

REGULAR

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only FILED IN THE OFFICE OF

2014 JUL 31 PM 2:10

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

STD. 400 (REV. 01-2013)

OAL FILE NUMBER Z-2014-021-06	NOTICE FILE NUMBER 2014-0619-035	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

RECEIVED FOR FILING PUBLICATION DATE JAN 21 '14 JAN 31 '14 Office of Administrative Law	2014 JUN 19 PM 4:44 OFFICE OF ADMINISTRATIVE LAW
NOTICE	REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY Occupational Safety and Health Standards Board	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE General Industry Safety Orders 4542 & 5155	TITLE(S) Title 8	FIRST SECTION AFFECTED 4542	2. REQUESTED PUBLICATION DATE January 31, 2014
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Marley Hart, Executive Officer	TELEPHONE NUMBER (916)-274-5721	FAX NUMBER (Optional) (916)-274-5743
OAL USE: <input checked="" type="checkbox"/> ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	5. NOTICE REGISTER NUMBER 2014 52	PUBLICATION DATE 1/31/2014	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Guarding of Vertical Food Mixers	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND 4542
TITLE(S) 8	REPEAL

3. TYPE OF FILING	<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code § 11346) <input type="checkbox"/> Resubmission of disapproved or withdrawn nonemergency filing (Gov. Code § 11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, § 11346.1(b))		
	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code § 11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, § 11346.1)		
	<input type="checkbox"/> Emergency Readopt (Gov. Code, § 11346.1(h)) <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100) <input type="checkbox"/> File & Print <input type="checkbox"/> Print Only <input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, § 44 and Gov. Code § 11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, § 100)	<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code § 11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> 5100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____		
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM § 6600) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____		
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7. CONTACT PERSON Marley Hart	TELEPHONE NUMBER 916-274-5721	FAX NUMBER (Optional) 916-274-5743	E-MAIL ADDRESS (Optional) mhart@dir.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Marley Hart</i>	DATE <i>June 19, 2014</i>
TYPED NAME AND TITLE OF SIGNATORY Marley Hart, Executive Officer	

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
JUL 31 2014

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

Attachment No. 1

Page 1 of 1

PROPOSED STATE STANDARD,
TITLE 8, DIVISION 1, CHAPTER 4

Amend Section 4542 to read:

§4542. Mixers.

(a) Horizontal food mixers shall have a cover/enclosure with an interlocking device so arranged that power cannot be applied to the agitators unless the cover/enclosure is in place on the mixer. Only minor openings in the cover/enclosure, such as ingredient doors, flour inlets, etc., each representing less than 1 1/2 square feet in area shall be capable of being opened while the mixer is in operation.

(d) Vertical mixers shall have bowl locking devices of a positive type which require the attention of the operator for unlocking. Devices shall be made available for moving bowls weighing more than 80 pounds, with contents, into and out of the mixing position on the machine.

(e) Vertical food mixers with a bowl size of 30 quarts or larger and manufactured after January 1, 2015, shall utilize a manufacturer-supplied interlocked bowl guard, or its equivalent, and be so arranged that power cannot be applied to the agitators unless the cover/enclosure and the bowl are in place on the mixer.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.