

**U.S. Department of Labor** Occupational Safety and Health Administration  
1391 Speer Blvd, Suite 210  
Denver, CO 80204



09/27/2021

JBS Foods, Inc., dba Swift Beef Company  
and its successors  
P.O. Box 1450  
Greeley, CO 80632

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 (303) 844-5285.

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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

*Amanda S. Kupper*

**Amanda Kupper**  
Area Director

Enclosures

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1391 Speer Blvd, Suite 210  
Denver, CO 80204



## Citation and Notification of Penalty

**To:**  
JBS Foods, Inc., dba Swift Beef Company  
and its successors  
P.O. Box 1450  
Greeley, CO 80632

**Inspection Number:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

**Inspection Site:**  
823 N. 6th Ave.  
Greeley, CO 80631

*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 (303) 844-5285. 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 09/27/2021. The conference will be held by telephone or at the OSHA office located at 1391 Speer Blvd, Suite 210, Denver, CO 80204 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1522217**

Company Name: JBS Foods, Inc., dba Swift Beef Company  
Inspection Site: 823 N. 6th Ave., Greeley, CO 80631  
Issuance Date: 09/27/2021

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, 1391 Speer Blvd, Suite 210, Denver, CO 80204.**

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:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

## **Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

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

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or about March 27, 2021, the employer failed to ensure proper installation and use of the JET PT Series Manual Trolley (stock # 252005). Deficiencies include:

1. A missing trolley end stop on the load bearing I-beam;
2. Unknown I-beam load capacity;
3. Uneven number of washer spacers on each side of the trolley's hanger bracket;
4. Missing split pin on a trolley hex nut; and
5. Exceeding the trolley's rated load capacity.

The trolley disconnected from the I-beam and dropped its load. This exposed employees to struck-by and crushing hazards.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Certification of Corrective Action Worksheet").

Among other methods, reasonable and feasible means of abatement for this hazard include:

1. Install trolley stop on each end of the monorail I-Beams following the American Society of Mechanical Engineers (ASME) standard for Cranes and Monorails (with underhung trolley or bridge), ASME B30.17-2020, Section 17-1.9.2, Trolley Stops.
2. Only hang loads from beams with a known rated load capacity exceeding the load
3. Install and operate the trolley per the Jet PT Series Manual Trolley - Installation and Safety Instructions.
4. Install and operate the trolley system per the American Society of Mechanical Engineers (ASME) standard for Overhead, Underhung and Stationary Hoists. ASME B30.16-2017, Section 16-1.3.2, Support.

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



Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$13,653.00



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

**Inspection Number:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

**Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

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

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before April 12, 2021, the employer did not ensure that employees were safe from crushing and struck-by hazards, in that a non-weight bearing, concrete masonry unit wall was in a deteriorated condition in the working area. The wall was missing bottom concrete masonry units in multiple sections, there were cracks and holes in some units, and some units were missing.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Certification of Corrective Action Worksheet").

Among other methods, feasible means of abatement include removing the wall, and repairing the wall.

Date By Which Violation Must be Abated:

October 22, 2021

Proposed Penalty:

\$8,582.00

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:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

**Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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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 1910.1200(f)(6)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical:

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not ensure secondary containers of chemicals were labelled correctly with the chemical content of the container and the hazard warnings of the chemical contained therein. The flammable cabinet in the Hides Plant, contained chemicals in clear spray bottles and paint containers with unknown chemicals contained in them. This condition exposed employees to skin, eye and respiratory hazards.

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$6,436.00

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:** 1522217  
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**Issuance Date:** 09/27/2021

**Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

29 CFR 1910.1200(g)(8): The employer did not ensure that Safety Data Sheets were readily accessible during each work shift to employees when they were in their work area(s):

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not ensure that safety data sheets were readily available to employees during each work shift when they were in their work areas. Safety data sheets in the workplace were not readily accessible to employees at the Hides Plant. This condition exposed employees to chemical hazards.

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$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:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

**Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not provide effective training to employees on hazardous chemicals in the work area. Employees were not trained to recognize hazardous chemicals, how to handle and apply hazardous chemicals, or where to locate SDS in the Hides Plant. This condition exposed employees to use chemicals in an unsafe manner due to lack of knowledge about the chemicals.

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$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:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

**Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

29 CFR 1926.106(a): Employee(s) working over or near water where the danger of drowning existed, were not provided with U.S. Coast Guard approved life jacket(s) or buoyant work vest(s):

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not ensure that employees performing work over or near water, were provided life jackets or buoyant work vests. One maintenance employee was working over and near water on the island of raceway 7, which was seven feet deep with an estimated four feet of brine water in the raceway at the Hides Plant. This condition exposed employees to drowning hazards.

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$10,728.00

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:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

### **Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

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

29 CFR 1926.554(a)(1): The safe working load of the overhead hoists, as determined by the manufacturer, was not indicated on the hoists:

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not ensure that the safe working load was indicated on the manual chain hoist (manufacturer unknown, due to no indication) used to suspend the paddlewheel from an I-Beam in the Hides Plant. Identifying marks on the chain hoist were defaced and no indication was legible or identifiable to determine the safe working load. This condition exposed employees to struck-by hazards.

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$8,582.00

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:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

**Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

29 CFR 1926.554(a)(6): All overhead hoists in use did not meet the applicable requirements for construction, design, installation, testing, inspection, maintenance, and operation, as prescribed by the manufacturer:

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not ensure that the overhead manual chain hoist used to suspend a 2500lb paddlewheel was inspected prior to use. This conditions exposed employees to struck-by and crushing hazards.

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$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:** 1522217  
**Inspection Date(s):** 03/29/2021 - 09/24/2021  
**Issuance Date:** 09/27/2021

### **Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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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 6 a** Type of Violation: **Serious**

29 CFR 1926.1126(d)(1): The employer with a workplace or work operation covered by this standard did not determine the 8-hour time-weighted average exposure for each employee exposed to chromium (VI):

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not evaluate employee exposure to chromium (VI). Employees welded on stainless steel 304 tubing, on the concrete floor of a raceway that was seven feet deep with no added ventilation or respiratory protection required. This condition exposed employees to respiratory hazards associated with chromium (VI).

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 22, 2021  
\$10,728.00

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:** 1522217  
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**Issuance Date:** 09/27/2021

**Citation and Notification of Penalty**

**Company Name:** JBS Foods, Inc., dba Swift Beef Company  
**Inspection Site:** 823 N. 6th Ave., Greeley, CO 80631

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

29 CFR 1926.1126(j)(1): Employees were not provided effective information and training the hazards of chromium (IV) in accordance with the provisions of § 1910.1200 and paragraph (j)(2) of this section:

a) JBS Foods, Inc., at 823 N. 6th Ave, Greeley, CO 80631: On or before March 27, 2021, the employer did not provide training to ensure that employees understood the hazards of chromium (IV). Maintenance Employees were welding on stainless steel 304 during the airline replacement in the Hides Plant without being provided effective information or training prior to conducting the welding operation. This condition exposed employees to the hazards of chromium (IV).

Abatement Note: Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Abatement Note: The employer shall ensure that each employee can demonstrate knowledge of at least the following: The contents of this section; and the purpose and a description of the medical surveillance program required by paragraph (i) of this section. The employer shall make a copy of this section readily available without cost to all affected employees.

Date By Which Violation Must be Abated:

October 22, 2021

Proposed Penalty:

\$0.00

*Amanda S. Kupper*  
\_\_\_\_\_  
**Amanda Kupper**  
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  
1391 Speer Blvd, Suite 210  
Denver, CO 80204



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name: JBS Foods, Inc., dba Swift Beef Company**  
**Inspection Site: 823 N. 6th Ave., Greeley, CO 80631**  
**Issuance Date: 09/27/2021**

**Summary of Penalties for Inspection Number: 1522217**

Citation 1 Item 1, Serious	\$13,653.00
Citation 1 Item 2, Serious	\$8,582.00
Citation 1 Item 3a, Serious	\$6,436.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 3c, Serious	\$0.00
Citation 1 Item 4, Serious	\$10,728.00
Citation 1 Item 5a, Serious	\$8,582.00
Citation 1 Item 5b, Serious	\$0.00
Citation 1 Item 6a, Serious	\$10,728.00
Citation 1 Item 6b, Serious	\$0.00
<b>TOTAL PROPOSED PENALTIES:</b>	<b>\$58,709.00</b>

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 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.

*Amanda S. Kupper*

**Amanda Kupper**

Area Director

September 27, 2021

Date