

U.S. Department of Labor
Occupational Safety and Health Administration
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345



Citation and Notification of Penalty

To:
Pearson Farm
and its successors
5575 Zenith Mill Road
Fort Valley, GA 31030

Inspection Number: 1421498
Inspection Date(s): 08/06/2019 - 01/28/2020
Issuance Date: 02/03/2020

FC : 2/27/2020

Inspection Site:
5575 Zenith Mill Road
Fort Valley, GA 31030

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 by calling 770-493-6644. 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.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 02/03/2020. The conference will be held by telephone or at the OSHA office located at 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1421498

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030
Issuance Date: 02/03/2020

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, 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345**

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: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

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

a) Plant On or about 08/06/19 and at times prior thereto workers were potentially exposed to hazardous quantities of anhydrous ammonia during an accidental/uncontrolled release in the compressor room and related equipment.

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 of abatement, or other written records.

Among other methods, a feasible and acceptable method to correct this hazard is to provide an ammonia detector interlocked with an alarm system that will activate visual and audible signals for early warning of supervisors and employees, in accordance with ANSI/IIAR 2-2014 Standard for Safe Design of Closed-Circuit Ammonia Refrigeration Systems:

1. At least one ammonia detector shall be provided in the room or area.
2. The detector shall activate an alarm that reports to a monitored location so that corrective action can be taken at an indicated concentration of 25 ppm or higher.
3. Audible and visual alarms shall be provided inside the room to warn that access to the room is restricted to authorized personnel and emergency responders when the alarm has activated. Additional audible and visual alarms shall be located outside of each entrance to the machinery room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

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Issuance Date: 02/03/2020



Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

Date By Which Violation Must be Abated:
Proposed Penalty:

03/12/2020
\$12145.00

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

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Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

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

29 CFR 1910.28(b)(1)(i): Each employee on a walking/working surface having an unprotected side or edge which was four feet (1.2m) or more above a lower level was not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems.

a) Plant - On or about 08/06/19 and at times prior thereto, the elevated walkway (catwalk) on top of the Hydro-Coolers #1 and #2 had unprotected border sections exposing workers to 8.0 ft. falls onto the concrete floor.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2020
Proposed Penalty:	\$12145.00

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: 1421498
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Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

29 CFR 1910.29(b)(2): (2) Midrails, screens, mesh, intermediate vertical members, solid panels, or equivalent intermediate members are installed between the walking-working surface and the top edge of the guardrail system as follows when there is not a wall or parapet that is at least 21 inches (53 cm) high:

a) Plant - On or about 08/06/19 and at times prior thereto, the elevated walkway (catwalk) on top of the Hydro-Coolers #1 and #2 had missing mid-rails in sections of the border. Workers were exposed to 8.0 ft. falls onto the concrete floor.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/12/2020

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
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Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

29 CFR 1910.120(q)(1): The employer did not develop and implement an emergency response plan to handle anticipated emergencies prior to commencement of emergency response operations:

a) Plant - On or about 08/06/19 and at times prior thereto employees were instructed to actively respond to accidental/uncontrolled releases in the ammonia refrigeration system for fruit storage and water cooling. The employer did not develop and implement a written emergency response plan. Employees were exposed to ammonia inhalation and burn 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 of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2020
Proposed Penalty:	\$12145.00

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

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Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

29 CFR 1910.120(q)(6)(iii): Employees who participated as hazardous materials technicians, or were expected to participate as hazardous materials technicians, had not received at least 24 hours of training equal to the first responder operations level, and in addition have competency in the areas outlined in 29 CFR 1910.120(q)(6)(iii)(A) through (q)(6)(iii)(I) and/or the employer did not so certify:

a) Plant - On or about 08/06/19 and at times prior thereto employees were instructed to actively respond to accidental/uncontrolled releases in the ammonia refrigeration system for fruit storage and water cooling. The employer did not train workers as hazardous materials technicians with adequate competency as required for first responder operations level. Employees were exposed to ammonia inhalation and burn 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 of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/12/2020
\$12145.00

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U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

Citation 1 Item 5 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) Plant - On or about 08/06/19 and at times prior thereto employees conducted maintenance and repairs of equipment including (but not limited to) conveyors, compressors, and cooling tunnels. The employer did not develop, implement, and utilize specific lockout/tagout procedures to protect workers from amputation hazards and electrical 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 of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2020
Proposed Penalty:	\$12145.00

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

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Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

29 CFR 1910.178(n)(6): Powered industrial truck drivers were not required to look in the direction of, and keep a clear view of the path of travel:

a) Plant, Hydro-Coolers #1 and #2 - On or about 08/06/19 and at times prior thereto forklift operators transported fruit to the feed area of the chain conveyors that run inside the cooling water tunnels. The two plastic fruit crates vertically stacked on the forks obstructed the view of the path of travel. Employees were exposed to struck-by and crush 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 of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 03/12/2020
Proposed Penalty: \$13494.00

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: Pearson Farm

Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

Citation 1 Item 7 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, and rotating parts:

a) Plant , Water tunnels #1 and #2 - On or about 08/06/19 and at times prior thereto the feed area of the chain conveyors that transported plastic fruit crates along the water tunnels were not guarded. Employees were exposed to amputation/laceration hazards.

b) Plant - On or about 08/06/19 and at times prior thereto the end of the bin stacker (chain conveyor) that returned the empty plastic fruit crates was not guarded. Employees were exposed to amputation/laceration hazards.

c) Plant, Repack Line - On or about 08/06/19 and at times prior thereto the tote dumper (roller conveyor) roller that transported the plastic brown crates was not guarded. Employees were exposed to amputation/laceration hazards.

d) Plant, Repack Line - On or about 08/06/19 and at times prior thereto the two-way white band conveyor was not guarded. Employees were exposed to amputation/laceration hazards.

e) Plant, Repack Line - On or about 08/06/19 and at times prior thereto the six Traypack run-outs (perpendicular) conveyors) were not guarded. Employees were exposed to amputation/laceration hazards.

f) Plant - Repack Line - On or about 08/06/19 and at times prior thereto the black band box conveyor was not guarded. Employees were exposed to amputation/laceration hazards.

g) Plant - Packing/Shipping area - On or about 08/06/19 and at times prior thereto the roller full box

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

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Issuance Date: 02/03/2020



Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

conveyor was not guarded. Employees were exposed to amputation/laceration hazards.

h) Plant - Packing/Shipping area - On or about 08/06/19 and at times prior thereto the band conveyors were not guarded.
Employees were exposed to amputation/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 of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2020
Proposed Penalty:	\$12145.00



Citation and Notification of Penalty

Company Name: Pearson Farm

Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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 8 a Type of Violation: **Serious**

29 CFR 1910.219(c)(4)(i): Unguarded projecting shaft end(s) did not present a smooth edge and end and projected more than one half the diameter of the shaft:

- a) Plant, Hydro-Cooler #1 - On or about 08/06/19 and at times prior thereto the unguarded shaft in the trash remover conveyor did not present a smooth end and projected 2-1/2 in. Employees were exposed to laceration hazards.
- b) Plant, Hydro-Cooler #2 - On or about 08/06/19 and at times prior thereto the unguarded shaft in the trash remover conveyor did not present a smooth end and projected 1-3/4 in. Employees were exposed to laceration hazards.
- c) Plant, Repack Line - On or about 08/06/19 and at times prior thereto the 1-1/8 in. diameter unguarded shaft in the Traypack 2-way (white) belt conveyor did not present a smooth end and projected 1-1/4 in. Employees were exposed to laceration hazards.
- d) Plant, Repack Line - On or about 08/06/19 and at times prior thereto the 1-1/8 in. diameter unguarded shaft in the black band box conveyor did not present a smooth end and projected 1-1/2 in. Employees were exposed to laceration hazards.
- e) Plant, Hydro-Cooler #1 - On or about 08/06/19 and at times prior thereto the unguarded shaft for the dual chain and sprocket system (that powered the conveyor) did not present a smooth end and projected 1-1/2 in. Employees were exposed to laceration hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

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

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Issuance Date: 02/03/2020



Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

Date By Which Violation Must be Abated:	03/12/2020
Proposed Penalty:	\$8675.00

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: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

29 CFR 1910.219(c)(4)(ii): The unused keyway(s) of projecting shaft end(s) were not filled up or covered:

- a) Plant, Repack Area - On or about 08/06/19 and at times prior thereto the 1-1/8 in. diameter unguarded shaft in the Traypack 2-way white band conveyor did not have the keyway filled or covered. Employees were exposed to laceration hazards.
- b) Plant, Hydro-cooler #1 - On or about 08/06/19 and at times prior thereto the unguarded shaft for the dual chain and sprocket system that powered the conveyor did not have the keyway filled or covered. Employees were exposed to laceration hazards.
- c) Plant, Hydro-Cooler #1 - On or about 08/06/19 and at times prior thereto the unguarded shaft in the trash remover conveyor did not have the keyway filled or covered. Employees were exposed to laceration hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

03/12/2020

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Occupational Safety and Health Administration

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Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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 9 a Type of Violation: **Serious**

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

a) Plant - On or about 08/06/19 and at times prior thereto the belt/pulley systems in the ammonia compressors C-1, C-2, and C-3 were not completely guarded. Employees were exposed to amputation/laceration hazards.

b) Plant, Hydro-Cooler #2 - On or about 08/06/19 and at times prior thereto the belt/pulley system for the chain conveyor was not guarded. Employees were exposed to amputation/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 of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2020
Proposed Penalty:	\$12145.00

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Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

29 CFR 1910.219(e)(3)(i): Vertical and inclined belts shall be enclosed by a guard conforming to standards in paragraphs (m) and (o) of this section.

a) Plant - On or about 08/06/19 and at times prior thereto the belt/pulley systems in the ammonia compressors C-1, C-2, and C-3 were not completely guarded. Employees were exposed to amputation/laceration hazards.

b) Plant, Hydro-Cooler #2 - On or about 08/06/19 and at times prior thereto the belt/pulley system for the chain conveyor was not guarded. Employees were exposed to amputation/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 of abatement, or other written records.

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03/12/2020



Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven -7 feet or less above floors or platforms were not enclosed:

- a) Plant, Hydro-Cooler #1 - On or about 08/06/19 and at times prior thereto the chain and sprocket system in the trash remover conveyor was not guarded. Employees were exposed to amputation/laceration hazards.
- b) Plant, Hydro-Cooler #2 - On or about 08/06/19 and at times prior thereto the chain and sprocket system for the trash remover conveyor was not guarded. Employees were exposed to amputation/laceration hazards.
- c) Plant - On or about 08/06/19 and at times prior thereto the chain and sprocket system that powered the bin return conveyor was not guarded. Employees were exposed to amputation/laceration hazards.
- d) Plant, Repack Line - On or about 08/06/19 and at times prior thereto the chain and sprocket system that powered the two-way white band conveyor was not guarded. Employees were exposed to amputation/laceration hazards.
- e) Plant, Repack Line - On or about 08/06/19 and at times prior thereto the chain and sprocket system that powered the black band box conveyor was not guarded. Employees were exposed to amputation/laceration hazards.
- f) Plan, Hydro-Cooler #1 - On or about 08/06/19 and at times prior thereto the dual chain and sprocket system that powered the conveyor was not guarded.
- g) Plant, Hydro-Cooler #2 - On or about 08/06/19 and at times prior thereto the dual chain and sprocket system that powered the conveyor was not guarded. Employees were exposed to amputation/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

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: 1421498
Inspection Date(s): 08/06/2019 - 01/28/2020
Issuance Date: 02/03/2020



Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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 of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/12/2020
Proposed Penalty:	\$12145.00

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: 1421498
Inspection Date(s): 08/06/2019 - 01/28/2020
Issuance Date: 02/03/2020



Citation and Notification of Penalty

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030

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

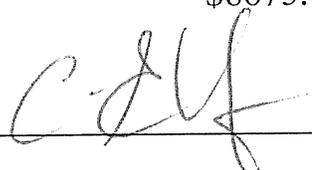
29 CFR 1910.303(b)(1): Electrical equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees:

a) Plant, aisle between Hydro-Cooler #1 and Hydro-Cooler #2 - On or about 08/06/19 and at times prior thereto, the 50 A 240 V outlet mounted on the wall was broken, exposing live terminals. Employees were exposed to electrical shock and burn hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

03/12/2020
\$8675.00



Acting Condell Eastmond
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
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345



INVOICE / DEBT COLLECTION NOTICE

Company Name: Pearson Farm
Inspection Site: 5575 Zenith Mill Road, Fort Valley, GA 31030
Issuance Date: 02/03/2020

Summary of Penalties for Inspection Number	1421498
Citation 1, Serious	\$128004.00
TOTAL PROPOSED PENALTIES	\$128004.00

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.

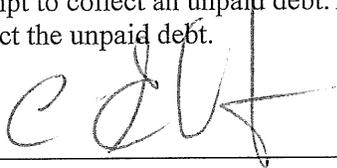
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

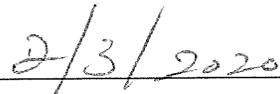
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Condell Eastmond
Acting Area Director



Date