

U.S. Department of Labor
Occupational Safety and Health Administration
420 Madison Ave
Suite 600
Toledo, OH 43604
Phone: 419-259-7542 Fax: 419-259-6355



Citation and Notification of Penalty

To:
Americraft Carton, Inc.
and its successors
209 Republic Street
Norwalk, OH 44857

Inspection Number: 1068323
Inspection Date(s): 06/04/2015 - 06/04/2015
Issuance Date: 11/19/2015

Inspection Site:
203 A Republic Street
Norwalk, OH 44857

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/19/2015. The conference will be held by telephone or at the OSHA office located at 420 Madison Ave, Suite 600, Toledo, OH 43604 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1068323

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857
Issuance Date: 11/19/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 420 Madison Ave, Suite 600, Toledo, OH 43604**

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: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

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

A) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer failed to utilize energy control procedures to control hazardous energy of the International Prefolding Gluer (Model 6FX). Employees did not control all hazardous energy sources such as, but not limited to, electrical while performing activities such as, but not limited to, making adjustments, unjamming, and cleaning the machine. Employees were exposed to hazards associated with unexpected start-up of the machine while electrical energy source was not controlled prior to conducting work.

B) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer failed to utilize energy control procedures to control hazardous energy of the Vega 700 Gluer. Employees did not control all hazardous energy sources such as, but not limited to, electrical while performing activities such as, but not limited to, unjamming the machine. Employees were exposed to hazards associated with unexpected start-up of the machine while electrical energy source was not controlled prior to conducting work.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/01/2015
Proposed Penalty:	\$7,000.00

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: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

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

29 CFR 1910.147(d): The established procedure for the application of energy control (the lockout or tagout procedures) did not cover the actions listed in and was not done in sequence as required by 29 CFR 1910.147(d)(1)-(6):

A) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not ensure that all the steps outlined in 29 CFR 1910.147(d) and required for the control of the hazardous energy sources such as, but not limited to, electrical were followed before employees conducted activities such as, but not limited to, making adjustments, unjamming, and cleaning the International Prefolding Gluer (Model 6FX). Employees were exposed to hazards associated with unexpected start-up of the machine while electrical energy source was not controlled prior to conducting work.

B) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not ensure that all the steps outlined in 29 CFR 1910.147(d) and required for the control of the hazardous energy sources such as, but not limited to, electrical were followed before employees conducted activities such as, but not limited to, unjamming the Vega 700 Gluer. Employees were exposed to hazards associated with unexpected start-up of the machine while electrical energy source was not controlled prior to conducting work.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/01/2015



Citation and Notification of Penalty

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

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

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees:

A) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer failed to properly train employees to lockout/tagout the International Prefolding Gluer (Model 6FX) and the Vega 700 Gluer before employees conducted activities such as, but not limited to, making adjustments, unjamming, and cleaning machines. Employees were exposed to hazards associated with unexpected start-up of the machines while all hazardous energy sources were not controlled prior to conducting work.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/01/2015
Proposed Penalty:	\$7,000.00



Citation and Notification of Penalty

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

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

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

A) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not ensure that the shelving units, exposed to powered industrial vehicles traffic in the warehouse area, were free of any damage. One of the legs of the shelving unit, located in B isle, was damaged and not secured to the floor. Employees, working in the area, were exposed to struck-by hazards from parts on the shelves and the shelving itself.

No additional abatement information is needed for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5,000.00



Citation and Notification of Penalty

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

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

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s):

A) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not remove the Mitsubishi forklift (Model FGC25K, Serial # AF82F00581) from use based on mechanical defects such as, but not limited to, defective mast and horn. Employees were exposed to struck-by and caught-in-between hazards.

No additional abatement information is needed for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7,000.00



Citation and Notification of Penalty

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

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

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

A) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, employer did not ensure that daily examinations of the powered industrial vehicles, such as, but not limited to, the Mitsubishi (Model FGC25K, Serial # AF82F00581) were conducted before being put into service. Employees were exposed to struck-by and caught-in-between hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/01/2015
Proposed Penalty:	\$7,000.00



Citation and Notification of Penalty

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

Citation 1 Item 6 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) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not ensure that one or more methods of machine guarding were provided to protect employees from moving parts such as, but not limited to, the rotating pulleys of equipment such as, but not limited to, the International Prefolding Gluer (Model 6FX). Employees were exposed to ingoing nip-points and caught-in hazards.

B) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not ensure that one or more methods of machine guarding were provided to protect employees from moving parts such as, but not limited to, the rotating pulleys of equipment such as, but not limited to, the Vega 700 Gluer. Employees were exposed to ingoing nip-points and caught-in hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

Date By Which Violation Must be Abated:	12/01/2015
Proposed Penalty:	\$5,000.00



Citation and Notification of Penalty

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857

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

29 CFR 1910.219(c)(2)(i): All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

A) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not ensure that the rotating horizontal shaft of the International Prefolding Gluer (Model 6FX) was enclosed in a stationary casing. Employees were exposed to caught-by and laceration hazards.

B) Americraft Carton, Inc., located at 203A Republic Street, Norwalk, OH 44857: On or about June 4, 2015, the employer did not ensure that the rotating horizontal shaft of the Vega 700 Gluer was enclosed in a stationary casing. Employees were exposed to caught-by and laceration hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 12/01/2015
Proposed Penalty: \$6,000.00



Kimberly Nelson *JNA*
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
420 Madison Ave
Suite 600
Toledo, OH 43604
Phone: 419-259-7542 Fax: 419-259-6355



INVOICE / DEBT COLLECTION NOTICE

Company Name: Americraft Carton, Inc.
Inspection Site: 203 A Republic Street, Norwalk, OH 44857
Issuance Date: 11/19/2015

Summary of Penalties for Inspection Number	1068323
Citation 1, Serious	\$44,000.00
TOTAL PROPOSED PENALTIES	\$44,000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Kimberly Nelson
Area Director

11/19/2015

Date