

U.S. Department of Labor
Occupational Safety and Health Administration
950 22nd Street North
Suite 1050
Birmingham, AL 35203
Phone: (205)731-1534 FAX: (205)731-0504



Citation and Notification of Penalty

To:
Gold Kist Inc.
and its successors
P.O. Box 1086
Russellville, AL 35653

Inspection Number: 309577831
Inspection Date(s): 02/15/2006-08/08/2006
Issuance Date: 08/14/2006

Inspection Site:
2045 County Road 244
Russellville, AL 35654

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal

conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 3 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest - You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

Penalty Payment - Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Notification of Corrective Action - For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been

discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities - The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data - You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation, but not sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/14/2006. The conference will be held at the OSHA office located at 950 22nd Street North, Suite 1050, Birmingham, AL, 35203 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

U.S. Department of Labor
Occupational Safety and Health Administration

Company Name: Gold Kist Inc.
Inspection #: 309577831

NOTICE OF CORRECTIVE ACTION

CORRECTIVE ACTION TAKEN FOR EACH STANDARD VIOLATED SHOULD BE SUBMITTED TO THIS OFFICE ON OR BEFORE THE DATE BY WHICH VIOLATION(S) MUST BE ABATED AS INDICATED IN THE "CITATION AND NOTIFICATION OF PENALTY".

THIS INFORMATION MAY BE WRITTEN BELOW, ON THE REVERSE SIDE OR ON ATTACHED PAGES IF NECESSARY:

<u>CITATION NO.</u>	<u>ITEM NO.</u>	<u>CORRECTIVE ACTION TAKEN</u>	<u>DATE COMPLETED</u>
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I attest that the information contained in this document is accurate.

Signature

Typed or Printed Name



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 1 Type of Violation: Serious

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to falls from ladders and ladder collapse:

- (a) On or about 02/15/2006 - Sanitation - Employees performing sanitation operations were exposed to falling from 6' and 8' portable stepladders while standing on the top step of the ladders and reaching out.

Among other methods, one feasible and acceptable abatement method to correct this hazard is to follow and implement the manufacturer's requirements which states as marked on the ladder, "The top or the top step of a step ladder shall not be used."

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

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

29 CFR 1910.22(b)(2): Permanent Aisles and passageways were not appropriately marked:

- (a) On or about 02/15/2006 - Located throughout the Debone processing areas - Stand-up type motorized pallet jacks were operated in close proximity to line workers and pedestrian traffic and the aisles were not marked.

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 3500.00

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk was not guarded:

- (a) On or about 05/10/2006 - Located throughout the De-bone area - Floor drain covers were not secured to prevent sliding under foot or being dislodged by material handling equipment.

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 2500.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

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

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent):

- (a) On or about 02/15/2006, Located at the Cage Dump - Sanitation Process - Sanitation crewmembers were exposed to falls of approximately 6 feet to lower levels while cleaning the cage dump.
- (b) On or about 02/16/2006 - Located at the Bone Shed - Platform surrounding the hopper - Sanitation crewmembers were exposed to falls of approximately 12 feet to lower levels while working from a platform surrounding the hopper in the residue room.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

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

29 CFR 1910.24(i): Vertical clearance above any stair tread to an overhead obstruction was not at least 7 feet measured from the leading edge of the tread:

- (a) On or about 02/15/2006 - Located at the Chillers A1 & A2 - Fixed industrial stairs - Employees were exposed to head injuries due to low clearance located at the stairway platform to the Chillers A1 and A2.
- (b) On or about 02/15/2006 - Located at the Carcass Conveyor - Fixed industrial stairs - Employees were exposed to head injuries due to low clearance located at the stairs crossing the carcass conveyor.

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 2000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident.

Citation 1 Item 6a Type of Violation: **Serious**

29 CFR 1910.27(b)(1)(ii): The distance between rungs, cleats, and steps exceeded 12 inches:

- (a) On or about 02/16/2006 - Located at the Bone Shed - Fixed ladder on the north wall - Workers were exposed to falls of approximately 12 feet from the ladder where the rung spacing was approximately 14.5 inches.
- (b) Located On or about 02/16/2006 - At the Bone Shed - Fixed ladder on the south interior wall at west end - Sanitation crew workers were exposed to falls of approximately 16 feet from the ladder where spacing between the rungs was 16 inches.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 6b Type of Violation: **Serious**

29 CFR 1910.27(c)(4): The distance from the centerline of rungs, cleats, or steps to the nearest permanent object in back of the ladder was less than 7 inches:

- (a) On or about 02/16/2006 - Located at the Bone Shed - Fixed ladder on the south interior wall at west end - Sanitation crew workers were exposed to falls from the ladder in that the lower platform, which was mounted to the back of the ladder side rails, was approximately 2 inches above a rung resulting in a condition that could cause a misstep of the climber and subsequent fall.

Abatement Documentation Required

Date By Which Violation Must be Abated: 09/08/2006

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.27(c)(6): The step-across distance from the nearest edge of ladder to the nearest edge of equipment or structure was more than 12 inches:

- (a) On or about 02/16/2006 - Located at the Bone Shed - Fixed ladder on the north interior wall - Sanitation crew workers were exposed to falls when stepping from the fixed ladder and across 30 inches of open space to a platform.

Abatement Documentation Required

Date By Which Violation Must be Abated: 09/08/2006
Proposed Penalty: \$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.27(d)(2)(ii): All landing platforms were not equipped with standard railings and toeboards, so arranged to so arranged as to give safe access to the ladder:

- (a) On or about 02/16/2006 - Located at the Bone Shed - Fixed ladder on the south interior wall at west end - Sanitation crew workers were exposed to falls of approximately 9.75 feet from a landing platform that had no railing at the mid-level platform on the fixed ladder.
- (b) On or about 02/16/2006 - Located at the Bone Shed - Fixed ladder on the south interior wall at west end - Sanitation crew workers were exposed to falls of approximately 15.8 feet from a landing platform that had no mid-rail at the upper-level platform on the fixed ladder.
- (c) On or about 02/26/2006 - Located at the Bone Shed - Fixed ladder on the south interior wall at east end - Sanitation crew workers were exposed to falls of approximately 9.75 feet from a landing platform that had no mid-rail at the platform on the fixed ladder.
- (d) On or about 02/16/2006 - Located at the Bone Shed - Fixed ladder on the south interior wall at west end - Sanitation crew workers were exposed to falls of approximately 9.75 feet from the ladder platform in that the ladder platform was arranged so as to require the employee to swing around the ladder to the opposite side to gain access to the platform.

Abatement Documentation Required

Date By Which Violation Must be Abated	09/08/2006
Proposed Penalty	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.36(g)(4): Objects that projected into the exit route reduced the width of the exit route to less than the minimum width requirements for exit routes:

- (a) On or about 02/22/2006 - Located in the De-bone area - Cone Line B at the line loader end - The exit route was 20 inches wide.
- (b) On or about 02/22/2006 - Located in the De-bone area - Cone Line #4 at the line loader end - The exit route was 18 inches wide.
- (c) On or about 02/22/2006 - Located in the De-bone area - The base of the stairs leading to the Quality Assurance check stations - The exit route was 16.5 inches wide.
- (d) On or about 02/22/2006 - Located in the De-bone area - Tender stations - The exit route was 19 inches wide.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.37(a)(4): Safeguards designed to protect employees during an emergency (e.g., sprinkler systems, alarm systems, fire doors, exit lighting) was not in proper working order at all times:

- (a) On or about 02/16/2006 - Located in the Auto Transfer Re-hang area - Designated Emergency Exit Door - The emergency exit door hardware was not maintained in good repair resulting in the potential failure of the door to open during an emergency in that the strike plate screws were backed out.

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 2500.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(i): Procedures were not utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

- (a) On or about 06/08/2006 - Located in the De-bone area - Conveyor equipment - During sanitation operations the procedure was not utilized.
- (b) On or about 02/15/2006 - Located at the Cage Dump - Cage Dump - During sanitation operations the procedure was not utilized.
- (c) On or about 02/15/2006 - Located at Chillers A1 & A2 - Sanitation operations - Sanitation crewmembers effectively by-passed the emergency stop cable by leaning through and underneath it to clean the rotating auger blade and did not utilize the lockout/tagout procedure.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

- (a) On or about 06/08/2006 - Located in the De-bone area - Conveyor equipment - Motor Control Panels - Procedures documented and titled as box fourteen control panel, box fifteen control panel, box sixteen control panel, box seventeen control panel, box eighteen control panel, and box nineteen control panel.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 5000.00

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.178(l)(2)(i)(B): Trainees were allowed to operate powered industrial trucks where such operation endangered the trainee or other employees:

- (a) On or about 02/15/2006 - Throughout the production areas - Stand-up rider pallet jacks - Operators while in the process of being trained were required to operate in very congested areas with numerous pedestrian personnel exposing the operators and pedestrians to struck-by and caught between hazards.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 3500.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.178(p)(1): Powered industrial truck(s) with defect(s) or in any way unsafe had not been withdrawn from service until restored to safe operating condition(s):

- (a) On or about 05/12/2006, Leg Quarters Area - Linde #49 pallet jack - The motorized pallet jack was in operation while the left tine would not lift the load to effectively clear the ground, exposing employees to being struck-by the pallet jack.

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 3500.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect other employees in the machine area from hazards such as those created by ingoing nip points, and rotating parts:

- (a) On or about 02/15/2006 - Located at Chillers A1 & A2 - Sanitation employees leaned under the e-stop cable to clean rotating auger blades on the chillers.
- (b) On or about 02/22/2006 - Located in the De-bone area - Cone Line B, breast pulling station - Production workers at the cone lines were exposed to shear points as the cone rods passed fixed portions of the machinery framing.
- (c) On or about 02/22/2006 - Located in the De-bone area - Quality Assurance 10 lb check stations - Conveyor - Employees were exposed to getting their hands caught between the conveyor lift paddles and the product guides.
- (d) On or about 05/12/2006 - Located in Leg Quarters - #2 line belt conveyor - Employees were exposed to getting their hands caught in between the conveyor belt and its pulley.
- (e) On or about 05/12/2006 - Located in Debone - Over head conveyor - Overrun end - Employees were exposed to getting hands/arms caught between the pulley and belt when they reach into the conveyor pan to clean out soils when it is running.
- (f) On or about 05/12/2006 - Located in Debone - Keel Harvesters - Employees were exposed to getting their fingers caught in the moving cones when they open the door to clean out the equipment of soils when it is running.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.305(b)(1): Openings through which conductors enter boxes, cabinets, or fittings were not effectively closed:

- (a) On or about 02/15/2006 - Located in the Auto-transfer Re-hang area - Return conveyor motor, 480 VAC - The non-metallic tubing that contained the motor conductors was damaged and separated from the fitting exposing the conductors to abrasion and water intrusion.
- (b) On or about 02/22/2006 - Located in the De-bone area - 480 volt cabinets at the loading end of the cone lines - The conduit containing the conductors that entered the bottom of the cabinets was damaged.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.305(b)(2): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

- (a) On or about 02/22/2006 - Located in the De-bone area at the Quality Assurance 10 lb check station for lines #5 & #6 - Electrical conduit for the conveyor motor - The electrical conduit body did not have a cover.

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 2500.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.305(e)(1): Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations were not installed to prevent moisture or water from entering and accumulating within the enclosures:

- (a) On or about 02/15/2006 - Located in the Auto Transfer Re-hang area - Return conveyor motor, 480 VAC - The non-metallic tubing that contained the motor conductors was damaged and separated from the fitting at the motor allowing for the intrusion of moisture.
- (b) On or about 02/15/2006 - Located in the De-bone area - Motor Control Electrical Cabinet #15 480 VAC.
- (c) On or about 02/15/2006 - Located in the De-bone area at the Quality Assurance 10 lb check station for cone lines #5 and #6 - The light switch for the bone light.
- (d) On or about 02/15/2006, located in the Auto-transfer Re-hang room - 110 - 120 VAC electrical outlet - The electrical outlet in the wet location, subjected to water and conductive cleaning solutions, used for powering the pedestal fan was missing its weatherproof cover.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iii)(A): Flexible cords or cables were used as a substitute for the fixed wiring of a structure:

- (a) On or about 02/22/2006 - Located in the De-bone area at motor control box #15 that was mounted to the column between cone lines #8 and #9 - Branch Circuits used to power floor fans - The temporary tray cable installation was used in lieu of fixed wiring:

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iii)(D): Flexible cords and cables were attached to building surfaces:

- (a) On or about 02/22/2006, located at the carcass conveyor cross over - The tray cable used to power a circulation fan was attached to the industrial stairs.
- (b) On or about 02/22/2006, located in the Auto-transfer Re-hang room - Pedestal fan - The fan motor power cord was attached to the building surface in that it was wrapped around the electrical conduit to the electrical outlet mounted to the wall.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/08/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 1 Item 21 Type of Violation: **Serious**

29 CFR 1910.334(a)(5)(i): Employees' hands were wet when plugging and unplugging flexible cords and cord and plug connected equipment, where energized electric equipment was involved:

- (a) On or about 02/15/2006 - Throughout the facility and Re-hang - Pedestal fan and other circular fans - Employees were required to plug/unplug fans.
- (b) On or about 02/22/2006 - Throughout the facility and De-bone areas - Floor fans - Employees were required to plug/unplug fans.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 5000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 2 Item 1 Type of Violation: Repeat

29 CFR 1910.28(a)(1): Scaffolds were not furnished and erected in accordance with this standard for persons engaged in work that cannot be done safely from the ground or from solid construction:

- (a) On or about 02/15/2006 - Located in the De-bone area - Conveyors - Front belts, whole bird - Sanitation crewmembers were exposed to falling approximately 7 feet to the floor level when walking on and working from overhead conveyor belts while foaming and spraying down the conveyor sidewalls and mopping down overhead condensation.
- (b) On or about 02/15/2006 - Located in the De-bone area - Cone line conveyors - Sanitation operations - Sanitation crewmembers were exposed to falling onto the cones and being caught in the traverse movement of the cones across fixed portions of the equipment framework while using the cone lines as surfaces on which to stand or kneel so as to reach to clean the underside of the adjacent incline belt conveyors.

THE GOLD KIST INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 1910.28(a)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 306929654, CITATION NUMBER 1, ITEM NUMBER 1, ISSUED ON 12/24/2003, WITH RESPECT TO A WORKPLACE LOCATED AT 2045 HIGHWAY 244, RUSSELLVILLE, ALABAMA.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 25000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident.

Citation 2 Item 2a Type of Violation: **Repeat**

29 CFR 1910.219(c)(2)(i): Exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

- (a) On or about 02/15/2006 - Located at the Pack Out Area - Knuckle Chain Conveyor - Label Person position - The rotating shafts were not guarded against employee contact.

THE GOLD KIST INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.212(a)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 303991962, CITATION NUMBER 1, ITEM NUMBER 2, ISSUED ON 09/22/2003, WITH RESPECT TO A WORKPLACE LOCATED AT LIVE OAK, FLORIDA.

Abatement Documentation Required

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 25000.00

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



Citation and Notification of Penalty

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

Citation 2 Item 2b Type of Violation: **Repeat**

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven (7) feet or less above floors or platforms were not enclosed:

- (a) On or about 02/15/2006 - Located at the Pack Out Area - Knuckle Chain Conveyor - Label Person position - The in-going nip points created by the knuckle chain and sprockets were not guarded against employee contact.

THE GOLD KIST INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.212(a)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 303991962, CITATION NUMBER 1, ITEM NUMBER 2, ISSUED ON 09/22/2003, WITH RESPECT TO A WORKPLACE LOCATED AT LIVE OAK, FLORIDA.

Abatement Documentation Required

Date By Which Violation Must be Abated: 09/29/2006

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



Citation and Notification of Penalty

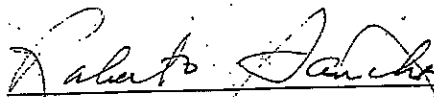
Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654

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

29 CFR 1904.29(b)(2): An OSHA 301 Incident Report form, or equivalent form, was not completed for each recordable injury or illness entered on the OSHA 300 Log:

- (a) On or about 02/15/2006 - The forms for the years 2004, 2005, and 2006 were not completed with enough specificity in the fields labeled numbers 14 and 15 to discern the hazards.

Date By Which Violation Must be Abated:	09/29/2006
Proposed Penalty:	\$ 3000.00


Roberto Sanchez
Area Director

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



U.S. Department of Labor
Occupational Safety and Health Administration
950 22nd Street North, Suite 1050
Birmingham, Alabama 35203
Phone: (205) 731-1534 FAX: (205)731-0504

INVOICE/ DEBT COLLECTION NOTICE

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654
Issuance Date: 08/14/2006

Summary of Penalties for Inspection Number 309577831

Citation 1, Serious	= \$ 90000.00
Citation 2, Repeat	= \$ 50000.00
Citation 3, Other	= \$ 3000.00
TOTAL PROPOSED PENALTIES	= \$ 143000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to:
"DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

OSHA does not agree to any restrictions or conditions put on any check or money order for less than the full amount due and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

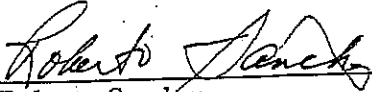
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest. Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is 2%. Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you

file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges. A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs. Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Roberto Sanchez
Area Director

8/14/06

Date

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: Gold Kist Inc.
Inspection Site: 2045 County Road 244, Russellville, AL 35654
Issuance Date: 08/14/2006

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return this page with the signed Informal Settlement Agreement to: U.S. Department of Labor - Occupational Safety and Health Administration, 950 22nd Street North, Suite 1050, Birmingham, AL 35203.

NAME OF COMPANY OFFICIAL

DATE

TITLE

NOTE: 29 USC 666.(g): Whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six months or both.

POSTING: A copy of the completed Corrective Action Worksheet should be posted for employee review.