

U.S. Department of Labor Occupational Safety and Health Administration
Dr. A.H. McCoy Federal Bldg.
100 West Capitol Street, Suite 749
Jackson, MS 39269



01/12/2024

Mar-Jac Poultry MS, LLC
and its successors
1301 James Street
Hattiesburg, MS 39401

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 (601) 965-4606.

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,

Courtney Bohannon
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
Dr. A.H. McCoy Federal Bldg.
100 West Capitol Street, Suite 749
Jackson, MS 39269



Citation and Notification of Penalty

To:
Mar-Jac Poultry MS, LLC
and its successors
1301 James Street
Hattiesburg, MS 39401

Inspection Number: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024

Inspection Site:
1301 James Street
Hattiesburg, MS 39401

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 (601) 965-4606. 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 01/12/2024. The conference will be held by telephone or at the OSHA office located at Dr. A.H. McCoy Federal Bldg. 100 West Capitol Street, Suite 749, Jackson, MS 39269 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1683342

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401
Issuance Date: 01/12/2024

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, Dr. A.H. McCoy Federal Bldg. 100 West Capitol Street, Suite 749, Jackson, MS 39269.**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review.

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

Inspection Number: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.23(c)(8): The employer did not ensure that the cap (if equipped) and top step of a stepladder that are not used as steps.

(a) Second Processing - On or about July 14, 2023, the employer allowed sanitation employees to use the top rung and cap of a portable fiberglass step ladder, exposing the employees to fall hazards of up to approximately 9 feet to the concrete below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

February 06, 2024
\$15,625.00

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: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.23(c)(11): The employer did not ensure that portable ladders used to gain access to an upper landing surface that have side rails that extend at least 3 feet (0.9 m) above the upper landing surface.

(a) Second Processing - On or about July 14, 2023, the employer allowed a sanitation employee to use a portable fiberglass ladder to gain access to an elevated drip pan and the ladder did not have side rails that extended at least 3 feet above the drip pan, exposing the employee to a fall hazard of approximately 6 feet 10 inches to the concrete below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 06, 2024
Proposed Penalty:	\$15,625.00

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: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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) Debone - On or about July 14, 2023, the employer did not ensure that a sanitation employee was protected from falling when performing sanitation work while standing and kneeling on the Transfer conveyor and at the top of the Front Half Incline conveyor, exposing the employee to a fall hazard of approximately 8 feet to the concrete below.

(b) Second Processing - On or about July 14, 2023, the employer did not ensure that a sanitation employee was protected from falling when performing sanitation work while standing on a drip pan located under a shackle chain, exposing the employee to a fall hazard of approximately 6 feet 10 inches to the concrete below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 06, 2024
Proposed Penalty:	\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

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

(a) Debone - On or about July 14, 2023, the employer did not ensure energy control procedures for the Front Half Incline conveyor were utilized when a sanitation employee was performing hand scrubbing sanitation work and the Front Half Incline conveyor was energized, exposing the employee to a caught-in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

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

(a) Debone - On or about July 14, 2023, the employer did not ensure energy control procedures for the Transfer Conveyor were utilized to control the unexpected start-up of the machine when a sanitation employee was standing and squatting on the conveyor to perform hand scrubbing sanitation work exposing the employee to a caught-in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: January 23, 2024
Proposed Penalty: \$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

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

(a) Debone - On or about July 14, 2023, the employer did not ensure energy control procedures for the Front Half Dumper were utilized to control the unexpected start-up of the machine when a sanitation employee was performing sanitation work and standing on or under the equipment, exposing employees to a caught-in or struck-by hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.147(d)(2): The machine or equipment was not turned off or shut down using the procedures established for the machine or equipment,

(a) Debone - On or about July 14, 2023, the employer did not ensure that Front Half Incline Conveyor was turned off before a sanitation employee performed hand scrubbing sanitation work, exposing the employee to a caught-in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees.

(a) Debone - On or about July 15, 2023, the employer did not ensure sanitation employees affixed a locking device to the electrical disconnect switch for the Transfer Conveyor when a sanitation employee was standing and squatting on the conveyor to perform hand scrubbing sanitation work exposing the employee to a caught-in hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees.

(a) Debone - On or about July 15, 2023, the employer did not ensure sanitation employees affixed a locking device to the electrical disconnect switch for the Front Half Dumper when performing sanitation work and standing on and under the equipment, exposing employees to caught-in and struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.147(c)(4)(ii)(B): The energy control procedures did not clearly and specifically outline the steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy.

(a) Debone - On or about July 14, 2023, the employer did not ensure that the energy control procedure for the Front Half Dumper included specific steps for blocking and securing the raised dumper when sanitation employees were performing sanitation work, exposing employees to struck-by hazards.

(b) Debone - On or about July 14, 2023, the employer did not ensure that the energy control procedures for the Front Half Dumper, Front Half Incline Conveyor and Transfer Conveyor identified that adjacent equipment that overhung equipment or was in close proximity to where the employee performs the sanitation work must also be locked out, exposing employees to caught-in and struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.147(c)(5)(ii)(D): Lockout devices and tagout devices did not indicate the identity of the employee applying the device(s)

(a) Debone - On or about July 14, 2023, the employer did not ensure that LOTO devices identified the employee who applied the device when used by sanitation employees to perform lockout, exposing the employees to caught-in and struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

February 06, 2024
\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) 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.

(a) DSI - On or about July 14, 2023, the employer exposed an employee to caught-in hazards in that an employee was engaged in sanitation activities at the belts without first being trained in energy control as an authorized employee.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

Citation 1 Item 13 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) Debone - On or about July 14, 2023, the area around the Front Half Dumper was not guarded to prevent employees from entering the danger zone while the dumper was in motion, exposing employees to struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	January 23, 2024
Proposed Penalty:	\$15,625.00

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: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed.

- (a) West Electrical Room at 10 Debone Transfer Belt Panel - On or about July 31, 2023, an open hole in a 480-volt electrical cabinet was not covered exposing employees to an electrical hazard.
- (b) West Electrical Room at USDA D4-1 and D4-2 Panel - On or about July 31, 2023, the opening around two 480-volt electrical disconnect levers was not covered exposing employees to an electrical hazard.
- (c) West Electrical Room at C1-2 Stack Off Conveyor Panel - On or about July 31, 2023, an open hole in a 480-volt electrical cabinet was not covered exposing employees to an electrical hazard.
- (d) West Electrical Room at E2-1 Stack Off - Top Conveyor Panel - On or about July 31, 2023, an open hole in a 480-volt electrical cabinet was not covered exposing employees to an electrical hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 13, 2024
Proposed Penalty:	\$8,349.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.132(h)(1): The employer did not provide the protective equipment, including personal protective equipment (PPE), used to comply with this part, at no cost to employees.

(a) Sanitation - On or about July 14, 2023, the employer did not provide required personal protective equipment such as chemical resistant rubber boots at no cost to employees.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

February 06, 2024
\$1,172.00

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: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.303(f)(1): Each disconnecting means required by Subpart S of Part 1910 for motors and appliances was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident.

(a) Debone - On or about July 31, 2023, the employer did not ensure that the 480-volt electrical disconnect switch for the Front Half Transfer Conveyor was legibly marked or identified.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	February 06, 2024
Proposed Penalty:	\$0.00

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

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

Inspection Number: 1683342
Inspection Date(s): 07/15/2023 - 01/09/2024
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401

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

29 CFR 1910.303(g)(2)(iii): Entrances to rooms and other guarded locations containing exposed live parts were not marked with conspicuous warning signs forbidding unqualified persons to enter.

(a) West Electrical Room - On or about July 31, 2023, the employer did not ensure that the entrance to the room was marked with signage to allow only qualified personnel to enter.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: February 06, 2024
Proposed Penalty: \$0.00

Courtney Bohannon
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
 Dr. A.H. McCoy Federal Bldg. 100 West Capitol Street
 Suite 749
 Jackson, MS 39269



**INVOICE /
 DEBT COLLECTION NOTICE**

Company Name: Mar-Jac Poultry MS, LLC
Inspection Site: 1301 James Street, Hattiesburg, MS 39401
Issuance Date: 01/12/2024

Summary of Penalties for Inspection Number: 1683342

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	\$15,625.00
Citation 1 Item 5, Serious	\$15,625.00
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	\$15,625.00
Citation 1 Item 10, Serious	\$15,625.00
Citation 1 Item 11, Serious	\$15,625.00
Citation 1 Item 12, Serious	\$15,625.00
Citation 1 Item 13, Serious	\$15,625.00
Citation 1 Item 14, Serious	\$8,349.00
Citation 2 Item 1, Other-than-Serious	\$1,172.00
Citation 2 Item 2, Other-than-Serious	\$0.00
Citation 2 Item 3, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: \$212,646.00

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.

Courtney Bohannon

Area Director

Date