Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1  Item 1  Type of Violation: Serious

29 CFR 1910.37(a)(3) Exit route(s) were not kept free and unobstructed:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer failed to ensure that all exit doors were kept unobstructed. This condition occurred on or about May 25, 2012, in the Peeling Room where the emergency exit door leading to the break room and outdoor areas was blocked by crawfish cages and plastic storage tanks.

Date by which Violation must be Abated: 07/29/2012
Proposed Penalty: $3500.00
Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 2  Type of Violation: Serious

29 CFR 1910.37(b)(2) Each exit was not clearly visible and marked by a sign reading "Exit":

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer failed to ensure that all designated exits were marked. This condition was observed on or about June 11, 2012, throughout the production area, including but not limited to, the Peeling Room, Dump/Waste Room, Packaging Room, and Boiler Room where each exit was not marked by a sign reading "EXIT".

Date by which Violation must be Abated: Corrected During Inspection
Proposed Penalty: $3500.00
Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 3  Type of Violation: Serious

29 CFR 1910.151(c) Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not ensure that an emergency eye wash station was available for immediate emergency use. This condition was determined on or about June 11, 2012, where employees in the Peeling Room that work with and around corrosive cleaning agents such as Iodine Sanitizer, Pure Bright Germicidal Bleach or Clorox were not provided an eyewash station.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 08/03/2012
Proposed Penalty: $2800.00
Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 4  Type of Violation: Serious

29 CFR 1910.157(c)(1) Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; portable fire extinguishers were not made available by the employer in the absence of a written emergency evacuation plan or fire safety policy. This condition was observed on or about June 11, 2012, where there were no portable fire extinguishers provided, mounted and made readily available for employee use at the establishment.

Date by which Violation must be Abated: Corrected During Inspection
Proposed Penalty: $3500.00
Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 5 Type of Violation: Serious

29 CFR 1910.303(f)(2) Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not ensure that each breaker box was completely labeled. This condition was observed on or about June 11, 2012, in the Packing Room and Dump/Waste Room where two electrical panelboards were not labeled to indicate what each circuit breaker is used for.

Date by which Violation must be Abated: Corrected During Inspection
Proposed Penalty: $2100.00

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: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1  Item 6  Type of Violation: Serious

29 CFR 1910.305(b)(2) Each outlet box in completed installations did not have a cover, faceplate, or fixture canopy:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not ensure that all electrical boxes in complete installations with exposed wires had covers. On or about June 11, 2012, the following conditions were observed:

a) Dump/Waste Room, south wall; the electrical faceplate was missing from a 110-volt light switch.

b) Dump/Waste Room, on north wall ledge; the cover was missing from a metal junction box with exposed wiring and conduit leading to the operating A/C unit.

c) Outdoors, near front door of cooler; the electrical faceplate was missing from a 110-volt light switch.

d) Outdoors, near rear of cooler (southwest end); the electrical faceplate was missing from a 110-volt light switch.

e) Outdoors, near rear of cooler (southwest end); the cover was missing from a 120-volt electrical receptacle.

f) Outdoors, near #2 cooler and welding equipment storage area; the electrical faceplate was missing from a 110-volt light switch.

g) Outdoors, near #2 cooler and welding equipment storage area; the cover was missing from a 120-volt electrical receptacle.

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: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Date by which Violation must be Abated: 
Proposed Penalty: Corrected During Inspection $3500.00
Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 7  Type of Violation: Serious

29 CFR 1910.305(g)(1)(iii) Flexible cords and cables were used for purposes prohibited by subparagraphs (A) through (E) of this paragraph:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; an electrical extension cord was used as a substitute for fixed wiring. This condition was observed on or about June 11, 2012, where a 3-conductor outdoor electrical extension cord was used to power a pest air wall blower installed above the breakroom exit door. The extension cord was wrapped around metal ceiling joists and spanned a distance of approximately 10 feet between the electrical receptacle box and the air blower.

Date by which Violation must be Abated: Corrected During Inspection
Proposed Penalty: $3500.00
Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 8  Type of Violation: Serious

29 CFR 1910.333(b)(2) While an employee was exposed to contact with parts of fixed electric equipment or circuits which were deenergized, the circuits energizing the parts were not locked out or tagged or both in accordance with the requirements of this paragraph (b) of 29 CFR 1910.333(b)(2):

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not develop and implement safety-related work practices to ensure that equipment being worked on is free of electrical hazards. This condition was determined on or about June 11, 2012, where employees performing maintenance work on the Washer/Grader machine (i.e. changing bearings) were not protected from live energized parts/circuits.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 08/08/2012
Proposed Penalty: $3500.00
Citation and Notification of Penalty

Company Name: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1. Item 9 Type of Violation: Serious

29 CFR 1910.1200(e)(1) The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not develop and/or implement a written hazard communication program to address chemical information and training for employees, maintenance of material safety data sheets, and chemical labeling requirements. Employees were exposed to chemical products such as, but not limited to, Iodine Sanitizer, Pure Bright Germicidal Bleach, and Multi-Q Sanitizer that contain hazardous ingredients such as iodine, phosphoric acid, sodium hypochlorite, ammonium chloride, and ethanol.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 08/08/2012
Proposed Penalty: $2100.00

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: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 10  Type of Violation: Serious

29 CFR 1910.1200(g)(8) The employer did not maintain copies of the required material safety data sheets for each hazardous chemical in the workplace:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not have material safety data sheets (MSDSs) for each chemical used at the site. This condition was determined on or about June 11, 2012, where upon initial request from the OSHA Compliance Officer the employer was unable to provide the MSDSs for chemical products being used at the site such as, but not limited to, Iodine Sanitizer, Pure Bright Germicidal Bleach, and Multi-Q Sanitizer.

Date by which Violation must be Abated: Corrected During Inspection
Proposed Penalty: $2100.00

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: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge Sr. High Road, Breaux Bridge, LA 70517

Citation 1 Item 11 Type of Violation: Serious

29 CFR 1910.1200(h)(1) Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not provide employees information and training on hazardous chemicals being used in their work area. Employees are potentially exposed to hazardous chemical products such as, but not limited to, Iodine Sanitizer, Pure Bright Germicidal Bleach, and Multi-Q Sanitizer that contain hazardous ingredients such as iodine, phosphoric acid, sodium hypochlorite, ammonium chloride, and ethanol.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 08/08/2012
Proposed Penalty: $2100.00

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: C J L Enterprise, Inc., dba C J's Seafood
Inspection Site: 1185 Breaux Bridge St. High Road, Breaux Bridge, LA 70517

Citation 2 Item 1 Type of Violation: Other-than-Serious

29 CFR 1904.29(a) A Log of all Work-Related Injuries and Illnesses (OSHA Form 300), and/or the Summary of Work-Related Injuries and Illnesses, (OSHA Form 300-A), and/or the Injury and Illness Incident Report (OSHA Form 301) or equivalent forms were not kept by the establishment:

At 1185 Breaux Bridge Sr. High Rd., Breaux Bridge, LA; the employer did not maintain the OSHA Form No. 300 or an equivalent form for the completed years 2009, 2010, and 2011 and the current year 2012 to document recordable workplace injuries and/or illnesses.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 08/03/2012
Proposed Penalty: $2100.00

Dorinda Folse
Area Director
In the Matter of: CJL Enterprise, Inc. dba C J's Seafood
OSHA Inspection No: 469118

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administrations (OSHA), in the settlement of the above citation(s) and penalties, which were issued on 03/06/2012, hereby agree as follows:

1. Abatement Certification: The Employer agrees that within 10 calendar days after the abatement date listed on the citation or as amended below, to certify to OSHA that each cited violation has been abated. The Employer agrees that the certification of abatement will include, the employer’s name and address; the OSHA inspection number to which the submission relates; the citation and item number to which the submission relates; the date and method of abatement; a statement that affected employees and their representatives have been informed of the abatement; a statement that the information submitted is accurate; and the signature of the employer or the employer’s authorized representative. Documents demonstrating the abatement is complete may include, but are not limited to, evidence of the purchase or repair of equipment, photographic or video evidence of abatement, or other written records.

2. The Employer agrees to pay the proposed penalties, in three annual installments of $7186.66, as issued with the above citations(s), or, if amended by this agreement, as amended below. The first installment will be due August 27, 2012 with the final installment being due on August 27, 2014. If payment is not received in accord with this time period, the agreement shall be null and void and all original penalties shall become payable along with appropriate fees and interest.

3. OSHA agrees that the following citations and penalties are being amended as shown below:

   Citation 1 item 1   Reduce penalty to $2450
   Citation 1 item 2   Reduce penalty to $2450
   Citation 1 item 3   Reduce penalty to $1960
Citation 1 item 4  Reduce penalty to $2450
Citation 1 item 5  Reduce penalty to $1470
Citation 1 item 6  Reduce penalty to $2450
Citation 1 item 7  Change to Other than Serious, Reduce penalty to $0
Citation 1 item 8  Reduce penalty to $2450
Citation 1 item 9  Reduce penalty to $1470
Citation 1 item 10 Reduce penalty to $1470
Citation 1 item 11 Reduce penalty to $1470
Citation 2 item 1  Reduce penalty to $1470

NEW PENALTY TOTAL  $21,560.00

4. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended in paragraph 3 of this agreement.

5. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 3 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.

6. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

7. The Employer agrees to provide training for supervisors and other critical personnel as to the safety and health requirements of hazards as detailed in the citations noted herein.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

9. By entering into this agreement, the employer does not admit that it violated the cited standards for any litigation or purpose other than a subsequent proceeding under the Occupational Safety and Health Act.

10. None of the foregoing agreement, statements, stipulations, and actions taken by Employer shall be deemed an admission by Employer of the allegation(s) contained within the citation(s) and/or notification(s) of penalty. The agreements, statements, stipulations, findings, and actions taken herein are made for the purpose of settling this matter economically and amicably, and they shall not be used for any other purpose except for proceedings and matters brought by the United States.
Government.

For the Employer:
CJL Enterprise, Inc. dba C J's Seafood

DORINDA FOLSE
For Occupational Safety
and Health Administration

8-20-12
DATE

8/20/12
DATE