

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324



Citation and Notification of Penalty

To:
THE HIGGINS GROUP CORP., dba Higgins
Premium Pet Foods
and its successors
3198 NW 125th Street
Miami, FL 33167

Inspection Number: 1343074
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019

Inspection Site:
3198 NW 125th Street
Miami, FL 33167

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 954-424-0242. 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 02/27/2019. 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: 1343074

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167
Issuance Date: 02/27/2019

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 _____
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

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Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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 being crushed-by storage racks.

On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, the employer failed to protect workers who were exposed to crush-by hazards from damaged and/or overloaded storage racks.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

Among other methods, one feasible and acceptable abatement method to correct this hazard is develop, implement and enforce policies and procedures regarding the necessary response to identify structural defect of storage racks, immediately isolate the affected area of defective storage racks, perform an evaluation by a storage rack design professional; unload, replace or repair defective storage racks, according to recommendations made by a storage rack design professional; and adhere to the storage rack manufacturer s assembly instructions and to the American National Standards Institute (ANSI) standard MH16.1-2101 for storage rack specifications and design.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/25/2019
Proposed Penalty:	\$9282.00

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: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.36(f)(2): The capacity of an exit route decreased in the direction of exit route travel to the exit discharge:

- a) On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, storage of items, such as , but not limited to, palletized load and pallets racks, decreased the width of the direction of exit route travel in the South West corner of the building, thus exposing employees to an asphyxiation hazard in the event of a fire.
- b) On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, storage of items, such as, but not limited to, palletized load and pallets racks, decreased the width of the direction of exit route travel in the North West corner of the building, thus exposing employees to an asphyxiation hazard in the event of a fire.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/25/2019
Proposed Penalty:	\$9282.00



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

Citation 1 Item 3 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:

- a). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, the employer failed to develop and implement a Hazardous Energy Control Program for set-up, cleaning and maintenance of pet foods manufacturing machines such as but not limited to: (1) a receiving conveyor system; therefore exposing the machine operators, the machine mechanics and machine cleaning employees to thermal, pinch, nip, cut, and amputate hazards.
- b). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, the employer failed to develop and implement a Hazardous Energy Control Program for set-up, cleaning and maintenance of pet foods manufacturing machines such as but not limited to: (2) a silo system; therefore exposing the machine operators, the machine mechanics and machine cleaning employees to thermal, pinch, nip, cut, and amputate hazards.
- c). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, the employer failed to develop and implement a Hazardous Energy Control Program for set-up, cleaning and maintenance of pet foods manufacturing machines such as but not limited to: (3) two bagging systems (Hayssen machines); therefore exposing the machine operators, the machine mechanics and machine cleaning employees to thermal, pinch, nip, cut, and amputate hazards.
- d). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, the employer failed to develop and implement a Hazardous Energy Control Program for set-up, cleaning and maintenance of pet foods manufacturing machines such as but not limited to: (4) a conveyor boxing/distribution system; therefore exposing the machine operators, the machine mechanics and machine cleaning employees to thermal, pinch, nip, cut, and amputate hazards.
- e). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, the employer failed to

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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Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

develop and implement a Hazardous Energy Control Program for set-up, cleaning and maintenance of pet foods manufacturing machines such as but not limited to: (5) a grain/ingredients bucket elevator for micro; therefore exposing the machine operators, the machine mechanics and machine cleaning employees to thermal, pinch, nip, cut, and amputate hazards.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/25/2019
Proposed Penalty:	\$9282.00

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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 4 a Type of Violation: **Serious**

29 CFR 1910.178(a)(4): Modifications and additions which affect capacity and safe operation of powered industrial truck were performed by the employer without the manufacturer's prior written approval:

On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, the employer failed to receive written approval from a forklift manufacturer prior to allowing the operation of a forklift that was used with a front-end elevating platform (man-basket) and not marked with alternative capacities, thus exposing employees to fall and struck-by hazards.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/25/2019
Proposed Penalty:	\$6630.00

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: 1343074
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.178(l)(2)(ii): The employer did not ensure that each operator had successfully completed the training consisting of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace:

On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees who operated Powered Industrial Trucks (Forklift) did not receive formal instruction, practical training, and evaluation prior to transporting palletized loads, therefore exposing employees to struck-by hazards.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

03/25/2019

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: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

- a). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees were operating/were able to place parts of their body into the danger zone of pet foods manufacturing machines, consisting of a small bag pet foods manufacturing machine(s), and a large bag pet food manufacturing machine; which were comprised of several different sub-components/machines, such as but not limited to: (1) a receiving conveyor system, all of which contained ingoing pinch points, nip points, cut points and thermal/burn points, which were not protected by one or more methods of primary machine guarding; therefore exposing the operator(s) to nip, pinch, cut and thermal hazards.
- b). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees were operating/were able to place parts of their body into the danger zone of pet foods manufacturing machines, consisting of a small bag pet foods manufacturing machine(s), and a large bag pet food manufacturing machine; which were comprised of several different sub-components/machines, such as but not limited to: (2) a silo system, all of which contained ingoing pinch points, nip points, cut points and thermal/burn points, which were not protected by one or more methods of primary machine guarding; therefore exposing the operator(s) to nip, pinch, cut and thermal hazards.
- c). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees were operating/were able to place parts of their body into the danger zone of pet foods manufacturing machines, consisting of a small bag pet foods manufacturing machine(s), and a large bag pet food manufacturing machine; which were comprised of several different sub-components/machines, such as but not limited to: (3) two bagging systems (Hayssen machines), all of which contained ingoing pinch points, nip points, cut points and thermal/burn points, which were not protected by one or more methods of primary machine guarding; therefore exposing the operator(s) to nip, pinch, cut and thermal hazards.
- d). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees were operating/were able to place parts of their body into the danger zone of pet foods manufacturing

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: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

machines, consisting of a small bag pet foods manufacturing machine(s), and a large bag pet food manufacturing machine; which were comprised of several different sub-components/machines, such as but not limited to: (4) a conveyor boxing/distribution system, all of which contained ingoing pinch points, nip points, cut points and thermal/burn points, which were not protected by one or more methods of primary machine guarding; therefore exposing the operator(s) to nip, pinch, cut and thermal hazards.

e). On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees were operating/were able to place parts of their body into the danger zone of pet foods manufacturing machines, consisting of a small bag pet foods manufacturing machine(s), and a large bag pet food manufacturing machine; which were comprised of several different sub-components/machines, such as but not limited to: (5) a grain/ingredients bucket elevator for micro, all of which contained ingoing pinch points, nip points, cut points and thermal/burn points, which were not protected by one or more methods of primary machine guarding; therefore exposing the operator(s) to nip, pinch, cut and thermal hazards.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	03/25/2019
Proposed Penalty:	\$9282.00

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

Inspection Number: 1343074
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pct Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified at 29 CFR 1910.219(m) and (o)(a)

On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees were exposed to cut, nip and pinch-point hazards from unguarded pulleys and belts, which were not protected by one or more methods of primary machine guarding on a silo system.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/25/2019
\$6630.00

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: 1343074
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Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.219(f)(1): Gear(s) were not guarded by a complete enclosure or by one of the methods specified in 29 CFR 1910.219(f)(1)(ii) and (f)(1)(iii):(a)

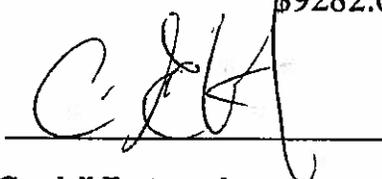
On or about August 30, 2018, at 3198 NW 125th Street, Miami Florida, employees were exposed to cut and amputation hazards from unguarded gears/sprockets and chains when operating a conveyor boxing/distribution system, which were not protected by one or more methods of primary machine guarding.

NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

03/25/2019
\$9282.00



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



INVOICE / DEBT COLLECTION NOTICE

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167
Issuance Date: 02/27/2019

Summary of Penalties for Inspection Number	1343074
Citation 1, Serious	\$59670.00
TOTAL PROPOSED PENALTIES	\$59670.00

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.

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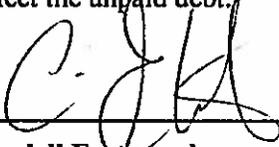
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.

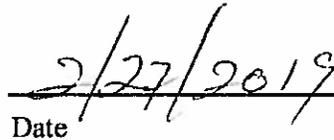
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
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To:
THE HIGGINS GROUP CORP., dba Higgins
Premium Pet Foods
and its successors
3198 NW 125th Street
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Inspection Site:
3198 NW 125th Street
Miami, FL 33167

Inspection Number: 1343723
Inspection Date(s): 08/30/2018 - 02/25/2019
Issuance Date: 02/27/2019

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.

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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 954-424-0242. 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 02/27/2019. 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: 1343723

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167
Issuance Date: 02/27/2019

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 _____
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: 1343723
Inspection Date(s): 08/30/2018 - 02/25/2019
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.28(b)(3)(i): The employer did not ensure each employee was protected from falling through any hole (including skylights) that was 4 feet (1.2 m) or more above a lower level by one or more of the following: covers, guardrail systems, travel restraint systems, or personal fall arrest systems:

On or about 11/1/2018, at the mezzanine area of the production area of The Higgins Group Corp. DBA Higgins Premium Pet Foods. An employee was exposed to a fall hazard of 7'-1" while standing in close proximity to a floor hole measuring 63" by 60".

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5304.00

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: 1343723
Inspection Date(s): 08/30/2018 - 02/25/2019
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.272(e)(1): The employer did not provide training to employees at least annually and when changes in job assignments would expose them to new hazards in the grain handling facilities:

On or about 11/1/2018, at the production area of The Higgins Group Corp. DBA Higgins Premium Foods, employees were not provided with training in general precautions to be observed at production area for prevention and recognition of dust accumulation, as evidenced by, among other conditions; employees were not aware of the combustible characteristics of grain dust; employees did not recognize that electrical fans and/or other equipment used could be sources of ignition; employee sdid not recognized the importance of enclosing production equipment for fugitive dust control; lockout/tagout procedures, etc.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/18/2019
\$3978.00

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: 1343723
Inspection Date(s): 08/30/2018 - 02/25/2019
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.272(j)(1): The employer did not develop and implement a written housekeeping program that established the frequency and the method(s) determined best to reduce accumulations of fugitive grain dust on ledges, floors, equipment, and other exposed surfaces:

On or about 11/1/2018, at the mezzanine area of the production area of The Higgins Group Corp. DBA Higgins Premium Foods, the employer did not develop and implement a written housekeeping program, which exposed employees to fire and explosion hazards while working in an area where Class II combustible dust was deposited on electrical conduits, electrical equipment, joists, platforms and walls.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/18/2019
\$3978.00

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: 1343723
Inspection Date(s): 08/30/2018 - 02/25/2019
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

On or about 11/1/2018, at the production area of The Higgins Group Corp DBA Higgins Premium Pet Foods. A vacuum cleaner (i.e. Ridgid Shop Vac, Serial #11347 R 0640) was used for the collection of deposited 81% combustible dust on a Class II, Division 2 hazardous location, exposing employees to fire and explosion hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/07/2019
\$3978.00

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: 1343723
Inspection Date(s): 08/30/2018 - 02/25/2019
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.22(a)(3): Walking-working surfaces were not maintained free of hazards such as sharp or protruding objects, loose boards, corrosion, leaks, spills, snow, and ice:

On or about 11/1/2018, at the mezzanine of the production area, The Higgins Group Corp. DBA Higgins Pet Premium Foods, employees were exposed to a tripping hazard while walking in close proximity of a loose piece of wood around scales of the small bags production line.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/07/2019
\$0.00

A handwritten signature in black 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



INVOICE / DEBT COLLECTION NOTICE

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167
Issuance Date: 02/27/2019

Summary of Penalties for Inspection Number	1343723
Citation 1, Serious	\$17238.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$17238.00

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

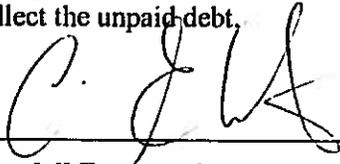
account, the bank will attempt to make the transfer up to 2 times.

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.

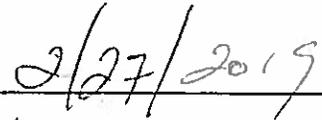
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324



Citation and Notification of Penalty

To:
THE HIGGINS GROUP CORP., dba Higgins
Premium Pet Foods
and its successors
3198 NW 125th Street
Miami, FL 33167

Inspection Number: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019

Inspection Site:
3198 NW 125th Street
Miami, FL 33167

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 954-424-0242. 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 02/27/2019. 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: 1343217

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167
Issuance Date: 02/27/2019

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 _____
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: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.138(a): Appropriate hand protection was not used when employee's hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes.

On or about 8/30/2018, at the worksite located at 3198 NW 125th Street, Miami, Florida 33167, the employer did not ensure an employee wore the appropriate hand protection when handling and using hazardous chemicals to clean floors and equipment throughout the facility including but not limited to, Tennant True Cleaning Solution a corrosive with a (pH of 12.7 - 13.7), Grease O with a (pH of 12-13), and A-1 Bleach with a (pH of 12.5).

Date By Which Violation Must be Abated:
Proposed Penalty:

03/11/2019
\$5304.00

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: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

Citation 1 Item 2 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 8/30/2018, at the worksite located at 3198 NW 125th Street, Miami, Florida 33167, the employer did not provide suitable facilities for quick drenching or flushing of the eyes for an employee working with hazardous chemicals, including but not limited to, Tennant True Cleaning Solution a corrosive with a (pH of 12.7 - 13.7), Grease O with a (pH of 12-13), and A-1 Bleach with a (pH of 12.5), used for daily cleaning of floors and equipment at the facility.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/11/2019
\$6630.00

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: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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(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 8/30/2018, at the worksite located at 3198 NW 125th Street, Miami, Florida 33167, the employer did not develop and implement a written hazard communication program for employee exposed to hazardous chemicals, including but not limited to, Tennant True Cleaning Solution a corrosive with a (pH of 12.7 - 13.7), Grease O with a (pH of 12-13), and A-1 Bleach with a (pH of 12.5) used for daily cleaning of floors and equipment at the facility.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/18/2019
\$6630.00

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: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.1200(g)(1): The employer did not have a material safety data sheet for each hazardous chemical which they used:

On or about 8/30/2018, at the worksite located at 3198 NW 125th Street, Miami, Florida 33167, the employer did not provide safety data sheets for hazardous chemicals, including but limited to, the Tennant True Cleaning Solution a corrosive with a (pH of 12.7 - 13.7), used for daily cleaning of floors and equipment at the facility.

Date By Which Violation Must be Abated:

03/11/2019

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: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.1200(h)(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets.

On or about 8/30/2018, at the worksite located at 3198 NW 125th Street, Miami, Florida 33167, the employer did not provide hazard communication training for employees who use hazardous chemicals, including but not limited to, Tennant True Cleaning Solution a corrosive with a (pH of 12.7 - 13.7), Grease O with a (pH of 12-13), and A-1 Bleach with a (pH of 12.5) used for daily cleaning of floors and equipment at the facility.

Date By Which Violation Must be Abated:

03/18/2019

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: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; this evaluation shall include a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer could not identify or reasonably estimate the employee exposure, the employer did not consider the atmosphere to be IDLH.

On or about 8/30/2018, at the worksite located at 3198 NW 125th Street, Miami, Florida 33167, the employer did not evaluate the respiratory hazards of employees associated with hazardous chemicals, including but not limited to, Tennant True Cleaning Solution, a corrosive chemical with a (pH of 12.7 - 13.7), Grease O with a (pH of 12-13), and A-1 Bleach with a (pH of 12.5), used for daily cleaning of floors and equipment at the facility.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/18/2019
\$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: 1343217
Inspection Date(s): 08/30/2018 - 08/30/2018
Issuance Date: 02/27/2019



Citation and Notification of Penalty

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167

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

29 CFR 1910.134(k): The employer did not provide training and the basic information in Appendix D of this section for employees provided respirators for voluntary use:

On or about 8/30/2018, at the worksite located at 3198 NW 125th Street, Miami, Florida 33167, the employer did not provide the information contained in Appendix D of this section to the employees who voluntarily use Safety Zone White Cone Dust Mask, part# RA-810 filtering face-piece respirators.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/11/2019
\$0.00

A handwritten signature in black 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



INVOICE / DEBT COLLECTION NOTICE

Company Name: THE HIGGINS GROUP CORP., dba Higgins Premium Pet Foods
Inspection Site: 3198 NW 125th Street, Miami, FL 33167
Issuance Date: 02/27/2019

Summary of Penalties for Inspection Number	1343217
Citation 1, Serious	\$18564.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$18564.00

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

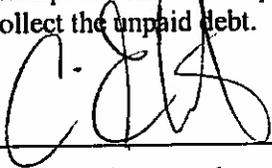
account, the bank will attempt to make the transfer up to 2 times.

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

2/27/2019
Date