kay Gee
Area Director

9/11/13

Date

U.S. Department of Labor

*Occupational Safety and Health Administration
Queens District Office
45-17 Marathon Parkway
Little Neck, New York 11362
(718) 279-9060 Phone
(718) 279-9057 Fax
OSHA Website Address: <http://www.osha.gov>*



September 11, 2013

Frank Jabbar, Owner
89-02 Food Corp. dba Trade Fair Supermarket
89-02 37th Avenue
Jackson Heights, NY 11372

Re: Inspection Number: 901538

Dear Mr. Jabbar:

An inspection of your workplace at 89-02 37th Avenue on April 2, 2013 disclosed the following hazards:

Employees who are instructed to immediately evacuate the building in the event of a fire and/or other emergency were not provided a written emergency action plan or provided effective training.

Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards.

In the interest of work place safety and health, however, I recommend that you take the following steps voluntarily to eliminate or reduce your employees' exposure to the hazard described above:

1. Develop a written emergency action plan which meets the minimum requirements outlined in 29 CFR 1910.38 including the following elements:
 - A.) Procedures for reporting a fire or other emergency;
 - B.) Procedures for emergency evacuation (i.e. type of evacuation and exit route assignments;
 - C.) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
 - D.) Procedures to account for all employees after evacuation;
 - E.) Procedures to be followed by employees performing rescue or medical duties; and
 - F.) The name or job title of every employee who need more information about the plan or an explanation of their duties under the plan.

2. Establish and maintain an employee alarm system.

3. Provide training to employees on the emergency action plan as outlined in 29 CFR 1910.38(e).

If you have any questions or require additional information do not hesitate to contact this office.

Respectfully,

Fm Kay Gee
Area Director

A handwritten signature in cursive script, appearing to read "Kevin Brennan".