

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Modesto District Office
4206 Technology Drive, Suite 3
Modesto, CA 95356
Phone: (209) 545-7310 Fax: (209) 545-7313

Inspection #: 1499293
Inspection Dates: 10/23/2020 - 5/28/2021
Issuance Date: 05/28/2021
CSHO ID: S6255
Optional Report #: 25-21



Citation and Notification of Penalty

Company Name: Richwood Meat Company, Inc.

Establishment DBA:

and its successors

Inspection Site: 2751 N Santa Fe Drive
Merced, CA 95348

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

T8 CCR 342(a)

Reporting Work-Connected Fatalities and Serious Injuries

(a) Every employer shall report immediately by telephone or telegraph to the nearest District Office of the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment.

Immediately means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code

Employer failed to immediately report to the Division the serious COVID-19 illness and fatality suffered by an employee on or about September 24, 2020.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$5000.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Modesto District Office
4206 Technology Drive, Suite 3
Modesto, CA 95356
Phone: (209) 545-7310 Fax: (209) 545-7313

Inspection #: 1499293
Inspection Dates: 10/23/2020 - 5/28/2021
Issuance Date: 05/28/2021
CSHO ID: S6255
Optional Report #: 25-21



Citation and Notification of Penalty

Company Name: Richwood Meat Company, Inc.
Establishment DBA:

and its successors
Inspection Site: 2751 N Santa Fe Drive
Merced, CA 95348

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

T8 CCR 3203(a)(5)

Injury 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:

(5) Include a procedure to investigate occupational injury or occupational illness.

Prior to and during the course of the Division inspection, the employer failed to effectively implement its written Injury and Illness Prevention Program covering its own employees in that the employer did not investigate approximately 4 COVID-19 illnesses, including one fatality.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$800.00

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Modesto District Office
4206 Technology Drive, Suite 3
Modesto, CA 95356
Phone: (209) 545-7310 Fax: (209) 545-7313

Inspection #: 1499293
Inspection Dates: 10/23/2020 - 5/28/2021
Issuance Date: 05/28/2021
CSHO ID: S6255
Optional Report #: 25-21

**Citation and Notification of Penalty**

Company Name: Richwood Meat Company, Inc.

Establishment DBA:

and its successors

Inspection Site: 2751 N Santa Fe Drive
Merced, CA 95348

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

T8 CCR 3203(a)(4) & 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:

(1) Identify the person or persons with authority and responsibility for implementing the Program.

(2) Include a system for ensuring that employees comply with safe and healthy work practices.

Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.

(3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal. Substantial compliance with this provision includes meetings, training programs, posting, written communications, a system of anonymous notification by employees about hazards, labor/management safety and health committees, or any other means that ensures communication with employees.

Exception: Employers having fewer than 10 employees shall be permitted to communicate to and instruct employees orally in general safe work practices with specific instructions with respect to hazards unique to the employees' job assignments as compliance with subsection (a)(3).

(4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards:

(A) When the Program is first established;

Exception: Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing section 3203.

(B) Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represent a new occupational safety and health hazard; and

(C) Whenever the employer is made aware of a new or previously unrecognized hazard.

(5) Include a procedure to investigate occupational injury or occupational illness.

(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.

In the Alternative

Ref: T8 CCR 5141(a)

Control of Harmful Exposure to Employees

(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Prior to and during the course of the Divisions inspection, including, but not limited to, October 23, 2020, the employer failed to effectively identify, evaluate, and correct workplace hazards relating to COVID-19 affecting its employees, including, but not limited to, the following hazards:

Instance 1: Lack of physical distancing of at least six feet in all directions among employees in Steak Room, engaged in cutting, cleaning and packaging steaks.

Instance 2: Lack of physical barriers to separate employees in Steak Room, engaged in cutting, cleaning and packaging steaks.

T8 CCR 3203(a)(4) and T8 CCR 3203(a)(6)

Or, in the alternative as Instance 2:

T8 CCR 5141(a) Control of Harmful Exposure to Employees. Engineering Controls.

(a) Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Alternative to Instance 2: Prior to and during the course of the divisions inspection, including, but not limited to, October 23, 2020, the employer failed to prevent potential exposures to airborne particles containing the virus that causes COVID-19 by ensuring the use of feasible engineering controls, such as physical barriers consisting of Plexiglas shields or other impermeable dividers or partitions in the Steak Room where employees are engaged in cutting, cleaning and packaging steaks.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$11250.00

Eddie Miranda
Compliance Officer / District Manager