State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Bakersfield District Office  
7718 Meany Avenue  
Bakersfield, CA  93308  
Phone: (661) 588-6400   Fax: (661) 588-6428

Citation and Notification of Penalty

Citation 1 Item 1   Type of Violation: Serious

California Code of Regulations, Title 8, Section 3203(a). 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:
[...]
(4) Include procedures for identifying and evaluating workplace 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.

Alleged Violation Description (AVD):
Prior to and during the course of the inspection, including, but not limited to, between May 25, 2020
and June 15, 2020, the employer, a provider of temporary employees, failed to implement and
maintain an effective Injury and Illness Prevention Program (IIPP) for its employees assigned to Primex
Farms, LLC pistachio processing facility in that:

(1) Employer failed to effectively identify or evaluate workplace hazards relating to COVID-19
including, but not limited to, failure to provide employees face coverings to prevent the
release of infectious particles into the air when persons are breathing, speaking, coughing, or
sneezing. [Section 3203(a)(4)]

(2) Employer failed to effectively implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19, including, but not limited to, failure to provide employees face coverings or ensure the use of face coverings to prevent the release of infectious particles into the air when persons are breathing, speaking, coughing, or sneezing. [Section 3203(a)(6)]

Or, in the Alternative to Instance 2

California Code of Regulations, Title 8, Section 5141(a) Control of Hazard Exposure to Employees.

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

Alleged Violation Description (AVD):
Prior to, and during the course of the inspection, including, but not limited to, between May 25, 2020 and June 15, 2020, the employer, a provider of temporary employees failed to prevent harmful exposures of its employees assigned to Primex Farms, LLC to infectious or potentially infectious airborne particles by ensuring the use of engineering controls to prevent the spread of COVID-19, including, but not limited to, face coverings to limit the release of infectious particles into the air when a person breathes, speaks, coughs, or sneezes.

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: $11250.00

Efren Gomez
Compliance Officer / District Manager