

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324
954-424-0242 Fax: 954-424-3073



Citation and Notification of Penalty

To:
BAKERY MANAGEMENT CORPORATION, dba
Bakery Corp
and its successors
15625 NW 15th Ave
Miami, FL 33127

Inspection Site:
15625 NW 15th Ave
Miami, FL 33127

Inspection Number: 1317721
Inspection Date(s): 05/22/2018 - 05/22/2018
Issuance Date: 06/28/2018

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. 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 on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide **abatement certification** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that **abatement documentation** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/28/2018. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on _____ at _____ . Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1317721

Company Name: BAKERY MANAGEMENT CORPORATION, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127
Issuance Date: 06/28/2018

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, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324**

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

Citation Number _____ and Item Number _____ was corrected on _____
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Citation Number _____ and Item Number _____ was corrected on _____
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I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: BAKERY MANAGEMENT CORPORATION, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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 1 a Type of Violation: **Other-than-Serious**

29 CFR 1910.134(c)(2)(i): Respirator users were not provided with the information contained in Appendix D of 29 CFR 1910.134 when the employer determined that any voluntary respirator use was permissible:

On or about May 22nd, 2018, at the jobsite located at 15625 NW 15th Ave. Miami FL 33127, the employer did not provide the information contained in Appendix D to 29 CFR 1910.134 to an employee using a NIOSH approved 3M half mask elastomeric respirator assigned to perform oven cleaning operations.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/25/2018
\$0.00



Citation and Notification of Penalty

Company Name: BAKERY MANAGEMENT CORPORATION, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.134(c)(2)(ii): The employer did not establish and implement those elements of a written program necessary to ensure that any employee using a respirator voluntarily was medically able to use that respirator, and that the respirator was cleaned, stored, and maintained so that its use does not present a health hazard to the user:

On or about May 22nd, 2018, at the jobsite located at 15625 NW 15th Ave. Miami FL 33127, the employer did not provide a medical evaluation to an employee using a NIOSH approved 3M half mask elastomeric respirator while performing oven cleaning operations.

Date By Which Violation Must be Abated:

07/25/2018

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

Condell Eastmond
Area Director

SUMMARY OF PROPOSED PENALTIES

Summary of Penalties for Inspection Number -	1317721
Citation 1, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$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
1000 South Pine Island Road
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Citation and Notification of Penalty

To:
Bakery Management Corp, dba Bakery Corp
and its successors
15625 NW 15th Ave
Miami, FL 33127

Inspection Number: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018

Inspection Site:
15625 NW 15th Ave
Miami, FL 33127

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CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1298826

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127
Issuance Date: 06/28/2018

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Signature

Date

Typed or Printed Name

Title

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Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.23(b)(10): The employer did not ensure any ladder with structural or other defects was immediately tagged "Dangerous: Do Not Use" or with similar language in accordance with 1910.145 and removed from service until repaired in accordance with 1910.22(d), or replaced:

- a. On or about 3/22/2018, at the warehouse area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. An A-frame ladder which had a bent supporting bracket was not tagged to prevent its use, exposing employees to a fall hazard.
- b. On or about 3/22/2018, at the wrapping area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. An A-frame ladder which had bent steps was not tagged to prevent its use, exposing employees to a fall hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/11/2018
\$3880.00

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

Inspection Number: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.23(c)(8): The employer did not ensure that the top cap and the top step of a step ladder were not used as steps:

On or about 3/22/2018, at the warehouse area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. An employee was exposed to a fall hazard while standing on the top step of an A-frame ladder while cleaning an ice machine.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/11/2018
\$3880.00

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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

Or about 3/2/2018, at the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. The employer did not ensure that employees engaged in sanitation activities wear rubber and/or slip resistant shoes and safety glasses.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/11/2018
\$5174.00

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: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedure, employee training and periodic inspections to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

On or about 4/4/2018, at Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. The employer had not established an energy control program for protecting employees who performed cleanup of bakery equipment following daily production operations, as evidenced by, among other conditions; specific procedures for the shutdown of machinery were not available and/or used; energy control devices were not used to isolate machinery and training of authorized and affected employees was not provided.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/24/2018
Proposed Penalty:	\$9054.00

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: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

On or about 3/22/2018, at the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to a chemical hazard while working with corrosive chemicals used for sanitation purposes without having an eyewash.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/13/2018
\$6468.00

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

Inspection Number: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.178(l)(1)(i): The employer did not 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):

On or about 3/22/2018, at Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to struck and caught by hazards while operating a powered industrial truck (i.e. Crown, Model and Serial Number not available) without being trained and evaluated.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/13/2018
\$3880.00

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: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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 7 a Type of Violation: **Serious**

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by in-going nip points:

On or about 4/4/2018, at the small buns line of the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to a caught by hazard while working standing by unguarded conveyors that transported small buns to the area where these were placed on trays.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/24/2018
\$5174.00

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: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.219(c)(4)(i): Unguarded projecting shaft end(s) did not present a smooth edge and end and projected more than one half the diameter of the shaft:

On or about 4/4/2018, at the small buns line of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to a caught by hazard while working and/or walking in the proximity of an unguarded shaft that projected 5.2 times its half diameter, located at the end of a conveyor delivering trays to a Robotray stacking system.

Date By Which Violation Must be Abated:

07/13/2018

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Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.263(c)(3): Sprocket(s) and V-belt drive(s) of bakery machinery located within reach from platform(s) or passageway(s) or located within 8 feet 6 inches from the floor were not completely enclosed:

- a. On or about 3/2/2018, at the muffins line of the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to a caught by hazard while manually removing batter-filled muffin pans out of a conveyor which had an unguarded sprocket drive.
- b. On or about 4/4/2018, at the small buns line of the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to a caught by hazard while feeding trays into a conveyor which had an unguarded V-belt drive.

Date By Which Violation Must be Abated:

07/13/2018

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

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Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.263(i)(7)(ii): Stop bumper(s) were not installed on the delivery ends of conveyor(s) where manual removal of the product was practiced:

On or about 3/2/2018, at the muffins line of the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to a caught by hazard while manually removing batter-filled muffin pans out of a conveyor that lacked a stop bumper.

Date By Which Violation Must be Abated:

07/13/2018

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Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
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Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.263(f)(3): The back(s) of divider(s) were not completely covered or enclosed to guard against the hazard of moving parts:

On or about 4/4/2018, at the small buns line of the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. An employee was exposed to a caught by hazard while reaching inside a divider that lacked a cover and had a safety interlock non-operational.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/13/2018
\$6468.00

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Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

- a. On or about 3/2/2018, at the ovens area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. A portable fan (i.e. Leading Edge, Model LCHWD30) was not provided with a continuous path to ground, exposing employees to an electrical hazard.
- b. On or about 3/2/2018, at the ovens area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. A portable fan i.e. Marley Industry Products, Model 30AHP) was not provided with a continuous path to ground, exposing employees to an electrical hazard.
- c. On or about 3/2/2018, at the ovens area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. A portable fan (i.e. TPI Corporation, Model SPW1-7505) was not provided with a continuous path to ground, exposing employees to an electrical hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/05/2018
\$5174.00

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

Inspection Number: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.307(c)(3): Equipment was not safe for the location in that it was not of a type and design that the employer demonstrated would provide protection from the hazards arising from the combustibility and flammability of vapors, liquids, gases, dusts, or fibers involved:

On or about 3/2/2018, at the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. A Shop-Vac (Ryobi, Model WD12701, 12 gallon capacity) was used to collect combustible dust (i.e. Flour and/or flour mixture) in a Class II Division 2 location, exposing employees to fire and explosion hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/11/2018
\$5174.00

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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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 11 a Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

On or about 3/22/2018, at Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. The employer did not develop and implement a hazard communication program for protecting from a chemical hazard presented by hazardous materials (i.e. Santex Oven Cleaner, Oasis 137 Orange Force, Wash & Prep Rtu, Lavender Clean Pine-Sol Multi Surface Cleaner, Dawn Professional Dish Detergent, Formula 88 Cleaner & Degreaser, Clorox Commercial Solution) used for cleaning and sanitation purposes on a daily basis.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/24/2018
\$6467.00

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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

Citation 1 Item 11 b 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:

On or about 3/22/2018, at Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Employees were exposed to a chemical hazard while lacked information and training, as evidenced by, among other conditions; employees lacked knowledge of chemical hazards; employees lacked knowledge of the location and availability of safety data sheets; employees lacked knowledge of location and availability of the hazard communication program, etc.

Date By Which Violation Must be Abated:

07/24/2018

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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

OSH ACT of 1970 Section (5)(a)(1): Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed a fall hazard:

On or about 4/4/2018, at Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. An employee was exposed to a fall hazard while changing light bulbs standing on a wood pallet equipped with guardrails, which was not secured to the forks and/or mast of a powered industrial truck.

Feasible and useful methods to prevent this hazard from occurring again include, but are not limited to: Use of a safety platform firmly secured to the lifting carriage and/or forks and appropriate fall protection. Reference ANSI B56.1-2012, Safety Standard for Low Lift and High Lift Trucks, Section 4.17.2 (c) and 4.17.3 (b).

Date By Which Violation Must be Abated:
Proposed Penalty:

07/06/2018
\$5174.00

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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1904.4(a): The employer did not record each work-related fatality, injury or illness case that resulted in the general recording criteria on the OSHA Form 300 or equivalent:

On or about 4/4/2018, at the Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. The employer did not record a lost-time work-related injury that took place on 1/18/2018, when an employee injured his left shoulder while trying to stop a Rollomatic control panel from falling.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/13/2018
Proposed Penalty:	\$1294.00

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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

On or about 4/4/2018, at the small buns line of the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. A junction box installed to the side of conveyor was not covered, exposing energized electrical wires to employee contact.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints or terminal screws:

On or about 3/2/2018, at the ovens area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. A portable fan (i.e. King of Fans, No. 0013689) lacked strain relief where its cord entered into the attachment plug, exposing employees to an electrical hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/05/2018
\$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: 1298826
Inspection Date(s): 03/02/2018 - 06/01/2018
Issuance Date: 06/28/2018



Citation and Notification of Penalty

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127

Citation 2 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.263(l)(9)(ii): All safety devices on the oven(s) were not inspected at intervals of not less than twice a month by a properly instructed bakery employee:

On or about 4/4/2018, at the production area of Bakery Management Corp DBA Bakery Corp. located at 15625 NW 15th Ave, Miami, FL 33127. Five ovens were not inspected, exposing employees to fire and explosion hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/24/2018
\$0.00

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

Condell Eastmond
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
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324
954-424-0242 Fax: 954-424-3073



INVOICE / DEBT COLLECTION NOTICE

Company Name: Bakery Management Corp, dba Bakery Corp
Inspection Site: 15625 NW 15th Ave, Miami, FL 33127
Issuance Date: 06/28/2018

Summary of Penalties for Inspection Number	1298826
Citation 1, Serious	\$65967.00
Citation 2, Other-than-Serious	\$1294.00
TOTAL PROPOSED PENALTIES	\$67261.00

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 on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. 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

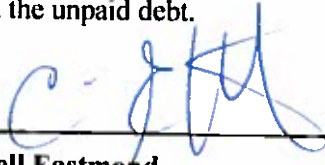
account, the bank will attempt to make the transfer up to 2 times.

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.

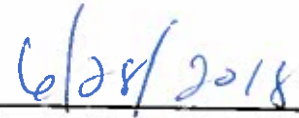
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Condell Eastmond

Area Director



Date