

U.S. Department of Labor Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



04/04/2023

ZWANENBERG FOOD GROUP (USA) INC.
and its successors
3640 Muddy Creek Rd
Cincinnati, OH 45238

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 (513) 841-4132.

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,

Ken Montgomery

Ken E. Montgomery
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



Citation and Notification of Penalty

To:
ZWANENBERG FOOD GROUP (USA) INC.
and its successors
3640 Muddy Creek Rd
Cincinnati, OH 45238

Inspection Number: 1627537
Inspection Date(s): 10/12/2022 - 03/31/2023
Issuance Date: 04/04/2023

Inspection Site:
3640 Muddy Creek Rd
Cincinnati, OH 45238

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 (513) 841-4132. 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 04/04/2023. The conference will be held by telephone or at the OSHA office located at 100 Tri County Parkway, 3rd Floor North, Cincinnati, OH 45246 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1627537

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238
Issuance Date: 04/04/2023

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, 100 Tri County Parkway, 3rd Floor North, Cincinnati, OH 45246.**

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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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 are free from recognized hazards that are causing or likely to cause death or serious physical harm to employees in that they are exposed to hazards associated with entry and work inside of meat processing equipment:

On or about 10/5/2022, the employer required sanitation employees to enter and work inside of the meat processing equipment listed below to perform cleaning operations, exposing those employees to hazards posed by machine parts such as, but not limited to, spiked paddle augers, ribbon augers, and chopping blades, likely to result in serious impalement and laceration injuries:

- Robert Reiser Vacuum Blender 48-206 (model # PMB 3000, serial #1019) in room 48;
- FPEC Vacuum Blender 47-200 (model #814, serial # 1573) in room 47;
- FPEC Blender 24-052 (model # Megassager, serial # 661) in room 24;
- Alfa-Laval Bowl Chopper 24-046 (model # VSM500, serial #213-189-1) in room 24; and,
- WolfKing Grinder 23-037 (model # SIG 650/200, serial #58937) in room 23.

Among other methods, one feasible and acceptable means of abatement would be to prohibit personnel entry into the meat processing equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

May 05, 2023

Proposed Penalty:

\$15,625.00



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.28(b)(3)(ii): The employer did not ensure that each employee was protected from tripping into or stepping into or through any hole that is less than 4 feet (1.2 m) above a lower level by covers or guardrail systems.

On or about 10/5/2022, the employer did not ensure that employees walking in the aisleways during machine cleaning and sanitation were protected from stepping into uncovered floor drains that exposed employees to trip and fall hazards. The floor drain covers that were initially lifted off for removal of scrap meat were not replaced in a timely manner once this task was completed.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 2023
\$14,733.00



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.132(d)(1): The employer shall assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present, the employer shall:

- (i) Select, and have each affected employee use, the types of PPE that will protect the affected employee from the hazards identified in the hazard assessment;
- (ii) Communicate selection decisions to each affected employee; and,
- (iii) Select PPE that properly fits each affected employee.

On or about 10/5/2022, the employer did not ensure that the personal protective equipment requirements were communicated to sanitation employees for the selection and wearing of appropriately sized eye protection, such as goggles, to prevent serious eye damage, from splashes during the cleaning, sanitizing, and foaming tasks with Bio Film Buster Plus K and Lynx-San-4.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.303(f)(2): Services, feeders, and branch circuits. Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident.

(a) On or before 1/31/2023, the circuit breakers listed below were incorrectly and illegibly marked for the meat processing equipment they were connected to:

- Room 29, electrical panel EP-3 (480V) for positions 13, 15, and 17 as well as 38, 40, and 42;
- Can Loft, electrical panel LP-2 (240V) for positions 2, 4, and 6; and,
- Room 29, electrical panel EP-2 for positions 13, 15, and 17.

(b) On or before 2/1/2023, the disconnect switch on the electrical cabinet located next to the EP-2 panel in Room 29 was unlabeled and did not identify its connection to the Alfa-Laval Bowl Chopper in Room 24.

In accordance with 29CFR 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, but not limited to evidence of purchase or repair of equipment, photographic or video evidence or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 2023
\$15,625.00



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

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

29 CFR 1910.147(c)(4)(i): Procedures shall be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section.

The employer does not ensure that adequate control measures in lockout/tagout procedures are utilized by employees to control energy sources on the meat processing equipment including those listed below:

- Robert Reiser Vacuum Blender 48-206 (model # PMB 3000, serial #1019) in room 48;
- Marlin Pump 48-212F in room 48;
- Townsend Incline Auger 48-211 (model # 77732) in room 48;
- FPEC Vacuum Blender 47-200 (model #814, serial # 1573) in room 47;
- FPEC Blender 24-052 (model # Megassager, serial # 661) in room 24;
- Alfa-Laval Bowl Chopper 24-046 (model # VSM500, serial #213-189-1) in room 24,
- CSC Incline Auger 20-009 (model # CSC 1614.3.F, serial #81223) in room 20; and,
- WolfKing Grinder 23-037 (model # SIG 650/200, serial #58937) in room 23.

Employees are exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic, when energy control procedures are not utilized prior to cleaning, sanitation, and inspections. This was most recently observed on or about 2/1/2023.

The Zwanenberg Food Group (USA) Inc. was previously cited for a violation of an equivalent Occupational Safety and Health Standard 29 CFR 1910.147(d), which was contained in OSHA inspection number 1239986, citation number 02, item number 001 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

May 05, 2023

Proposed Penalty:

\$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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(d): Application of control. The established procedures for the application of energy control (the lockout or tagout procedures) shall cover the following elements and actions and shall be done in the following sequence:

- (1) Preparation for shutdown. Before an authorized or affected employee turns off a machine or equipment, the authorized employee shall have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy.
- (2) Machine or equipment shutdown. The machine or equipment shall be turned off or shut down using the procedures established for the machine or equipment. An orderly shutdown must be utilized to avoid any additional or increased hazard(s) to employees as a result of the equipment stoppage.
- (3) Machine or equipment isolation. All energy isolating devices that are needed to control the energy to the machine or equipment shall be physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s).
- (4) Lockout or tagout device application.
 - (4)(i) Lockout or tagout devices shall be affixed to each energy isolating device by authorized employees.
 - (4)(ii) Lockout devices, where used, shall be affixed in a manner to that will hold the energy isolating devices in a "safe" or "off" position.
- (5) Stored energy.
 - (5)(i) Following the application of lockout or tagout devices to energy isolating devices, all potentially hazardous stored or residual energy shall be relieved, disconnected, restrained, and otherwise rendered safe.
- (6) Verification of isolation. Prior to starting work on machines or equipment that have been locked out or tagged out, the authorized employee shall verify that isolation and deenergization of the machine or equipment have been accomplished.

a) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the Robert Reiser Vacuum Blender 48-206 (model # PMB 3000, serial #1019) in room 48. Employees do not properly secure each energy source prior to starting work, including: electrical at the disconnect; pneumatic at the valve; gravitational at the hood and doors' cylinders; and, hydraulic at the pump. Employees are exposed to struck-by and caught-in hazards associated with unexpected machine start-up. This was most recently observed on 1/31/2023.

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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

- b) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the Marlin Pump 48-212F in room 48. Employees do not properly secure each energy source prior to starting work, including: electrical at the disconnect; pneumatic at the valve; and, hydraulic at the pump. Employees are exposed to struck-by and caught-in hazards associated with unexpected machine start-up. This was most recently observed on 1/31/2023.
- c) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the Townsend Incline Auger 48-211 (model # 77732) in room 48. Employees do not properly secure electrical energy source at the disconnect prior to starting work. Employees are exposed to caught-in hazards associated with unexpected machine start-up. This was most recently observed on 1/31/2023.
- d) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the FPEC Vacuum Blender 47-200 (model #814, serial # 1573) in room 47. Employees do not properly secure each energy source prior to starting work, including: electrical at the disconnect; pneumatic at the valve; gravitational at the hood and doors' cylinders; and, hydraulic at the pump. Employees are exposed to struck-by and caught-in hazards associated with unexpected machine start-up. This was most recently observed on 1/31/2023.
- e) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the FPEC Blender 24-052 (model # Megassager, serial # 661) in room 24. Employees do not properly secure each energy source prior to starting work, including: electrical at the disconnect; pneumatic at the valve; gravitational at the hood and doors' cylinders; and, hydraulic at the pump. Employees are exposed to struck-by and caught-in hazards associated with unexpected machine start-up. This was most recently observed on 2/1/2023.
- f) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the Alfa-Laval Bowl Chopper 24-046 (model # VSM500, serial #213-189-1) in room 24. Employees do not properly secure each energy source prior to starting work, including: electrical at the disconnect; gravitational at the hood's cylinders; and, hydraulic at the pump. Employees are exposed to struck-by and caught-in hazards associated with unexpected machine start-up. This was most recently observed on 2/1/2023.
- g) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the CSC Incline Auger 20-009 (model # CSC 1614.3.F, serial #81223) in room 20. Employees do not properly secure electrical energy source at the disconnect prior to starting work. Employees are exposed to caught-in hazards associated with unexpected machine start-up. This was most recently observed on 2/1/2023.

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: 1627537
Inspection Date(s): 10/12/2022 - 03/31/2023
Issuance Date: 04/04/2023



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

(h) The employer does not ensure that (d)(1) through (d)(6) is followed by employees performing cleaning, sanitation, and inspections on the WolfKing Grinder 23-037 (model # SIG 650/200, serial #58937) in room 23. Employees do not properly secure each energy source prior to starting work, including: electrical at the disconnect; and, pneumatic at the valve. Employees are exposed to struck-by and caught-in hazards associated with unexpected machine start-up. This was most recently observed on 1/31/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of an equivalent Occupational Safety and Health Standard 29 CFR 1910.147(d), which was contained in OSHA inspection number 1239986, citation number 02, item number 001 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: May 05, 2023
Proposed Penalty: \$0.00

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



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(6)(i): The employer shall conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard are being followed.

The employer does not conduct annual periodic inspections of the energy control procedures for the meat processing equipment, including for those listed below:

- Robert Reiser Vacuum Blender 48-206 (model # PMB 3000, serial #1019) in room 48;
- Marlin Pump 48-212F in room 48;
- Townsend Incline Auger 48-211 (model # 77732) in room 48;
- FPEC Vacuum Blender 47-200 (model #814, serial # 1573) in room 47;
- FPEC Blender 24-052 (model # Megassager, serial # 661) in room 24;
- Alfa-Laval Bowl Chopper 24-046 (model # VSM500, serial #213-189-1) in room 24,
- CSC Incline Auger 20-009 (model # CSC 1614.3.F, serial #81223) in room 20; and,
- WolfKing Grinder 23-037 (model # SIG 650/200, serial #58937) in room 23.

Employees are exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources due to the lack of periodic inspections to identify any deviations or inadequacies for correction. This was most recently observed on or about 2/1/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(6)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 002 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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, but not limited to evidence of purchase or repair of equipment, photographic or video evidence or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

The employer does not train Sanitation Employee #1 as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Sanitation Employee #1 is exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic. Sanitation Employee #1 is not trained to understand how to control energy sources prior to cleaning, sanitizing, and inspecting. This was most recently observed on or about 1/9/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	May 05, 2023
Proposed Penalty:	\$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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

The employer does not train Sanitation Employee #2 as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Sanitation Employee #2 is exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic. Sanitation Employee #2 is not trained to understand how to control energy sources prior to cleaning, sanitizing, and inspecting. This was most recently observed on or about 1/10/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

The employer does not train Sanitation Employee #3 as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Sanitation Employee #3 is exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic. Sanitation Employee #3 is not trained to understand how to control energy sources prior to cleaning, sanitizing, and inspecting. This was most recently observed on or about 1/10/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	May 05, 2023
Proposed Penalty:	\$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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

The employer does not train Sanitation Employee #4 as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Sanitation Employee #4 is exposed to caught-in hazards associated with unexpected machine start-up or release of electrical energy source. Sanitation Employee #4 is not trained to understand how to control the energy source prior to cleaning, sanitizing, and inspecting. This was most recently observed on or about 1/11/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	May 05, 2023
Proposed Penalty:	\$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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

The employer does not train Sanitation Employee #5 as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Sanitation Employee #5 is exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic. Sanitation Employee #5 is not trained to understand how to control energy sources prior to cleaning, sanitizing, and inspecting. This was most recently observed on or about 1/9/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	May 05, 2023
Proposed Penalty:	\$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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

The employer does not train Sanitation Employee #6 as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Sanitation Employee #6 is exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, and gravitational. Sanitation Employee #6 is not trained to understand how to control energy sources prior to cleaning, sanitizing, and inspecting. This was most recently observed on or about 1/10/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	May 05, 2023
Proposed Penalty:	\$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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

On or about 10/12/2022, Sanitation Employee #7 was not trained as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Sanitation Employee #7 was exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic. Sanitation Employee #7 was not trained to understand how to control energy sources prior to cleaning, sanitizing, and inspecting.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	May 05, 2023
Proposed Penalty:	\$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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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.

The employer does not adequately train Employee #8 as an authorized employee to lockout/tagout the employee's assigned meat processing equipment located in the kitchen area. Employee #8 is exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic. Employee #8 is not trained to understand how to control energy sources prior to inspecting. This was most recently observed on or about 1/10/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1239986, citation number 01, item number 003 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	May 05, 2023
Proposed Penalty:	\$147,325.00

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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(8): Energy isolation. Lockout or tagout shall be performed only by the authorized employees who are performing the servicing or maintenance.

The employer does not ensure that each worker, performing their assigned cleaning, sanitation, and inspection work tasks, is isolating all energy sources on the meat processing equipment, including those listed below:

- Robert Reiser Vacuum Blender 48-206 (model # PMB 3000, serial #1019) in room 48;
- Marlin Pump 48-212F in room 48;
- Townsend Incline Auger 48-211 (model # 77732) in room 48;
- FPEC Vacuum Blender 47-200 (model #814, serial # 1573) in room 47;
- FPEC Blender 24-052 (model # Megassager, serial # 661) in room 24;
- Alfa-Laval Bowl Chopper 24-046 (model # VSM500, serial #213-189-1) in room 24,
- CSC Incline Auger 20-009 (model # CSC 1614.3.F, serial #81223) in room 20; and,
- WolfKing Grinder 23-037 (model # SIG 650/200, serial #58937) in room 23.

Each employee is exposed to caught-in and struck-by hazards associated with unexpected machine start-up or release of energy sources, such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic, because there is no isolation prior to cleaning, sanitation, and inspections. This was most recently observed on or about 2/1/2023.

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of an equivalent Occupational Safety and Health Standard 29 CFR 1910.147(d), which was contained in OSHA inspection number 1239986, citation number 02, item number 001 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 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: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

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

29 CFR 1910.147(c)(4)(ii): The procedures shall 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, the following:

- (B) Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy;
- (C) Specific procedural steps for the placement, removal and transfer of lockout devices or tagout devices and the responsibility for them; and,
- (D) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

The employer does not ensure that its machine-specific lockout/tagout procedures clearly and specifically address the proper shut down, isolation, blocking and securing of the meat processing equipment, including those listed below:

- Robert Reiser Vacuum Blender 48-206 (model # PMB 3000, serial #1019) in room 48;
- Marlin Pump 48-212F in room 48;
- Townsend Incline Auger 48-211 (model # 77732) in room 48;
- FPEC Vacuum Blender 47-200 (model #814, serial # 1573) in room 47;
- FPEC Blender 24-052 (model # Megassager, serial # 661) in room 24;
- Alfa-Laval Bowl Chopper 24-046 (model # VSM500, serial #213-189-1) in room 24,
- CSC Incline Auger 20-009 (model # CSC 1614.3.F, serial #81223) in room 20; and,
- WolfKing Grinder 23-037 (model # SIG 650/200, serial #58937) in room 23.

Employees are exposed to caught-in and struck-by hazards associated with the unexpected machine start-up or release of energy sources, such as, but not limited to, electrical, pneumatic, gravitational, and hydraulic, when energy control procedures do not clearly and specifically address the requirements of (B) through (D) prior to cleaning, sanitation, and inspections. This was most recently observed on or about 2/1/2023.

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: 1627537
Inspection Date(s): 10/12/2022 - 03/31/2023
Issuance Date: 04/04/2023



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

The Zwanenberg Food Group (USA) Inc., was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(4)(ii), which was contained in OSHA inspection number 1239986, citation number 01, item number 001 and was affirmed as a final order on 12/17/2018, with respect to a workplace located at 3640 Muddy Creek Rd, Cincinnati, OH 45238.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 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.

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

Inspection Number: 1627537
Inspection Date(s): 10/12/2022 - 03/31/2023
Issuance Date: 04/04/2023



Citation and Notification of Penalty

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.132(d)(2): The employer shall verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment.

On or about 10/5/2022, the employer did not certify the workplace hazard assessments for cleaning, sanitation, and inspections of the meat processing equipment when employees were utilizing a foaming acid.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

May 05, 2023
\$1,378.00

Ken Montgomery

Ken E. Montgomery
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
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: ZWANENBERG FOOD GROUP (USA) INC.
Inspection Site: 3640 Muddy Creek Rd, Cincinnati, OH 45238
Issuance Date: 04/04/2023

Summary of Penalties for Inspection Number: 1627537

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2, Serious	\$14,733.00
Citation 1 Item 3, Serious	\$15,625.00
Citation 1 Item 4, Serious	\$15,625.00
Citation 2 Item 1a, Willful - Serious	\$156,259.00
Citation 2 Item 1b, Willful - Serious	\$0.00
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	\$147,325.00
Citation 2 Item 11, Willful - Serious	\$156,259.00
Citation 3 Item 1, Repeat - Serious	\$156,259.00
Citation 4 Item 1, Other-than-Serious	\$1,378.00

TOTAL PROPOSED PENALTIES: \$1,929,160.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the 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.



Ken E. Montgomery
Area Director

4/4/2023

Date