

U.S. Department of Labor Occupational Safety and Health Administration
2020 S. Arlington Heights Road
Suite 102
Arlington Heights, IL 60005



06/09/2023

Miracapo Pizza Company LLC dba Little Lady Foods
and its successors
2323 Pratt Blvd
Elk Grove Village, IL 60007

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (847) 227-1700.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,



Sukhvir Kaur
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
2020 S. Arlington Heights Road
Suite 102
Arlington Heights, IL 60005



Citation and Notification of Penalty

To:
Miracapo Pizza Company LLC dba Little Lady Foods
and its successors
2323 Pratt Blvd
Elk Grove Village, IL 60007

Inspection Number: 1640500
Inspection Date(s): 12/22/2022 - 06/05/2023
Issuance Date: 06/09/2023

Inspection Site:
1910 Swanson Ct.
Gurnee, IL 60031

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 (847) 227-1700. 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 at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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 06/09/2023. The conference will be held by telephone or at the OSHA office located at 2020 S. Arlington Heights Road, Suite 102, Arlington Heights, IL 60005 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1640500

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031
Issuance Date: 06/09/2023

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, 2020 S. Arlington Heights Road, Suite 102, Arlington Heights, IL 60005.**

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section 29 CFR 1910.28, the employer did not ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level is protected from falling by one or more of the systems described in 29 CFR 1910.28(b)(1)(i):

a) Line B- The employer does not ensure that employees on walking-working surfaces that are more than four feet above the lower level are protected from falling.

This violation was identified on the CMC Dough Mixer 1 E11039 (Model 16SA, Serial M1616), where employees were exposed to unprotected edges that were eight feet or more above the lower level while performing disassembly and cleaning of the equipment on or about December 10, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section 29 CFR 1910.28, the employer did not ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level is protected from falling by one or more of the systems described in 29 CFR 1910.28(b)(1)(i):

a) Line B- The employer does not ensure that employees on walking-working surfaces that are more than four feet above the lower level are protected from falling.

This violation was identified on the CMC Dough Mixer 2 E11040 (Model 16SA, Serial M1617), where employees were exposed to unprotected edges that were eight feet or more above the lower level while performing disassembly and cleaning of the equipment on or about December 10, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section 29 CFR 1910.28, the employer did not ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level is protected from falling by one or more of the systems described in 29 CFR 1910.28(b)(1)(i):

a) Line B- The employer does not ensure that employees on walking-working surfaces that are more than four feet above the lower level are protected from falling.

This violation was identified on the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001), where employees were exposed to unprotected edges that were six feet or more above the lower level while performing repairs to the equipment on or about December 9, 2022.

b) Line B- The employer does not ensure that employees on walking-working surfaces that are more than four feet above the lower level are protected from falling.

This violation was identified on the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001), where an employee was exposed to unprotected edges that were six feet or more above the lower level while cleaning and sanitizing the equipment on or about December 11, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.133(a)(1): Protective eye equipment was not required where there was a reasonable probability of injury that could be prevented by such equipment:

a) Line B- The employer does not require the use of appropriate eye protection when employees operate powered hand tools to grind on equipment components.

This violation was identified on the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001), where employees were exposed to sparks and debris while operating an angle grinder without eye protection on or about December 14, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$13,394.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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 5 a Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(ii): Procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, 29 CFR 1910.147(c)(4)(ii)(A), (c)(4)(ii)(B), (c)(4)(ii)(C) and (c)(4)(ii)(D):

a) Line B - The employer does not ensure all information needed for the control of hazardous energy is included in energy control procedures for the CMC Dough Mixer 1 E11039 (Model 16SA, Serial M1616), which exposes employees to the hazards associated unexpected energizing, start up or release of stored energy when performing service and maintenance tasks. This was most recently observed on December 21, 2022.

The energy control procedure did not include the following:

1. A specific statement of intended use of the procedure;
2. Specific procedural steps for shutting down the mixer; and
3. Specific requirements for testing the mixer to determine and verify the effectiveness of lockout/tagout devices and any other energy control measures.

b) Line B- The employer does not ensure all information needed for the control of hazardous energy is included in energy control procedures for the CMC Dough Mixer 2 E11040 (Model 16SA, Serial M1617), which exposes employees to the hazards associated unexpected energizing, start up or release of stored energy when performing service and maintenance tasks. This was most recently observed on December 21, 2022.

The energy control procedure did not include the following:

1. A specific statement of intended use of the procedure;
2. Specific procedural steps for shutting down the mixer; and
3. Specific requirements for testing the mixer to determine and verify the effectiveness of lockout/tagout devices and any other energy control measures.

c) Line C- The employer does not ensure all information needed for the control of hazardous energy is included in energy control procedures for the Quantum Sauce Depositor E10061 (Model C1203225, Serial C12008400301), which exposes employees to the hazards associated unexpected energizing, start up or release of stored energy when performing service and maintenance tasks. This was most recently observed on December 16, 2022.

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

The energy control procedure did not include the following:

1. A specific statement of intended use of the procedure;
2. Specific procedural steps for shutting down the Sauce Depositor; and
3. Specific requirements for testing the Sauce Depositor to determine and verify the effectiveness of lockout/tagout devices and any other energy control measures.

d) Line C- The employer does not ensure all information needed for the control of hazardous energy is included in energy control procedures for the Scanico Toppings Spiral Freezer E11045 (Model 50937-3_2016, Serial SF135RR174/75-17), which exposes employees to the hazards associated unexpected energizing, start up or release of stored energy when performing service and maintenance tasks. This was most recently observed on December 18, 2022.

The energy control procedure did not include the following:

1. A specific statement of intended use of the procedure;
2. Specific requirements for testing the Toppings Spiral Freezer to determine and verify the effectiveness of lockout/tagout devices and any other energy control measures.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

- a) Line B- The employer does not ensure that a periodic inspection of the energy control procedures is conducted at least annually to ensure that the procedure and the requirements of this standard are being followed for employees performing service and maintenance activities on the CMC Dough Mixer 1 E11039 (Model 16SA, Serial M1616), exposing them to the hazards associated with the equipment. The violation occurred on or about December 11, 2022.
- b) Line B- The employer does not ensure that a periodic inspection of the energy control procedures is conducted at least annually to ensure that the procedure and the requirements of this standard are being followed for employees performing service and maintenance activities on the CMC Dough Mixer 2 E11040 (Model 16SA, Serial M1617), exposing them to the hazards associated with the equipment. The violation occurred on or about December 11, 2022.
- c) Line B- The employer does not ensure that a periodic inspection of the energy control procedures is conducted at least annually to ensure that the procedure and the requirements of this standard are being followed for employees performing service and maintenance activities on the Scanico Crust Spiral Freezer E11044 (Model 50937-2_2016, Serial SF135RR150/45-18,75-18), exposing them to the hazards associated with the equipment. The violation occurred on or about December 11, 2022.
- d) Line B- The employer does not ensure that a periodic inspection of the energy control procedures is conducted at least annually to ensure that the procedure and the requirements of this standard are being followed for employees performing service and maintenance activities on the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001), exposing them to the hazards associated with the equipment. The violation occurred on or about December 14, 2022.

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.

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: 1640500
Inspection Date(s): 12/22/2022 - 06/05/2023
Issuance Date: 06/09/2023



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(5)(i): Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware were not provided by the employer for isolating, securing or blocking of machines or equipment from energy sources:

a) Line B- On or about December 17, 2022, the employer failed to ensure that an adequate number of locks were provided to secure each energy source for use during lockout tagout on equipment, such as the Scanico Crust Spiral Freezer E11044 (Model SF135RR150/45-18,75-18, Serial 50937-2_2016).

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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, rotating parts, flying chips and sparks:

a) Line B- The employer does not ensure that the operator and others in the machine area of equipment, such as the CMC Dough Mixer 1 E11039 (Model 16SA, Serial M1616), are protected from the point of operation and rotating parts while product is being pulled from the bowl area. The employee is exposed to mechanical hazards while pulling dough out of the mixer and the agitators are in motion. The violation occurred on or about December 20, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 1 Item 8 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) Line B- The employer does not ensure that the operator and others in the machine area of equipment, such as the CMC Dough Mixer 2 E11040 (Model 16SA, Serial M1617), are protected from the point of operation and rotating parts while product is being pulled from the bowl area. The employee is exposed to mechanical hazards while pulling dough out of the mixer and the agitators are in motion. The violation occurred on or about December 20, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.332(b)(1): Employees were not trained in and familiar with the safety-related work practices required by 1910.331 through 1910.335 that pertained to their respective job assignments:

a) Lines B and C- The employer does not ensure that all employees who are exposed to electrical shock by opening electrical installations are trained in and familiar with the safety-related work practices required by 1910.331 through 1910.335 during machine maintenance, repair, installation, servicing and trouble shooting, on equipment such as the Diamond Brick Oven E10361, Model 1710, Serial D-170-1-001), and the Shuttleworth Smart Belt Panel E11148. This was most recently observed on December 14, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$11,162.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.333(a)(1): Live parts to which an employee may be exposed were not deenergized before the employee worked on or was near to them:

- a) Line B- The employer does not ensure that parts are deenergized prior to employees performing work on or near them when performing troubleshooting on the Scanico Crust Spiral Freezer E11044 (Model SF135RR150/45-18,75-18, Serial 50937-2_2016). This was observed on or about December 11, 2022.
- b) Line B- The employer does not ensure that parts are deenergized prior to employees performing work on or near them when performing troubleshooting on the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001). This was observed on or about December 14, 2022.
- c) Line C- The employer does not ensure that parts are deenergized prior to employees performing work on or near them when performing troubleshooting on the Quantum Waterfall E10073 (Model WF5000, Serial WF50261102). This was observed on or about December 20, 2022.
- d) Line C- The employer does not ensure that parts are deenergized prior to employees performing work on or near them when performing troubleshooting on the Shuttleworth Smart Belt Control Panel E11148. This was observed on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$11,162.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

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

a) Line B- The employer does not ensure employees are protected from electrical shock and/or arc flash hazards with the use of appropriate electrical protective equipment while employees are performing work near exposed live parts. This was observed on or about December 11, 2022, at the Scanico Crust Spiral Freezer E11044 (Model SF135RR150/45-19,75-18, Serial 50937-2_2016).

b) Line B- The employer does not ensure employees are protected from electrical shock and/or arc flash hazards with the use of appropriate electrical protective equipment while employees are performing work near exposed live parts. This was observed on or about December 14, 2022, at the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001).

c) Line C- The employer does not ensure employees are protected from electrical shock and/or arc flash hazards with the use of appropriate electrical protective equipment while employees are performing work near exposed live parts. This was observed on or about December 20, 2022, at the Quantum Waterfall E10073 (Model WF5000, Serial WF50261102).

d) Line C- The employer does not ensure employees are protected from electrical shock and/or arc flash hazards with the use of appropriate electrical protective equipment while employees are performing work near exposed live parts. This was observed on or about December 21, 2022, at the Shuttleworth Smart Belt Control Panel E11148.

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.

Date By Which Violation Must be Abated:

June 29, 2023

Proposed Penalty:

\$11,162.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line B- The employer does not train Sanitation Employee #1 as an authorized employee to lockout/tagout the CMC Dough Mixer 1 E11039 (Model 16SA, Serial M1616), located on Line B, prior to cleaning. Sanitation Employee #1 is not trained how to control hazardous energy sources prior to cleaning and sanitizing the CMC Dough Mixer 1. The employee is exposed to mechanical hazards while reaching into the CMC Dough Mixer during cleaning and sanitizing activities. This was most recently observed on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line B- The employer does not train Sanitation Employee #2 as an authorized employee to lockout/tagout the CMC Dough Mixer 1 E11039 (Model 16SA, Serial M1616), located on Line B, prior to cleaning. Sanitation Employee #2 is not trained how to control hazardous energy sources prior to cleaning and sanitizing the CMC Dough Mixer 1. The employee is exposed to mechanical hazards while reaching into the CMC Dough Mixer during cleaning and sanitizing activities. This was most recently observed on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line B- The employer does not train Sanitation Employee #3 as an authorized employee to lockout/tagout the CMC Dough Mixer 2 E11040 (Model 16SA, Serial M1617), located on Line B, prior to cleaning. Sanitation Employee #3 is not trained how to control hazardous energy sources prior to cleaning and sanitizing the CMC Dough Mixer 2. The employee is exposed to mechanical hazards while reaching into the CMC Dough Mixer during cleaning and sanitizing activities. This was most recently observed on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line B- The employer does not train Sanitation Employee #4 as an authorized employee to lockout/tagout the CMC Dough Mixer 2 E11040 (Model 16SA, Serial M1617), located on Line B, prior to cleaning. Sanitation Employee #4 is not trained how to control hazardous energy sources prior to cleaning the CMC Dough Mixer 2. The employee is exposed to mechanical hazards while reaching into the CMC Dough Mixer during cleaning and sanitizing activities. This was most recently observed on or about December 21, 2022.

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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Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 5 Type of Violation: **Willful - Serious**

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line B- The employer does not train Sanitation Employee #5 as an authorized employee to lockout/tagout the Scanico Ambient Spiral Cooler E11043 (Model SF135RR180/80-16 5-00, Serial 50937-1_2016), located on Line B, prior to cleaning. Sanitation Employees #5 is not trained how to control hazardous energy sources prior to performing deep cleaning, sanitizing and inspecting of the Scanico Ambient Spiral Cooler. The employee is exposed to mechanical hazards while working under the Ambient Spiral Cooler. This was most recently observed on or about December 11, 2022.

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.

Date By Which Violation Must be Abated:

June 29, 2023

Proposed Penalty:

\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line B- The employer does not train Sanitation Employee #6 as an authorized employee to lockout/tagout the Scanico Ambient Spiral Cooler E11043 (Model SF135RR180/80-16 5-00, Serial 50937-1_2016), located on Line B, prior to cleaning. Sanitation Employee #6 is not trained how to control hazardous energy sources prior to performing dry cleaning of the Scanico Ambient Spiral Cooler. The employee is exposed to mechanical hazards while working under the Ambient Spiral Cooler. The violation occurred on or about December 20, 2022.

b) Line B- The employer does not train Sanitation Employee #6 as an authorized employee to lockout/tagout the Scanico Ambient Spiral Cooler E11043 (Model SF135RR180/80-16 5-00, Serial 50937-1_2016), located on Line B, prior to cleaning. Sanitation Employee #6 is not trained how to control hazardous energy sources prior to performing dry cleaning of the Scanico Ambient Spiral Cooler. The employee is exposed to mechanical hazards while working under the Ambient Spiral Cooler. The violation occurred on or about December 22, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line B- The employer does not train Sanitation Employee #7 as an authorized employee to lockout/tagout the Scanico Crust Spiral Freezer E11044 (Model SF135RR150/45-18,75-18, Serial 50937-2_2016), located on Line B, prior to cleaning, sanitizing, and inspecting. Sanitation Employee #7 is not trained how to control hazardous energy sources prior to performing deep cleaning, sanitizing and inspecting. The employee is exposed to mechanical hazards while working on and under the Scanico Crust Spiral Freezer. The violation occurred on or about December 11, 2022.

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.

Date By Which Violation Must be Abated:

June 29, 2023

Proposed Penalty:

\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 8 Type of Violation: **Willful - Serious**

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line C- The employer does not train Quality Assurance Employee #8 as an authorized employee to lockout/tagout the Quantum Sauce Depositor E10061 (Model C1203225, Serial Number C12008400301), located on Line C, prior to swabbing. Quality Assurance Employee #8 is not trained how to control hazardous energy sources prior to performing inspecting tasks of the Quantum Sauce Depositor. The employee is exposed to mechanical hazards while reaching into the Quantum Sauce Depositor during this activity. This was most recently observed on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:

June 29, 2023

Proposed Penalty:

\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 9 Type of Violation: **Willful - Serious**

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

a) Line C- The employer does not train Sanitation Employee #9 as an authorized employee to lockout/tagout the Scanico Toppings Spiral Freezer E11045 (Serial SF135RR174/75-17, Model 50937-3_2016), located on Line C, prior to cleaning, sanitizing, and inspecting. Sanitation Employee #9 is not trained how to control hazardous energy sources prior to performing deep cleaning, sanitizing and inspecting. The employee is exposed to mechanical hazards while working on and under the Scanico Toppings Spiral Freezer. The violation occurred on or about December 18, 2022.

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.

Date By Which Violation Must be Abated:

June 29, 2023

Proposed Penalty:

\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 10 Type of Violation: **Willful - Serious**

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

a) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the CMC Dough Mixer 1 E11039 (Model 16SA, Serial M1616), located on Line B, prior to cleaning, sanitizing, and inspecting.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities inside the Dough Mixer. Employees are exposed to mechanical hazards. The violation occurred on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 11 Type of Violation: **Willful - Serious**

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

a) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the CMC Dough Mixer 2 E11040 (Model 16SA, Serial M1617), located on Line B, prior to conducting cleaning activities.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities inside the Dough Mixer. Employees are exposed to mechanical hazards. The violation occurred on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 12 Type of Violation: **Willful - Serious**

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

a) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001), located on Line B, prior to conducting maintenance and inspection activities.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting maintenance and inspection activities inside the Oven located on Line B. Employees are exposed to mechanical hazards. The violation occurred on or about December 14, 2022.

b) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Diamond Brick Oven E10361 (Model 1710, Serial D-170-1-001), located on Line B, prior to conducting cleaning activities.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities on the Oven located on Line B. Employees are exposed to mechanical hazards. The violation occurred on or about December 14, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 13 Type of Violation: **Willful - Serious**

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

a) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Scanico Ambient Spiral Cooler E11043 (Model SF135RR180/80-16 5-00, Serial 50937-1_2016), located on Line B, prior to cleaning, sanitizing, and inspecting.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities in, around, and under Ambient Spiral. Employees are exposed to mechanical hazards. The violation occurred on or about December 11, 2022.

b) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Scanico Ambient Spiral Cooler E11043 (Model SF135RR180/80-16 5-00, Serial 50937-1_2016), located on Line B, prior to cleaning and inspecting.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities in, around, and under Ambient Spiral. Employees are exposed to mechanical hazards. The violation occurred on or about December 20, 2022.

c) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Scanico Ambient Spiral Cooler E11043 (Model SF135RR180/80-16 5-00, Serial 50937-1_2016), located on Line B, prior to cleaning and inspecting.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are

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: 1640500
Inspection Date(s): 12/22/2022 - 06/05/2023
Issuance Date: 06/09/2023



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

conducting cleaning activities in, around, and under Ambient Spiral. Employees are exposed to mechanical hazards. The violation occurred on or about December 22, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 14 Type of Violation: **Willful - Serious**

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

a) Line B- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Scanico Crust Spiral Freezer E11044 (Model SF135RR150/45-18,75-18, Serial 50937-2_2016), located on Line B, prior to cleaning, sanitizing, and inspecting.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities in, around, and under the Crust Spiral Freezer. Employees are exposed to mechanical hazards. The violation occurred on or about December 11, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 15 Type of Violation: **Willful - Serious**

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

a) Line C- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Quantum Sauce Depositor E10061 (Model C1203225, Serial C12008400301), located on Line C, prior to conducting cleaning activities.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities on the Quantum Sauce Depositor. Employees are exposed to mechanical hazards. The violation occurred on or about December 16, 2022.

b) Line C- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Quantum Sauce Depositor E10061 (Model C1203225, Serial C12008400301), located on Line C, prior to conducting maintenance activities.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting maintenance activities on the Quantum Sauce Depositor located on Line C. Employees are exposed to mechanical hazards. The violation occurred on or about December 20, 2022.

c) Line C- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical hazardous energy sources of the Quantum Sauce Depositor E10061 (Model C1203225, Serial C12008400301), located on Line C, prior to conducting quality assurance inspection activities.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are

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: 1640500
Inspection Date(s): 12/22/2022 - 06/05/2023
Issuance Date: 06/09/2023



Citation and Notification of Penalty

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

conducting inspection activities on the Quantum Sauce Depositor. Employees are exposed to mechanical hazards. The violation occurred on or about December 21, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 16 Type of Violation: **Willful - Serious**

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

a) Line C- The employer does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not de-energize and lockout mechanical energy sources of the Scanico Toppings Spiral Freezer E11045 (Model SF135RR174/75-17, Serial 50937-3_2016), located on Line C, prior to cleaning, sanitizing, and inspecting.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lock-out/tag-out device application [1910.147(d)(4)], dissipation of residual energy [1910.147(d)(5)], and verification of isolation [1910.147(d)(6)] are not implemented to protect employees from mechanical hazards while employees are conducting cleaning activities in, around, and under the Toppings Spiral Freezer. Employees are exposed to mechanical hazards. The violation occurred on or about December 18, 2022.

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.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 29, 2023
\$156,259.00

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: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031

Citation 2 Item 17 Type of Violation: **Willful - 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) Line C- The employer does not ensure that hazards created by sprocket wheels and chains on equipment are enclosed or otherwise guarded to protected employees.

This violation was identified on the Line C Quantum Sauce Depositor E10061 (Model C1203225, Serial C12008400301), where employees were exposed to unguarded chain and sprockets within seven or less feet from the ground or working platform when placing product on the conveying line, making positioning adjustments to the sauce lines, and when retrieving and placing bins from the line on or about December 16, 2022.

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.

Date By Which Violation Must be Abated:

June 29, 2023

Proposed Penalty:

\$156,259.00

A handwritten signature in blue ink, appearing to read "Sukhvir Kaur", written over a horizontal line.

Sukhvir Kaur
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
2020 S. Arlington Heights Road
Suite 102
Arlington Heights, IL 60005



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Miracapo Pizza Company LLC dba Little Lady Foods
Inspection Site: 1910 Swanson Ct., Gurnee, IL 60031
Issuance Date: 06/09/2023

Summary of Penalties for Inspection Number: 1640500

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2, Serious	\$15,625.00
Citation 1 Item 3, Serious	\$15,625.00
Citation 1 Item 4, Serious	\$13,394.00
Citation 1 Item 5a, Serious	\$15,625.00
Citation 1 Item 5b, Serious	\$0.00
Citation 1 Item 6, Serious	\$15,625.00
Citation 1 Item 7, Serious	\$15,625.00
Citation 1 Item 8, Serious	\$15,625.00
Citation 1 Item 9, Serious	\$11,162.00
Citation 1 Item 10, Serious	\$11,162.00
Citation 1 Item 11, Serious	\$11,162.00
Citation 2 Item 1, Willful - Serious	\$156,259.00
Citation 2 Item 2, Willful - Serious	\$156,259.00
Citation 2 Item 3, Willful - Serious	\$156,259.00
Citation 2 Item 4, Willful - Serious	\$156,259.00
Citation 2 Item 5, Willful - Serious	\$156,259.00
Citation 2 Item 6, Willful - Serious	\$156,259.00
Citation 2 Item 7, Willful - Serious	\$156,259.00
Citation 2 Item 8, Willful - Serious	\$156,259.00
Citation 2 Item 9, Willful - Serious	\$156,259.00
Citation 2 Item 10, Willful - Serious	\$156,259.00
Citation 2 Item 11, Willful - Serious	\$156,259.00
Citation 2 Item 12, Willful - Serious	\$156,259.00
Citation 2 Item 13, Willful - Serious	\$156,259.00
Citation 2 Item 14, Willful - Serious	\$156,259.00
Citation 2 Item 15, Willful - Serious	\$156,259.00
Citation 2 Item 16, Willful - Serious	\$156,259.00
Citation 2 Item 17, Willful - Serious	\$156,259.00

TOTAL PROPOSED PENALTIES: \$2,812,658.00

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 at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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.

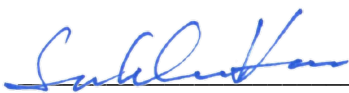
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Sukhvir Kaur
Area Director

June 9, 2023

Date