

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 #: 1492539
Inspection Dates: 09/11/2020 - 06/07/2021
Issuance Date: 06/07/2021
CSHO ID: J9808
Optional Report #: 012-21

**Citation and Notification of Penalty**

Company Name: Classic Yam Inc.
Establishment DBA: Silveira Farms
 and its successors
Inspection Site: Between Bert Crane Rd & Apple Gate Ave
 Merced, CA 95344

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

T8CCR 3203(a) (4) (6): (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: (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;
- (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.
- (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.

Prior to and during the course of the inspection, including but not limited to September 11, 2020, the employer failed to prevent harmful exposures of its employees to potential Covid-19 airborne particles by use of feasible administrative controls (face masks). Employees harvesting yams located in a field between Bert Crane road and Applegate Avenue were observed working in close proximity to each other without face masks.

Date By Which Violation Must be Abated:
Proposed Penalty:

June 17, 2021
\$10125.00

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

T8CCR 3653(a): Seat belt assemblies shall be provided and used on all equipment where rollover protection is installed and employees shall be instructed in their use. Seat belt assemblies installed after June 26, 1998, shall be labeled as meeting the design requirements of SAE J386 JUN93, Operator Restraint System For Off-Road Work Machines. Seat belt assemblies installed on or before June 26, 1998, shall be labeled as meeting either the design requirements of the SAE standard indicated above or the SAE J386 JUN85 standard.

Prior to and during the course of the inspection, including but not limited to September 11, 2020, the employer did not ensure that provided seat belts on forklifts and tractors used to harvest Yams located between Crane Road and Applegate Avenue were being used by the operators.

Date By Which Violation Must be Abated: **June 17, 2021**
Proposed Penalty: **\$13500.00**

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

T8CCR 3664(b)(6): Every employee who operates an agricultural or industrial tractor shall be instructed in the following procedures and in any other practices dictated by the work environment. Such information shall be provided at the time of initial assignment and at least annually thereafter. Copies of these instructions, printed in a language understood by the majority of the employees, shall be conspicuously posted at a place frequented by the drivers. 6. Do not permit others to ride.

Prior to and during the course of the inspection, including but not limited to September 11, 2020, an employee was observed riding on the back of a tractor without being in an approved agricultural tractor-mounted personnel transport carrier. The employer did not ensure that operators were instructed to not permit others to ride.

Date By Which Violation Must be Abated: **June 17, 2021**
Proposed Penalty: **\$10125.00**

Eddie Miranda
Compliance Officer / District Manager