CITATION AND NOTIFICATION OF PENALTY

To:  
Smithfield Foods Inc.
and its successors
3049 E Vernon Ave
Vernon, CA 90058

Inspection 
1476723
Date(s): 05/27/2020 - 11/12/2020

Issuance Date: 11/12/2020

CSHO ID: US815

Optional Report #: 012-20

Reporting ID: 0950635

Inspection Site:
3049 E Vernon Ave
Vernon, CA 90058

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 (hereinafter Citation) is being issued in accordance with California Labor Code Sections 6317 and 6320 for violations that were found during the inspection/ investigation. This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer. Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

YOU HAVE A RIGHT to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you must contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

Informal Conference - You may request an informal conference with the manager of the district office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation(s), classification of the violation(s), abatement date or proposed penalty.

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.
Citation and Notification of Penalty  Page 1 of 20  Cal/OSHA-2 Mod Pen 10/2020
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 agreement which resolves this matter without litigation or contest.

APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Cal/OSHA or the Division) and employs experienced administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board in writing, or by telephone, or online via the Board's OASIS system, within 15 working days from the date of receipt of a Citation.

After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, or online via the Board's OASIS system, for each contested Citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available to print online at: https://www.dir.ca.gov/oshab/appealform.pdf. You may also file the appeal through the Board's online OASIS system at: https://www.dir.ca.gov/oshab/. Hard copies can also be picked up from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone: (916) 274-5751 or (877) 252-1987
Fax: (916) 274-5785

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. The appeal form also asks you to identify the grounds for your appeal. Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

**Important:** You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with Cal/OSHA or the Division does not constitute an appeal and does not stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, at (916) 274-5751 or (877) 252-1987.
PENALTY PAYMENT OPTIONS

For general/regulatory violations, and for serious violations that have been abated, penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the citation, remittance is still due on all items described above that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

For serious violations that are not abated, if a signed statement of abatement (as described under "Notification of Corrective Action", below) is not timely received or if the statement does not demonstrate acceptable abatement, penalties will be due within 15 working days after the date the signed statement was due, unless contested.

For serious violations for which a signed statement of abatement demonstrating acceptable abatement is timely received, the payment due date will be described in a Modified Citation and Notification of Penalty that you will receive reflecting a 50% abatement credit.

If you are paying electronically, please have the Penalty Remittance Form on-hand when you are ready to make your payment. The company name, inspection number, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to: www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html to access the secure payment processing site. Additionally, you must also mail the Penalty Remittance Form to the address below.

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations
Cal/OSHA Penalties
P. O. Box 516547
Los Angeles, CA 90051-0595

CAL/OSHA does not agree to any restrictions, 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 general/regulatory violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the district office listed on the Citation by submitting the Cal/OSHA 160 form with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for general violations has already been reduced by 50% on the presumption that the employer will correct the violations by the abatement date. The adjusted penalty for serious violations that have been abated, if any, has already been reduced by 50% because abatement of those violations has been completed.

The adjusted penalty for serious violations that have not been abated will be reduced by 50% if the
Division of Occupational Safety and Health receives from you within 10 working days following the abatement date a signed statement under penalty of perjury (Cal/OSHA form 161) and sufficient supporting evidence, when necessary to prove abatement, demonstrating abatement acceptable to the Division. If the Division does not receive the statement of abatement within 10 working days after the abatement date, the adjusted penalty will not be reduced by 50% - regardless of whether you appeal the serious citations.

**Note:** Return the Cal/OSHA 160/161 forms to the district office listed on the Citation and as shown below:

Division of Occupational Safety and Health  
Long Beach District Office  
3939 Atlantic Avenue, Suite 212  
Long Beach, CA 90807  
Telephone: (562) 506-0810  
Fax: (562) 426-8340

**EMPLOYEE RIGHTS**

**Employer Discrimination Unlawful** - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

**Employee Appeals** - An employee or authorized employee’s representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a district office of the Division.

**Employees Participation in Informal Conference** - Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.
DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY - Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.
Citation and Notification of Penalty

Company Name: Smithfield Foods Inc.
Establishment DBA: and its successors
Inspection Site: 3049 E Vernon Ave
               Vernon, CA 90058

Inspection #: 1476723
Inspection Dates: 05/27/2020 - 11/12/2020
Issuance Date: 11/12/2020
CSHO ID: U5815
Optional Report #: 012-20

Citation 1 Item 1 Type of Violation: Regulatory

California Code of Regulations, Title 8, Section 342. Reporting Work-connected Fatalities and Serious Injuries.

(a) Every employer shall report immediately by telephone or telegraph to the nearest District Office of the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment.

Immediately means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code.

Employer failed to report to the Division the serious illnesses of its employees who fell ill of COVID-19 that occurred at its workplace or in connection with the employees' work:
Instance 1: Employee #1 was hospitalized as a result of COVID-19 on or about February 14, 2020;
Instance 2: Employee #2 was hospitalized as a result of COVID-19 on or about April 27, 2020; and
Instance 3: Employee #3 was hospitalized as a result of COVID-19 on or about April 28, 2020.

Date By Which Violation Must be Abated: December 11, 2020
Proposed Penalty: $5000.00
Citation and Notification of Penalty

Company Name: Smithfield Foods Inc.
Establishment DBA: and its successors
Inspection Site: 3049 E Vernon Ave
          Vernon, CA  90058
Inspection #: 1476723
Inspection Dates: 05/27/2020 - 11/12/2020
Issuance Date: 11/12/2020
CSHO ID: U5815
Optional Report #: 012-20

Citation Item 2  Type of Violation: Regulatory

California Code of Regulations, Title 8, Section 14300.5. Determination of Work-Relatedness.

(a) Basic requirement. You must consider an injury or illness to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception in Section 14300.5(b)(2) specifically applies.

Prior to and during the course of the inspection, including but not limited to, on May 27, 2020, the Employer failed to consider at least 303 COVID-19 illnesses of its own employees and contract employees of CitiStaff Solutions, to be work-related.

Date By Which Violation Must be Abated: December 11, 2020
Proposed Penalty: $450.00
Citation and Notification of Penalty

Company Name: Smithfield Foods Inc.
Establishment DBA: and its successors
Inspection Site: 3049 E Vernon Ave
               Vernon, CA  90058

Inspection #: 1476723
Inspection Dates: 05/27/2020 - 11/12/2020
Issuance Date:  11/12/2020
CSHO ID: U5815
Optional Report #: 012-20

Citation 1 Item 3  Type of Violation: Regulatory

California Code of Regulations, Title 8, Section 14300.40, Providing Records to Government Representatives.

(a) Basic requirement. When an authorized government representative asks for the records you keep under the provisions of this article, you must provide within four (4) business hours, access to the original recordkeeping documents requested as well as, if requested, one set of copies free of charge.

Prior to and during the course of the inspection, including, but not limited to May 27, 2020, the employer failed to provide the Division access to the original Cal/OSHA Form 300 (Log of Work-Related Injuries and Illnesses) for the current year of 2020 and/or one set of copies free of charge within four (4) business hours when requested by the Division.

Or, in the Alternative

T8CCR 14300.29. Forms

(b) Implementation.

(3) How quickly must each injury or illness be recorded?
You must enter each recordable injury or illness on the Cal/OSHA Form 300 and Cal/OSHA Form 301 Incident Report within seven (7) calendar days of receiving information that a recordable injury or illness has occurred.

Prior to and during the course of the inspection, including, but not limited to, on May 27, 2020, the employer failed to enter 303 recordable COVID-19 illnesses of its own employees and contract employees of CitiStaff Solutions, Inc. within seven (7) calendar days on the Cal/OSHA Form 300 and Cal/OSHA Form 301 Incident Report.
Date By Which Violation Must be Abated: December 11, 2020
Proposed Penalty: $450.00
State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Long Beach District Office  
3939 Atlantic Avenue, Suite 212  
Long Beach, CA 90807  
Phone: (562) 506-0810 Fax: (562) 426-8340

Citation and Notification of Penalty

Company Name: Smithfield Foods Inc.  
Establishment DBA:  
and its successors  
Inspection Site: 3049 E Vernon Ave  
Vernon, CA 90058

Citation 1 Item 4 Type of Violation: General

T8 CCR 5162(e). Emergency Eyewash and Shower Equipment.

(e) Maintenance. Plumbed eyewash and shower equipment shall be activated at least monthly to flush the line and to verify proper operation. Other units shall be maintained in accordance with the manufacturer's instructions.

Prior to and during the course of the inspection, including, but not limited to, on May 27, 2020, the employer failed to activate, at least monthly, plumbed eyewashes to flush the line and to verify proper operation:

Instance 1: Eyewash located outside of the Main Production building, on side of building;
Instance 2: Eyewash located inside the Main Production building, 1st Floor;
Instance 3: Eyewash located inside the Hot Dog Department.

Date By Which Violation Must Be Abated:  
Proposed Penalty:  
Corrected During Inspection $1125.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.
State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Long Beach District Office  
3939 Atlantic Avenue, Suite 212  
Long Beach, CA 90807  
Phone: (562) 506-0810  
Fax: (562) 426-8340

**Citation and Notification of Penalty**

**Company Name:** Smithfield Foods Inc.  
**Establishment DBA:** and its successors  
**Inspection Site:** 3049 E Vernon Ave  
Vernon, CA 90058

**Inspection #:** 1476723  
**Inspection Dates:** 05/27/2020 - 11/12/2020  
**Issuance Date:** 11/12/2020  
**CSHO ID:** U5815  
**Optional Report #:** 012-20

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

California Code of Regulations 4650(e) Storage, Handling, and Use of Cylinders:

(e) Compressed gas cylinders shall be stored or transported in a manner to prevent them from creating a hazard by tipping, falling or rolling. Liquified fuel-gas cylinders shall be stored or transported in a position so that the safety relief device is in direct contact with the vapor space in the cylinder at all times.

Prior to and during the course of the inspection, including but not limited to, on May 27th, 2020 the employer failed to store an Acetylene compressed gas cylinder in a manner that prevented it from tipping, falling or rolling, as required by the above-referenced safety order. The Acetylene compressed gas cylinder was located on the exterior of the main production building, adjacent to the lunch/eating areas where there were large numbers of employees during the work shifts.

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**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

<table>
<thead>
<tr>
<th>Corrected During Inspection</th>
<th>$1125.00</th>
</tr>
</thead>
</table>
Citation and Notification of Penalty

Company Name: Smithfield Foods Inc.
Establishment DBA: and its successors
Inspection Site: 3049 E Vernon Ave
               Vernon, CA 90058

Inspection #: 1476723
Inspection Dates: 05/27/2020 - 11/12/2020
Issuance Date: 11/12/2020
CSHO ID: U5815
Optional Report #: 012-20

Citation 1 Item 6  Type of Violation: General

California Code of Regulations, Title 8, 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:

(5) Include a procedure to investigate occupational injury or occupational illness.

Prior to and during the course of the inspection, the employer failed to effectively implement its written Injury and Illness Prevention Program covering its own employees and contract employees of CitiStaff Solutions, in that employer did not investigate approximately 300 COVID-19 illnesses, including at least three serious illnesses with hospitalization.

Date By Which Violation Must be Abated: 
Proposed Penalty: $1350.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.
State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Long Beach District Office  
3939 Atlantic Avenue, Suite 212  
Long Beach, CA 90807  
Phone: (562) 506-0810  
Fax: (562) 426-8340

Inspection #: 1476723  
Inspection Dates: 05/27/2020 - 11/12/2020  
Issuance Date: 11/12/2020  
CSHO ID: US815  
Optional Report #: 012-20

Citation and Notification of Penalty

Company Name: Smithfield Foods Inc.  
Establishment DBA: and its successors  
Inspection Site: 3049 E Vernon Ave  
Vernon, CA 90058

Citation 2 Item 1  
Type of Violation: Serious  
(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;  
Exception: Those employers having in place on July 1, 1991, a written Injury and Illness Prevention Program complying with previously existing section 3203.  
(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.

Prior to and during the course of the Division's inspection, including but not limited to, on May 27, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program in the following instances:

Instance 1: The employer failed to effectively identify or evaluate workplace hazards relating to...
COVID-19 that affected its own employees and contract employees of CitiStaff Solutions, Inc.,
including but not limited to the following hazards:
   a) Possibility of contamination of face coverings due to improper handling and storage during
      breaks in the main outdoor lunch area;
   b) Failure to provide 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; and
   c) Lack of physical distancing or physical barriers among employees, including, but not limited to
      the following locations:

   Location 1: At the end of the assembly lines where employees were working within six feet of each
   other conducting operations, including but not limited to, packing “Cold Off” products and moving
   pork products into large bins (Production Building, End of Pork “Picnic line”, First floor),
   Location 2: On assembly lines for Pork Debonex where employees were stationed within six feet of
   each other (Production Building, Assembly Lines for Pork Debonex, First Floor),
   Location 3: On the elevated Pork Loin Lines where employees were stationed within six feet of each
   other (Production Building, Elevated Assembly Lines for Pork Loin Line, First Floor),
   Location 4: On the Ham Boning Lines where employees were stationed within six feet of each other
   (Production Building, Ham Boning Production Line, Second Floor),
   Location 5: On the Hog Processing Lines where the heads are dropped and transferred to head
   chains where employees were working within six feet of each other (Hog Processing Building, Head
   Drop Processing Line), and
   Location 6: On the Hog Processing Lines in the elevated Viscera area where employees were working
   within six feet of each other (Hog Processing Building, Elevated Viscera Area). [3203(a)(4)]

Instance 2: The employer failed to effectively implement methods or procedures to correct unhealthy
conditions or work practices relating to COVID-19 that affected its own employees and contract
employees of CitiStaff Solutions, Inc., including but not limited to:

   a) Possibility of contamination of face coverings due to improper handling and storage during
      breaks in the main outdoor lunch area;
   b) Failure to provide 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; and
   c) Lack of physical distancing or physical barriers among employees, including, but not limited to
      the following locations:

   Location 1: At the end of the assembly lines where employees were working within six feet of each
   other conducting operations, including but not limited to, packing “Cold Off” products and moving
   pork products into large bins (Production Building, End of Pork “Picnic line”, First floor),
   Location 2: On assembly lines for Pork Debonex where employees were stationed within six feet of
   each other (Production Building, Assembly Lines for Pork Debonex, First Floor),
   Location 3: On the elevated Pork Loin Lines where employees were stationed within six feet of each
   other (Production Building, Elevated Assembly Lines for Pork Loin Line, First Floor),
   Location 4: On the Ham Boning Lines where employees were stationed within six feet of each other
   (Production Building, Ham Boning Production Line, Second Floor),
   Location 5: On the Hog Processing Lines where the heads are dropped and transferred to head
   chains where employees were working within six feet of each other (Hog Processing Building, Head
   Drop Processing Line), and
   Location 6: On the Hog Processing Lines in the elevated Viscera area where employees were working
   within six feet of each other (Hog Processing Building, Elevated Viscera Area). [3203(a)(6)]

Or, in the Alternative to Instances 2b and 2c
5141. Control of Harmful Exposure to Employees.

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

Prior to, and during the course of the Division's inspection, including, but not limited to, on May 27, 2020, the employer failed to prevent harmful exposures of its own employees and contract employees of CitiStaff Solutions, Inc., 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:

Instance 1: Face coverings to limit the release of infectious particles into the air when persons are speaking, coughing, or sneezing; and

Instance 2: Plexiglass screens or other physical barriers to limit contact and block potentially infectious particles from being released among its own employees and contract employees who were stationed and working within six feet of each other at the following locations:

Location 1: At the end of the assembly lines where employees were conducting operations, including but not limited to, packing "Cold Off" products and moving pork products into large, bins (Production Building, End of Pork "Picnic line", First floor),

Location 2: On assembly lines for Pork Deboneflex (Production Building, Assembly Lines for Pork Deboneflex, First Floor).

Location 3: On the elevated Pork Loin Lines (Production Building, Elevated Assembly Lines for Pork Loin Line, First Floor).

Location 4: On the Ham Boning Lines (Production Building, Ham Boning Production Line, Second Floor).

Location 5: On the Hog Processing Lines where the heads are dropped and transferred to head chains (Hog Processing Building, Head Drop Processing Line), and

Location 6: On the Hog Processing Lines in the elevated Viscera area (Hog Processing Building, Elevated Viscera Area).

Date By Which Violation Must be Abated: December 01, 2020

Proposed Penalty: $24300.00
State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Long Beach District Office  
3939 Atlantic Avenue, Suite 212  
Long Beach, CA 90807  
Phone: (562) 506-0810  Fax: (562) 426-8340

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Optional Report #: 012-20

Citation 3 Item 1  Type of Violation: Serious

T8CCR. 3203(a)(7)

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:

(7) Provide training and instruction:

(A) When the program is first established;

(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.

Prior to and during the course of the Division's inspection, including, but not limited to, on May 27, 2020, the employer failed to provide training and instruction to its own employees and contract employees of CitStaff Solutions, Inc. regarding the new occupational hazard of COVID-19, including but not limited to, training and instruction on how the virus is spread and measures to avoid infection, signs and symptoms of infection, and how to safely use cleaners and disinfectants.
Date By Which Violation Must be Abated: December 01, 2020
Proposed Penalty: $24300.00

[Signature]
Luis Mireles
Compliance Officer / District Manager

[Signature]
Hien Le

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.
State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Long Beach District Office  
3939 Atlantic Avenue, Suite 212  
Long Beach, CA  90807  
Phone: (562) 506-0810  Fax: (562) 426-8340

<table>
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<tr>
<th>NOTICE OF PROPOSED PENALTIES</th>
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<td><strong>Company Name:</strong> Smithfield Foods Inc.</td>
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<td><strong>Establishment DBA:</strong> and its successors</td>
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<td><strong>Inspection Site:</strong> 3049 E Vernon Ave, Vernon, CA 90058</td>
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<td><strong>Mailing Address:</strong> 3049 E Vernon Ave, Vernon, CA 90058</td>
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<td>Citation 1 Item 1, Regulatory</td>
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</tbody>
</table>

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 electronically: Please have this form on-hand when you are ready to make your payment. The company name, 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/CalOSHA_PaymentOption.html to access the secure payment processing site. Additionally, you must also mail the Penalty Remittance Form to the address below.

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  
CAL/OSHA PENALTIES  
P. O. BOX 516547  
LOS ANGELES, CA 90051-0595

Cal/OSHA does not agree to any restrictions, 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.
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH – CAL/OSHA
Accounting Office - Cashiering Unit
Phone (415) 703-4310 or (415) 703-4308

PENALTY REMITTANCE FORM

<table>
<thead>
<tr>
<th>CIVIL PENALTY INFO</th>
<th>INSPECTION NO.:</th>
<th>1476723</th>
<th>REPORTING ID:</th>
<th>0950635</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMPANY NAME:</td>
<td>Smithfield Foods Inc.</td>
<td></td>
<td>FEIN/SEIN:</td>
<td>UNKNOWN</td>
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<tr>
<td>ESTABLISHMENT DBA:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CONTACT PERSON:</td>
<td>Greg Hernandez</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PHONE NO.:</td>
<td>(323) 583-4621</td>
<td></td>
<td>FAX NO.:</td>
<td>UNKNOWN</td>
</tr>
<tr>
<td>SITE ADDRESS:</td>
<td>3049 E Vernon Ave, Vernon, CA 90058</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAILING ADDRESS:</td>
<td>3049 E Vernon Ave, Vernon, CA 90058</td>
<td></td>
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</tr>
</tbody>
</table>

CITATION INFORMATION:
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.

PAYMENT INSTRUCTIONS:
For check or money order: please make check or money order payable to Department of Industrial Relations. Write the inspection number and total amount enclosed on the payment coupon below and on the check or money order.
For credit card or EFT payment, go to: www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html

----- Detach here and return bottom portion with check or money order payment -----

PAYMENT COUPON

![California Department of Industrial Relations Logo]

Inspection No.: 1476723
Amount Enclosed: $_________

Mail payment to:
DEPARTMENT OF INDUSTRIAL RELATIONS
CAL/OSHA PENALTIES
P.O. BOX 516547
LOS ANGELES, CA 90051-0595

For credit card or EFT payment, go to: www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html
EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF
REGULATORY AND/OR GENERAL VIOLATIONS

Greg Hernandez
Smithfield Foods Inc.
3049 E Vernon Ave
Vernon, CA 90058

The law requires that violations observed during the inspection completed on 11/12/2020 of the place of employment located at 3049 E Vernon Ave, Vernon, CA be corrected within the time limit specified. Please notify the Division as soon as these conditions have been corrected by returning this completed form. Your response by completing, signing and mailing this form to the issuing office on or before the compliance date may avoid a follow-up inspection of your facilities. Failure to timely complete and return this form may result in issuance of a citation and civil penalty for violation of 8 CCR 340.4(c).

NOTE: This form does not serve as a request for a time extension. If there are serious problems beyond your control that prevent meeting a specified abatement date, contact the Division early, well within the 15-day limit allowed for an appeal.

PLEASE COMPLETE AND MAIL BY 11/25/2020

LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO CORRECT EACH CITATION & ITEM NUMBER OF THE UNSAFE CONDITIONS AND DATE OF ABATEMENT.

☐ Continued on additional page

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8 CCR Section 340.4(g). ☐ Yes ☐ No

This certifies that all the unsafe conditions listed in the Division's citation dated Nov 12, 2020 have now been corrected and all submitted abatement information is accurate.

Signature: ___________________________ Date: ___________________________
Name: ___________________________ Title: ___________________________

OFFICE USE ONLY

Compliance Safety and Health Officer: ___________________________ Date: ___________________________
District Manager: ___________________________ Date: ___________________________

[ ] Close/Comments


Date mailed or delivered: 11/12/2020
EMPLOYER’S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS

Attn: Greg Hernandez
Smithfield Foods Inc.
3049 E Vernon Ave
Vernon, CA 90058

The law requires that violations observed during the inspection completed on 11/12/2020 of the place of employment located at 3049 E Vernon Ave, Vernon, CA be abated (corrected) within the time limit specified on the citation. Labor Code 6320(b) requires that you submit this signed statement under penalty of perjury that you have complied with the abatement terms. If you have filed a timely appeal of this citation, the abatement date is stayed during the appeal process, and the Signed Statement need not be submitted at this time. In addition, if there are problems beyond your control that prevent you from meeting the abatement date, contact the Division as soon as possible so that a request for extension can be considered.

Pursuant to Title 8 CCR 336(e)(3), you are not eligible for a 50% reduction of the civil penalty assessed for this serious violation because of one or more of the following: (A) the extent and likelihood for the serious violation are rated high; (B) the serious violation was designated as “Repeat Serious” or “Willful Serious”; (C) the serious violation relates to the use of a carcinogen; or (D) the serious violation caused death or serious injury, illness or exposure as defined pursuant to Labor Code section 6302.

This form must be received at the above address on or before 12/09/2020

In a separate attachment, please list and describe the specific measures taken and equipment used to abate each serious violation, and also attach supporting evidence:

- For each citation, provide the citation number, number of instances, abatement date, and a description of the specific measures taken to abate the serious citation.
- List the evidence attached to this form proving that the measures were taken and the violations were fully abated. Examples of suitable evidence include, but are not limited to, photographs and copies of attendance sign-in sheets, written procedures, and receipts for payment of services or equipment.

Evidence is attached

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). ☐ Yes  ☐ No

I have reviewed the foregoing statement and declare under penalty of perjury that it is true and correct to the best of my knowledge and all submitted abatement information is accurate.

Executed at ________________ , California by

Signature: _______________________________ Date: ________________
Name: _______________________________ Title: _______________________________

OFFICE USE ONLY

Compliance Safety and Health Officer: _______________________________ Date: ________________
District Manager: _______________________________ Date: ________________

[ ] Close/Comments


Date mailed or delivered: 11/12/2020

Cal/OSHA 151 – No Abatement Credit (4/10/15)