Citation and Notification of Penalty

Company Name: BRUTOCAO VINEYARDS, INC.
Establishment DBA: BRUTOCAO FAMILY VINEYARDS and its successors
Inspection Site: Bliss Vineyard-Block B29, 2300 Highway 175 Hopland, CA 95449

Citation 1 Item 1

Type of Violation: General

T8 CCR §3441(a)(2)(B) Operation of Agricultural Equipment.
(a) Operating Instructions and Safe Work Practices.
(2) Agricultural equipment shall be operated in accordance with the following safe work practices and operating rules:
(B) Permit no riders on agricultural equipment other than persons required for instruction or assistance in machine operation.

Prior to and during the course of the inspection, including but not limited to, on September 10, 2020, the Employer did not follow the safe work practices for agricultural equipment. The employer had three employees riding on an agricultural trailer through the vineyard during grape harvest.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $410.00

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

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 Hopland, CA 95449

Citation 1 Item 2  Type of Violation: General

T8 CCR §3457(c)(3)(G)(3) Field Sanitation.
(c) Requirements.
Agricultural operations not involving hand-labor operations shall meet the requirements of Sections 3360-3368.
All other agricultural operations shall meet the following requirements:
(3) Maintenance standards: Potable drinking water facilities, toilet facilities, and handwashing facilities, which are under the control of the employer, shall be serviced and maintained by the employer at all times in accordance with appropriate public health sanitation practices, including the following:
(G) Handwashing facilities shall at all times meet the following standards:
(3) Soap or other suitable cleansing agent and single-use towels shall be provided.

Prior to and during the course of the inspection, including but not limited to, on September 10, 2020, the Employer did not provide soap or other suitable cleansing agent for the handwashing facility located inside one of the portable toilet facilities used by employees working in the vineyard, harvesting grapes.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $750.00

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  Page 6 of 10 Cal/OSHA-2 V1 Rev 10/2020
Citation and Notification of Penalty

Company Name: BRUTOCAO VINEYARDS, INC.
Establishment DBA: BRUTOCAO FAMILY VINEYARDS and its successors
Inspection Site: Bliss Vineyard-Block B29, 2300 Highway 175 Hopland, CA 95449

Citation 2 Item 1 Type of Violation: Serious

T8 CCR §3203(a)(6) Injury and Illness Prevention Program.
(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:
(6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:
(A) When observed or discovered; and,
(B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.
Or, in the Alternative
T8 CCR §5141(a) Control of Harmful Exposure to Employees.
Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Prior to and during the course of the inspection, including, but not limited to September 10, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in that it failed to effectively implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19 that affected its employees who were working outside harvesting wine grapes, including, but not limited to:
1. The hazard created by lack of physical distancing of at least six feet in all directions among employees.
2. The hazard created by employees not wearing face coverings to prevent release of potentially infectious particles into the air while working within six feet of each other.
[3203(a)(6)]

Or, in the Alternative
Prior to and during the course of the inspection, including, but not limited to, on September 10, 2020, the employer failed to prevent harmful exposures of employees to infectious or potentially infectious airborne particles by ensuring the use of engineering controls, such as face coverings to limit the release of infectious particles into the air when a person breathes, speaks, coughs, or sneezes to prevent the spread of COVID-19.

[5141(a)]

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______________________________________________________
Darin Wallace
Compliance Officer / District Manager