

State of California

Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

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

§3203. 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.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California

Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

- (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.
- (7) Provide training and instruction:
 - (A) When the program is first established;

EXCEPTION: Employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with the previously existing Accident Prevention Program in Section 3203.

 - (B) To all new employees;
 - (C) To all employees given new job assignments for which training has not previously been received;
 - (D) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard;
 - (E) Whenever the employer is made aware of a new or previously unrecognized hazard; and,
 - (F) For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California

Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

The employer did not maintain all the elements of an Injury and Illness Prevention Program (Program) including but not limited to:

Element 1: Maintain a person or persons with authority and responsibility for implementing the Program.

Element 2: Maintain procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices.

Date By Which Violation Must be Abated: 05/01/2010
Proposed Penalty: \$ 450.00

Citation 1 Item 2 Type of Violation: General

§4002 (a). Moving Parts of Machinery or Equipment.

All machines, parts of machines, or component parts of machines which create hazardous revolving, reciprocating, running, shearing, punching, pressing, squeezing, drawing, cutting, rolling, mixing or similar action, including pinch points and shear points, not guarded by the frame of the machine(s) or by location, shall be guarded.

The #1 Bread UBE was located in the wrapping area. This UBE did not have its exposed, revolving timer knob guarded.

Date By Which Violation Must be Abated: 05/01/2010
Proposed Penalty: \$ 450.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

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

§4051(a) Projecting Shaft Ends.

Projecting shaft ends within 7 feet of floor or working level shall present a smooth rounded edge and smooth end and shall not project a distance greater than one-half the diameter of the shaft beyond the end of the bearing unless guarded by nonrotating casing.

The following exposed projecting shaft ends were not guarded:

1. The bun conveyor line was located in the shipping area. A belt conveyor (CONV: R18) on this line did not have an exposed shaft end guarded. This shaft end was less than 7 feet above the floor and projected a distance greater than one-half the diameter of the shaft.
2. The transfer switch conveyor (bun side) was located in the wrapping area. The conveyor did not have an exposed shaft end guarded. This shaft end was less than 7 feet above the floor and projected a distance greater than one-half the diameter of the shaft.

Date By Which Violation Must be Abated: 05/01/2010
Proposed Penalty: \$ 450.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California

Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

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

§5185(l) Changing and Charging Storage Batteries.

Facilities for quick drenching or flushing of the eyes and body shall be provided unless the storage batteries are: (1) equipped with explosion resistant or flame arrestor type vents; or (2) located in a compartment or other location such as to preclude employee exposure.

The forklift battery charging area did not have facilities for quick drenching or flushing of the body. The batteries contained sulfuric acid (corrosive).

Date By Which Violation Must be Abated: 04/08/2010
Proposed Penalty: \$ 4050.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

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

§3999(b) Conveyors.

Belt conveyor head pulleys, tail pulleys, single tension pulleys, dip take-up pulleys, chain conveyor head drums or sprockets and dip take-up drums and sprockets shall be guarded. The guard shall be such that a person cannot reach behind it and become caught in the nip point between the belt, chain, drum, pulley or sprocket.

The following conveyor pulleys were not guarded:

1. The bread oven feed conveyor line was located in the bread production area. This belt conveyor did not have its tail pulley guarded.
2. The transfer switch conveyor (bun side) was located in the wrapping area. This belt conveyor did not have its head pulley guarded.
3. The bread full tray conveyor (to loading dock) was located in the wrapping area. This belt conveyor did not have its head pulley guarded.
4. The bun conveyor line was located in the shipping area. A belt conveyor on this line, located next to CONV: R18, did not have its head pulley guarded.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/08/2010
\$ 50625.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

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

§4050(a) Shafting, Collars, Clutches, and Couplings.

All exposed parts of line or countershafting or collars, clutches, cut-off couplings and clutch pulleys seven feet or less above the floor or other working level shall be guarded.

The following exposed shafts were not guarded:

1. The bun conveyor line was located in the shipping area. A belt conveyor (CONV: R18) on this line did not have all exposed parts of its line shaft guarded. This shaft was less than 7 feet above the floor.
2. The bread oven feed conveyor line was located in the bread production area. This conveyor did not have all exposed parts of its line shaft with coupling guarded. This shaft was less than 7 feet above the floor.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/08/2010
\$ 33755.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
Cal/OSHA High Hazard Unit (0950662;4502)
2000 East McFadden Street, Suite 111
Santa Ana, CA 92705

Inspection Number: 312314677
Inspection Dates: 10/05/2009 -
Issuance Date: 04/01/2010
CSHO ID: C7842
Optional Inspection Nbr: 009-010



Citation and Notification of Penalty

Company Name: BIMBO BAKERIES USA
Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

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

§4075(a) Gears and Sprockets.

All gears, sprockets and sprocket chain drives located 7 feet or less above the floor or working level shall be guarded.

The #1 bread feed conveyor was located in the wrapping area. This conveyor did not have all of its sprocket chain drive guarded. This sprocket chain drive was located less than 7 feet above the floor.

Date By Which Violation Must be Abated: 04/08/2010
Proposed Penalty: \$ 33755.00


Compliance Officer/District Manager/

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of California
Division of Occupational Safety and Health
Cal/OSHA High Hazard Compliance Unit
2000 East McFadden Avenue, Suite 111
Santa Ana, CA 92705
Tel (714) 567-7100 Fax (714) 567-6074

NOTICE OF PROPOSED PENALTIES

Company Name: BIMBO BAKERIES USA

Inspection Site: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029
Mailing Address: 2069 ALDERGROVE AVE, ESCONDIDO, CA 92029

Issuance Date: 04/01/2010

Reporting ID: 0950662

Index Code: 4502

Summary of Penalties for Inspection Number 312314677

Citation 1, General	= \$	1350.00
Citation 2, Serious	= \$	4050.00
Citation 3, Willful	= \$	50625.00
Citation 4, Willful	= \$	33755.00
Citation 5, Willful	= \$	33755.00
TOTAL PROPOSED PENALTIES	= \$	123535.00

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying by credit card (MasterCard and Visa): Please have this form on-hand when you are ready to make your payment. The company name, index code, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to www.dir.ca.gov/dosh to access the secure payment processing site.

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

**DEPARTMENT OF INDUSTRIAL RELATIONS
CASHIER, ACCOUNTING OFFICE
P. O. BOX 420603**
