

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
200 N. High Street  
Room 620  
Columbus, OH 43215



## Citation and Notification of Penalty

**To:**  
Case Farms Processing, Inc.  
and its successors  
1818 County Road 160  
Winesburg, OH 44690

**Inspection Number:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
**Issuance Date:** 02/07/2024

**Inspection Site:**  
1818 County Road 160  
Winesburg, OH 44690

7022 3330 0001 9706 8456

*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 (614) 469-5582. 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](http://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](http://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 02/07/2024. The conference will be held by telephone or at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1689135**

Company Name: Case Farms Processing, Inc.  
Inspection Site: 1818 County Road 160, Winesburg, OH 44690  
Issuance Date: 02/07/2024

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, 200 N. High Street, Room 620, Columbus, OH 43215.**

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:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
**Issuance Date:** 02/07/2024



**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.25(b)(2): Vertical clearance above any stair tread to any overhead obstruction is at least 6 feet, 8 inches (203 cm), as measured from the leading edge of the tread:

a. On or about August 7, 2023, located in the Sludge Press Building, there was an overhead obstruction, at a height of approximately 49-1/4 inches above the leading edge of the third stair tread, caused by a sludge discharge pipe running across the stairs that was used for access to the platform. Thereby exposing employees to trip/fall hazards when ascending and descending the stairs.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$10,140.00

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:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
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**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
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Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.28(b)(11)(ii): Each flight of stairs having at least 3 treads and at least 4 risers is equipped with stair rail systems and handrails as follows:

- a. On or about August 7, 2023, the stairs on the Foodmate Deboner # 1 (CP908), did not have a stair rail system on the deboner machine side as ascending the stairs. Thereby exposing employees to fall hazards due to the unprotected side.
- b. On or about August 7, 2023, the stairs on the Foodmate Deboner # 2 (CP909), did not have a stair rail system on the deboner machine side as ascending the stairs. Thereby exposing employees to fall hazards due to the unprotected side.

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 27, 2024  
\$10,140.00

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:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

#### **Citation 1 Item 3 a Type of Violation: **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 as required by 29 CFR 1910.147(d)(1) through (d)(6):

a. On or about August 7, 2023, located in the Live Hang Department, employees were exposed to machine hazards associated with moving parts of hydraulic lifting arms, in-going nip points of unguarded chains and sprockets, caught-between hazards between moving cages and gravity from cages on lifted hydraulic lifting arms on the Bright Cage Dump System platform while dislodging stuck cages. The employer did not implement energy control application steps as the machine was not shut down or turned off to perform the servicing work [per the 1910.147(d)(2) requirements]. As a result, the remaining applicable energy control elements, involving machine isolation [(d)(3)], lockout/tagout (LOTO) device application [(d)(4)], dissipation of residual energy [(d)(5)(i)], and verification of isolation [(d)(6)], were not implemented to protect employees from caught-in and caught-between hazards.

b. On or about August 7, 2023, located in the Live Hang Department, employees were exposed to machine hazards associated with moving parts of hydraulic lifting arms and in-going nip points of unguarded chains and sprockets on the Bright Cage Dump System platform while removing stuck chickens. The employer did not implement energy control application steps as the machine was not shut down or turned off to perform the servicing work [per the 1910.147(d)(2) requirements]. As a result, the remaining applicable energy control elements, involving machine isolation [(d)(3)], LOTO device application [(d)(4)], dissipation of residual energy [(d)(5)(i)], and verification of isolation [(d)(6)], were not implemented to protect employees from caught-in and caught-between hazards.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

**February 27, 2024**

**Proposed Penalty:**

**\$16,131.00**

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



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

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**Issuance Date:** 02/07/2024



**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee shall affix a personal lockout or tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she begins work, and shall remove those devices when he or she stops working on the machine or equipment being serviced or maintained:

a. On or about August 7, 2023, located in the Live Hang Department, the employer did not ensure that all employees that performed the unjamming of stuck chicken cages on the Bright Cage Dump System affixed a lock to a group lockout device or comparable mechanism prior to performing work. Thereby exposing employees to caught-between and/or caught-in hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: February 27, 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:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
**Issuance Date:** 02/07/2024



**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.212(a)(1): Types of guarding. One or more methods of machine guarding shall be 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. Examples of guarding methods are-barrier guards, two-hand tripping devices, electronic safety devices, etc:

- a. On or about August 7, 2023, located in the Live Hang Department on the Bright Cage Dump System platform, there was a vertical steel post on the hinged side of the platform's access door, near the operator controls, that in part created a shearing action between the vertical post and the live chicken cages that would traverse from the cage dump area to the opposite side of the platform, exposing employees to caught-between hazards.
- b. On or about August 21, 2023, located in the Live Hang Department at the Live Hang Conveyor, there was an ingoing nip point between the conveyor belt and its end roller that was not guarded. Exposing employees to caught-in hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 27, 2024  
\$12,676.00

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:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposes an employee to injury, shall be guarded. The guarding device shall be in conformity with any appropriate standards therefor, or, in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of his body in the danger zone during the operating cycle:

- a. On or about August 21, 2023, located in the 2nd Processing at Foodmate Deboner #1 (CP908), the employer did not guard point-of-operation hazards on the bottom of the deboner. Thereby exposing employees to struck-by and caught-between hazards.
- b. On or about August 21, 2023, located in the 2nd Processing at Foodmate Deboner #2 (CP909), the employer did not guard point-of-operation hazards on the bottom of the deboner. Thereby exposing employees to struck-by and caught-between hazards

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 27, 2024  
\$12,676.00

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

**Inspection Number:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
**Issuance Date:** 02/07/2024



**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.219(f)(3): Sprockets and chains. All sprocket wheels and chains shall be enclosed unless they are more than seven (7) feet above the floor or platform. Where the drive extends over other machine or working areas, protection against falling shall be provided. This subparagraph does not apply to manually operated sprockets:

a. On or about August 21, 20203, located in the Live Hang Department at the bottom of the Cage Dump, there was a chain and sprocket approximately 20 inches above the floor that was not enclosed. Thereby exposing employees to caught-in hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$12,676.00

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:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
**Issuance Date:** 02/07/2024



**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.219(h)(1): All projecting keys, setscrews, and other projections in revolving parts shall be removed or made flush or guarded by metal cover. This subparagraph does not apply to keys or setscrews within gear or sprocket casings or other enclosures, nor to keys, setscrews, or oilcups in hubs of pulleys less than twenty (20) inches in diameter where they are within the plane of the rim of the pulley:

- a. On or about August 7, 2023, located at the Cantrell Line 1 wings conveyor, employees were exposed to caught-in hazards due to an unprotected rotating shaft end with protruding setscrews.
- b. On or about August 28, 2023, located in the Live Hang Department, employees were exposed to caught-in hazards due to an unprotected rotating shaft with a protruding setscrew on the Death-On-Arrival (DOA) conveyor.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$15,211.00

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:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.28(b)(3)(ii): Each employee is 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:

- a. On or about August 7, 2023, located in the Live Hang Department on the Cage Dump platform, the employer did not ensure employees were protected from stepping into two approximately nine inch wide by 26 inches long floor holes that ranged from 22 to 45 inches in depth where floor hole covers had been previously removed. Exposing employees to trip and fall hazards at the same level.
- b. On or about August 7, 2023, located in the Live Hang Department on the Cage Dump platform, the employer did not ensure employees were protected from stepping into two approximately nine inch wide by 46 inches long floor holes, and were approximately 22 inches in depth, that were open when the hydraulic lifting arms were in the up position. Exposing employees to trip and fall hazards at the same level.

**Case Farms Processing, Inc. was previously cited for a violation of this equivalent Occupational Safety and Health standard 29 CFR 1910.23(a)(8), which was contained in OSHA inspection number 1040829, citation number 1, item number 5. This citation as amended pursuant to settlement agreement as citation 4, item 1b, and was affirmed as a final order on March 21, 2019, with respect to a workplace located at 1818 County Road 160, Winesburg, OH 44690.**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                   |
|---|-------------------|
| Date By Which Violation Must be Abated: | February 27, 2024 |
| Proposed Penalty:                       | \$76,054.00       |

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:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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Citation 2 Item 2 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:

- a. On or about August 7, 2023, the employer did not ensure the control of hazardous energy procedure for the Bright Cage Dump System clearly and specifically outlined the techniques to safely utilize the control of hazardous energy and protect from unexpected energization or release of stored energy of the equipment. The procedure did not include the magnitude for the hydraulics, gravity as a source of energy, a specific statement of intended use (per 1910.147(c)(4)(ii)(A)); specific procedure step to identify the hydraulic return valve to leave open, and the specific procedural step for blocking or otherwise securing the gravity of the cages when on hydraulic lifting arms.
- b. On or about August 21, 2023, the employer did not ensure the control of hazardous energy procedure for the Foodmate Deboner #1 and #2 (CP908 & CP909) clearly and specifically outlined the techniques to safely utilize and protect from unexpected energization or release of stored energy of the equipment. The procedure did not include a 45-55 psi air valve as an isolation point to be isolated prior to service and maintenance on equipment.

**Case Farms Processing, Inc. was previously cited for a violation of this Occupational Safety and Health standard 1910.147(c)(4)(ii), which was contained in OSHA inspection number 1527443, citation number 1, item number 1 and was affirmed as a final order on August 27, 2021, with respect to a workplace located at 1925 30th St. NE, Canton, Ohio 44705.**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                   |
|---|-------------------|
| Date By Which Violation Must be Abated: | February 27, 2024 |
| Proposed Penalty:                       | \$63,382.00       |

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:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
**Issuance Date:** 02/07/2024



**Citation and Notification of Penalty**

**Company Name: Case Farms Processing, Inc.**  
**Inspection Site: 1818 County Road 160, Winesburg, OH 44690**

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Citation 2 Item 3 Type of Violation: **Repeat - 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:

a. On or about August 7, 2023, located in the Live Hang Department, employees performed the unjamming of stuck cages on the Cage Dump Platform without being trained to the authorized level to safely perform lockout/tagout. Thereby exposing employees to caught-in and/or caught-between hazards.

**Case Farms Processing, Inc. was previously cited for a violation of this equivalent Occupational Safety and Health standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1040829, citation number 3, item number 6. This citation was amended pursuant to settlement as citation 5, item 1a and was affirmed as a final order on March 21, 2019, with respect to a workplace located at 1818 County Road 160, Winesburg, Ohio 44690.**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: February 27, 2024  
Proposed Penalty: \$161,323.00

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:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

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:

- a. On or about August 21, 2023, located in the Box Room, the employer did not develop, document and utilize an energy control procedure for two Nordson Problue 10 glue machines that were interconnected to cardboard box machines.

**Case Farms Processing, Inc., was previously cited for a violation of this Occupational Safety and Health standard, 29 CFR 1910.147(c)(4)(i), which was contained in OSHA inspection number 1048762, citation number 3, item number 2, and was affirmed as final order on March 21, 2019, with respect to workplace located at 1925 30th Street NE, Canton, Ohio 44705.**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                   |
|---|-------------------|
| Date By Which Violation Must be Abated: | February 27, 2024 |
| Proposed Penalty:                       | \$1,267.00        |

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: Case Farms Processing, Inc.**  
**Inspection Site: 1818 County Road 160, Winesburg, OH 44690**

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**Citation 3 Item 2** Type of Violation: **Repeat - Other**

29 CFR 1910.303(g)(1)(i)(B): The width of working space in front of the electric equipment shall be the width of the equipment or 762 mm (30 in.), whichever is greater. In all cases, the working space shall permit at least a 90-degree opening of equipment doors or hinged panels:

a. On or about August 21, 2023, located in the New Box Room, a Nordson glue machine for New Box Machine # 2, was located 17 inches from the front of the 480 VAC New Box Machine # 1 control panel, which did not permit at least a 90-degree opening of the equipment door.

**Case Farms Processing, Inc. was previously cited for a violation of this equivalent Occupational Safety and Health standard, 29 CFR 1910.303(g)(1), which was contained in OSHA inspection number 1040829, citation number 1, item number 23. This citation was amended pursuant to settlement as citation 3, item 1b, and was affirmed as a final order on March 21, 2019, with respect to a workplace located at 1818 County Road 160, Winesburg, OH 44690.**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 27, 2024  
\$506.00



**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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Citation 3 Item 3 Type of Violation: **Repeat - Other**

29 CFR 1910.305(g)(1)(iv)(A): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used as a substitute for the fixed wiring of a structure:

a. On or about August 7, 2023, located in the Live Hang Department, a flexible cord was used as fixed wiring for the Death-On-Arrival (DOA) conveyor drive motor.

**Case Farms Processing, Inc. was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.305(g)(1)(iv)(A), which was contained in OSHA inspection number 1040829, citation number 3, item number 15. This citation was amended pursuant to settlement as citation 3, item 1a, and was affirmed as a final order on March 21, 2019, with respect to a workplace located at 1818 County Road 160, Winesburg, OH 44690.**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: February 27, 2024  
Proposed Penalty: \$1,267.00

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

**Inspection Number:** 1689135  
**Inspection Date(s):** 08/07/2023 - 01/29/2024  
**Issuance Date:** 02/07/2024



**Citation and Notification of Penalty**

**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690

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

29 CFR 1910.178(l)(1)(i): The employer shall ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

a. On or about August 7, 2023, the employer did not ensure Mechanical Separated Chicken (MSC) employees had been trained and evaluated to operate a motorized hand truck prior to operation.

Date By Which Violation Must be Abated:  
Proposed Penalty:

February 27, 2024  
\$0.00

A handwritten signature in blue ink, appearing to read "Larry M. Johnson".

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**Larry M. Johnson**  
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  
200 N. High Street  
Room 620  
Columbus, OH 43215



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## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Case Farms Processing, Inc.  
**Inspection Site:** 1818 County Road 160, Winesburg, OH 44690  
**Issuance Date:** 02/07/2024

Summary of Penalties for Inspection Number: 1689135

|                                       |              |
|---------------------------------------|--------------|
| Citation 1 Item 1, Serious            | \$10,140.00  |
| Citation 1 Item 2, Serious            | \$10,140.00  |
| Citation 1 Item 3a, Serious           | \$16,131.00  |
| Citation 1 Item 3b, Serious           | \$0.00       |
| Citation 1 Item 4, Serious            | \$12,676.00  |
| Citation 1 Item 5, Serious            | \$12,676.00  |
| Citation 1 Item 6, Serious            | \$12,676.00  |
| Citation 1 Item 7, Serious            | \$15,211.00  |
| Citation 2 Item 1, Repeat - Serious   | \$76,054.00  |
| Citation 2 Item 2, Repeat - Serious   | \$63,382.00  |
| Citation 2 Item 3, Repeat - Serious   | \$161,323.00 |
| Citation 3 Item 1, Repeat - Other     | \$1,267.00   |
| Citation 3 Item 2, Repeat - Other     | \$506.00     |
| Citation 3 Item 3, Repeat - Other     | \$1,267.00   |
| Citation 4 Item 1, Other-than-Serious | \$0.00       |

**TOTAL PROPOSED PENALTIES:** **\$393,449.00**

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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](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

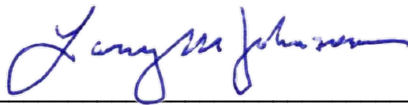
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

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

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

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

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



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**Larry M. Johnson**  
Area Director

07 February 2024

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Date