
Grocery and Related Product Merchant Wholesalers Special Emphasis Program

- **OPN 145**

Presented by: ETTA Bureau, (919) 707-7876

Objectives

- At the end of this course, students will be aware of:
 - Details of OPN 145 - Grocery and Related Product Merchant Wholesalers Special Emphasis Program (SEP).
 - Standards and hazards covered by this Operational Procedure Notice (OPN).
 - General procedures for a compliance inspection under this OPN.

Scope

- OPN 145 applies to NAICS Code 4244 - Grocery and Related Product Merchant Wholesalers.
- This SEP covers all North Carolina employers and sites in NAICS 4244.

42411 – General Line Grocery Merchant Wholesalers	42442 – Packaged Frozen Food Merchant Wholesalers	42443 – Dairy Product Merchant Wholesalers
42444 – Poultry & Poultry Product Merchant Wholesalers	42445 – Confectionery Merchant Wholesalers	42446 – Fish and Seafood Merchant Wholesalers
42447 – Meat and Meat Product Merchant Wholesalers	42448 – Fresh Fruit and Vegetable Merchant Wholesalers	42449 – Other Grocery and Related Products Merchant Wholesalers

Why a Grocery Wholesaler SEP?

- Significant numbers of NC Employers are covered by NAICS 4244.
- Employees using more machinery in processes.
- Work becoming more automated exposing employees to high-speed equipment.
 - For example, conveyers
- Increased automation has led to injury and illness rates higher than average for other sectors.

Why a Grocery Wholesaler SEP?

- As high-speed automation increases, so does the need for proper machine maintenance and machine guarding and the safety programs that protect workers.

Violation: 1910.219(f)(3)
Mechanical Power-Transmission
Apparatus



Significant Hazards in Grocery

- NCDOL's injury and illness data for NAICS 4244 (calendar years, 2009 - 2011) identified significant hazards:
 - Materials handling and storage
 - Walking-working surfaces
 - Ergonomics
 - Powered industrial trucks
 - Machine guarding
 - Personal protective equipment (PPE)
 - Eyewash equipment
 - Hazard communication (HazCom)
 - Process safety management (PSM)

Table 1: N.C. and National TRC and DART Rates Combined

Year	N.C. Average DART	National Average DART	N.C. Average TRC	National Average TRC
2014	1.5	1.8	2.9	3.4
2015	1.4	1.7	2.9	3.3
2016	1.4	1.7	2.7	3.2
2017	1.3	1.6	2.5	3.1
2018	1.4	1.7	2.6	3.1
2019	1.3	1.6	2.5	3.0
2020	1.3	1.8	2.2	2.9

N.C. and National Total Recordable Case (TRC) and Days Away, Restricted or Transferred (DART) rates for all industries combined.

Table 2: N.C. and National TRC and DART Rates for NAICS 4244

Year	N.C. DART	National DART	N.C. TRC	National TRC
2014	2.7	3.9	4.5	5.1
2015	3.3	4.2	4.3	5.3
2016	3.7	3.6	4.5	4.7
2017	3.0	4.2	4.1	5.2
2018	3.4	4.0	4.5	5.2
2019	3.3	3.7	4.6	4.8
2020	3.1	4.0	4.1	4.9

N.C. and National TRC and DART rates for NAICS 4244.

Goals of Grocery SEP

- Federal Fiscal Year (FFY) 2019 - 2023 SEP goals include:
 - 5% reduction in workplace injuries and illnesses by the end of FFY 2023
 - 1% annual reduction in NC Bureau of Labor Statistics (BLS) DART rates for NAICS 4244 NC establishments

Goals of Grocery SEP

- Goals will be accomplished through:
 - Obtaining data
 - Identifying types and trends of injuries
 - Causes of fatalities
 - Providing hazard identification through inspections
 - Assisting employers using industry guides
 - Forming alliances with NAICS 4244 North Carolina employers

Inspection Priority

- Inspections are generated and assigned according to priority.
 - Imminent danger
 - Fatality/catastrophe
 - Complaints/referrals
 - Follow-up/monitoring
 - SEP programmed
- Unprogrammed inspections can be expanded to cover the SEP.

Pre-inspection Procedures

- Verify that the SEP is applicable to employer/site
- Review the site listing in Targeting System
 - Are there...
 - » Consultative Services Surveys?
 - » Star Evaluations?
 - » SHARP Evaluations?

Inspection Exemptions

FOM Ch. III, D.3.h.

- Deferrals:
 - Consultation program surveys
 - » Full-service
 - » Limited service and scope
 - SHARP participant
 - Carolina Star Program



Pre-inspection Procedures

- Read Industrial Data Report (IDR) for NAICS 4244.
- Review documents in FOM, CPLs and OPNs based on SEP and potential site hazards.
 - Example: Ergonomics, HazCom, Confined Space...

Pre-inspection Procedures

- Normal compliance activities - **programmed inspections**
- For **complaints, referrals, or accidents** – follow this OPN for guidance and FOM Chapter IX – “Complaints, Referrals and Accidents”.
- For **fatalities or catastrophes** – follow this OPN for guidance and FOM Chapter VIII – “Fatality and Catastrophe Investigations”.

NC Site Lookup or “Targeting”



OSH One Stop Shop

Establishment Lookup Establishment Search Result:

UI: Trade Name: UI Name: FID: Predecessor UI:	CNTY: Phys. Addr : UI Addr: NAICS: Successor UI:	Ownership: Phone 1: Phone 2: ORG Type: Longitude/Latitude:	STATUS: State_Zip1: State_Zip2: SIC: OSH Mod Yr:	Deferral Info: Insp Info: EMP Number:
9431386-00000	MASTER	5	1	S:12/31/2020 H:12/31/2020
	1628 GARNER'S CHAPEL ROAD MOUNT OLIVE	919 -9219058	NC 28365	
BUTTERBALL LLC	PO BOX 589 PO BOX 589 MOUNT OLIVE		NC 283650589	
561458630	311615	P	2015	4210
9547112-00000	=	-077.9137 / 35.140234		

Note: Inspection older than 3 year will not be linked.

Help

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NC Site Lookup or “Targeting”

Establishment Lookup Establishment Search Results

NC Company (ESC) Lookup

UI : 0059173-00004

Safety Inspection Information

Insp Number	Insp Date	Insp Type	Insp Scope
318170370	06/18/2019	Programmed Planned	Comprehensive

[Insp Info](#)

Inspection Procedures

Evaluate Health and Safety Program issues in the focus area listed in the SEP:

- Recordkeeping
- Powered industrial trucks
- Electrical
- Ergonomics
- Hazard communication
- Hexavalent chromium
- Machine guarding
- Process safety management (PSM)
- Medical records

Recordkeeping

- *OPN 145 SEP*
- *CPL 02-00-135*

Presented by: ETTA Bureau, (919) 707-7876

Recordkeeping

29 CFR 1904

OSHA's Form 300 (Rev. 01/2004)

Log of Work-Related Injuries and Illnesses

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Year 20__

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

You must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, from work, or medical treatment beyond first aid. You must also record significant work-related injury or illness that results in the employee being away from work for more than 3 days (including the day of the incident). You must use two forms if you are not sure whether a case is recordable; use your local OSHA office for help.

● Review and evaluate OSHA 300 and 300A for preceding three years.

● Review/evaluation current year-to-date OSHA 300 log.

● Discuss any discrepancies with recordkeeper and management.

● Record discrepancies in your narrative and inspection report.

Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time to review the instructions, search existing data sources, gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the complete forms to this office.

Be sure to transfer these totals to the Summary page (Form 300A) before you post it.

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Page ____ of ____



OSH Division
Internal Training

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Recordkeeping

CPL 02-00-135

- Follow requirements:
 - **29 CFR 1904:** Recording and Reporting Occupational Injuries and Injuries
 - **CPL 02-00-135:** Recordkeeping Policies and Procedures Manual
 - Other applicable requirements

Recordkeeping - Interviews

- Question employees regarding work-related injuries (past three years).
- Ensure any incidents were properly recorded.
- Discuss discrepancies with employer.

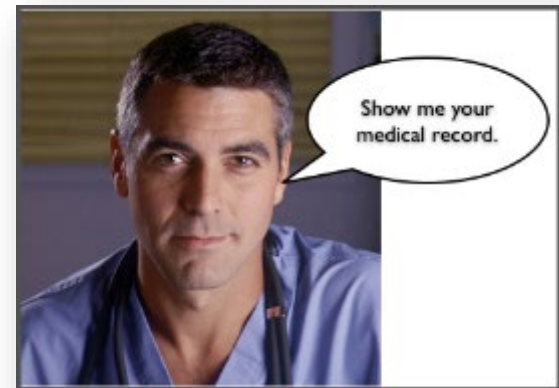


Employee Medical Records CPL 02-00-135

- Medical records not specifically required by OSHA:
 - Medical exam results
 - Laboratory tests
 - Medical opinions and diagnoses
 - First aid records
- Obtain and maintain in accordance with:
 - FOM Ch. III – Inspection Procedures
 - FOM Ch. XIII – Fatality and Catastrophe Investigations
 - FOM Ch. XVI – Administrative File Activities

Employee Medical Records CPL 02-00-135

- Legal justification for requesting medical records:
 - 45 CFR 164.512 (b)(1)(v):
 - » Health and Human Services Standards for Privacy of Individually Identifiable Health Information



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Recordkeeping - Privacy

- Privacy and medical records
 - *Respect for employee privacy must be a priority.*
 - Obtain consent prior to reviewing medical records if possible.



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Recordkeeping

- Forward OSHA 300 and 300A forms from NAICS 4244 inspections to PSIM Bureau Chief.
 - Required in order to track and trend illnesses and injuries for NAICS 4244.



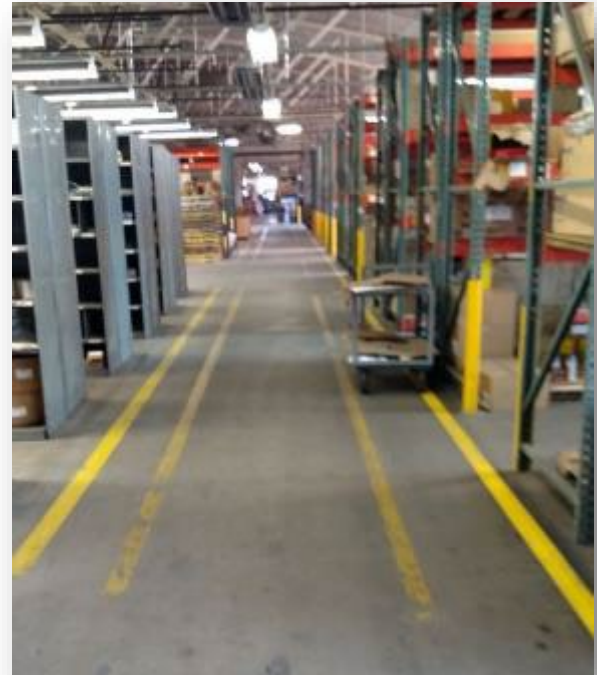
Powered Industrial Trucks

- *OPN 145 SEP*

Presented by: ETTA Bureau, (919) 707-7876

PITs - Handling Materials

- Evaluate employers' policies, procedures, and work practices per 1910.176 and 1910.178.
- Some areas of concern:
 - » *Aisles*
 - » *Loading docks*
 - » *Through doorways*
 - » *Turns of passage*



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Operator Training

- Are employees **competent** to operate a powered industrial truck safely?



PITs - Handling Materials

1910.176(a)

- Evaluate work processes:
 - Both inside and outside warehouse and storage areas.
- Look for:
 - Struck-by hazards
 - Use of chocks, dock locks, etc.
 - Verify pedestrian walkways



NCDOL Photo Library

Powered Industrial Trucks

- If PITs operate on hydrocarbon fuels:
 - Evaluate employee exposure to carbon monoxide.



Powered Industrial Trucks

- Are employees using seat belts while driving?
- Are employees using Personal Fall Arrest Systems (PFAS) while on lifts for order picking?



Powered Industrial Trucks

- Are employees using PFAS while on lifts for order picking?



Electrical

- *OPN 145 SEP*

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Electrical

- Evaluate the condition of electrical equipment:
 - Panels, cabinets, conduits, motor control centers, etc.



Electrical

- Evaluate appropriate use of ground fault circuit interrupters (GFCI).
- Evaluate the use of waterproof receptacles and enclosures.



Industrial GFCI



Industrial waterproof receptacle

Electrical

- Evaluate electrical safe work practices
 - Compliance with 1910.147 – Control of Hazardous Energy.



Ergonomics

- *OPN 145 SEP*
- *FOM Chapter XVII*

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Ergonomics

NCGS 95-129(1)

- Definition

- Ergonomics is defined as the “science related to man and his work, embodying the anatomic, physiologic, and mechanical principles affecting the efficient use of human energy”.

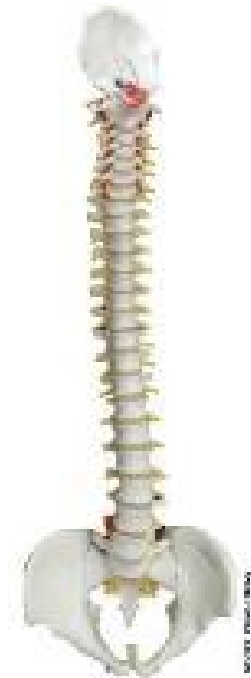
- Injury examples

- Carpal tunnel syndrome; tendinitis; rotator cuff injuries (a shoulder problem); epicondylitis (an elbow problem); trigger finger; muscle strains and lower back injuries.



Are Ergonomic Hazards Present? FOM Ch. XVII

- Determine the presence of hazards:
 - OSHA 300 logs, NCIC Form 19, OSHA 301
 - Incident reports
 - Ergonomics program
 - Ergonomics training media and records
 - Job hazard analyses (JHA) or similar
 - Ergonomic record review checklist



Review Employer's Ergonomics Program

FOM Ch. XVII

- Look for:
 - Hazard identification and analysis
 - Responsible and authorized personnel
 - Employee input regarding lifting procedures
 - Compliance to policies/procedures and deficiency follow-up
 - Policy and procedure change(s) and injury and illness effect
 - Medical treatment

Review Employer's Ergonomics Program

FOM Ch. XVII

- Also check for:
 - Management commitment
 - Assessment of new lifting technologies and designs
 - Employee education and training
 - Program evaluation



Ergonomics Program/Health Management

- Additionally, ensure employer:
 - Evaluates workplace regularly
 - Promotes early reporting
 - Medical management
 - Maintains safety commitment



[Unsplash](#)

Ergonomics Program

FOM Ch. XVII

- Calculate **DART** and severity rates
- Review with **Supervisor** to determine course:
 - Rates Improving + Effective Program
 - Rates Improving + Deficient Program
 - Rates Not Improving + Effective Program

LETTER

Ergonomics Program

FOM Ch. XVII

- Review with **Supervisor** to determine course of action:
 - Rates Not Improving + Deficient Ergonomics Program =
- Additionally, if clusters of Ergonomic injuries exist =

INSPECTION

INSPECTION

Conduct Interviews

FOM Ch. XVII

- Verify employees are trained in:
 - Hazard recognition
 - Process for correcting hazards
 - Requirement of reporting injuries
- Ask about injuries/issues
- Video employees performing tasks



- If ergonomic hazard(s) are found to exist,
 - Evaluate elements of **General Duty Clause**:
 - » Hazard is present?
 - » Hazard recognized in the industry?
 - » Hazard likely to cause serious physical harm?
 - » Feasible method of abatement?

Citation Guidance

FOM Ch. XVII

- Hazard Alerts
 - Sent in lieu of a citation
 - Describes observed deficiencies
 - May include elements of an effective ergonomics program



Machine Guarding

- *OPN 145 SEP*

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Machine Guarding

During the investigation:

- Evaluate employer's process of equipment inspection and evaluation.
 - Are hazards identified and corrected?
 - Is the equipment safe for routine operation?
- This evaluation must include a review of the employer's documentation.

Machine Guarding

- Evaluate the employer's process for:
 - Preventative maintenance
 - Periodic self-inspection
- Evaluation should cover production, facility, and shop machinery.
 - Is the employer's process identifying and correcting hazards?
- Document review is also a part of this evaluation.

Machine Guarding

- Evaluate Lockout/Tagout Program (1910.147)
 - Is the employer in compliance?



Machine Guarding

- Conduct a focused walkthrough to evaluate machine guarding.
- Include:
 - Production areas
 - Equipment rooms
 - Maintenance areas
 - Fabrication shops



Machine Guarding

- During walkaround, look for:
 - Conveyors
 - Point-of-operation guarding (in-running nip-points, cutters, shears, saws, presses, lathes, etc.)
 - Mechanical transmission devices (gears, shafts, pulleys, and belts)
 - Robotic equipment

Hazard Communication

- *OPN 145 SEP*
- *CPL 02-02-079*

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Hazard Communication

CPL 02-02-079

- Hazardous chemicals often encountered...
 - Sanitizers
 - Disinfectants
 - Gasoline



Hazard Communication

CPL 02-02-079

- Written program
- Worker training
- Employee exposure
- Hazard communication labels
- Access to Safety Data Sheets



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Hazard Communication

CPL 02-02-079

- Refer to **CPL 02-02-079**: Inspection Procedures for Hazard Communication (2012)



Hexavalent Chromium

- ***OPN 135 SEP***
- ***OPN 145 SEP***
- ***CPL 02-02-074***
- ***CPL 02-02-076***

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Hexavalent Chromium

- During opening conference and employee interviews, verify if work activities and tasks may create an exposure.
 - Example: welding on stainless steel equipment
- If no activities are identified, document in the narrative portion of inspection.



Hexavalent Chromium

- If Hexavalent Chromium employee exposure is verified:
 - Determine when these tasks creating exposure are performed.
 - Request copies of initial exposure results and any subsequent.
 - Evaluate results and discuss with District Supervisor.

Hexavalent Chromium

- If employee exposure may have occurred and NO exposure monitoring has been performed...
 - Conduct air monitoring or make a referral to a Health Compliance Officer (HCO).



Hexavalent Chromium

- If sampling indicates work exposure at or above the Action Level (AL) or Permissible Exposure Limit (PEL) discuss with District Supervisor to determine next course of action.



Hexavalent Chromium

- Review for more details:
 - CPL 02-02-074: Inspection Procedures for Chromium (VI) Standard
 - CPL 02-02-076: NEP – Hexavalent Chromium
 - OPN 135: SEP – Exposure to Health Hazards

Process Safety Management

- OPN 145 SEP
- CPL 02-02-045
- CPL 02-02-021

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Process Safety Management (PSM)

- Prevent catastrophic releases of highly hazardous chemicals.
- Grocery warehouse operations often require large scale industrial refrigeration.
 - Volume of chemicals used can exceed PSM thresholds
 - Examples include:
 - » Anhydrous ammonia (refrigerant)
 - » Chlorine (water treatment)

Process Safety Management

- Interview appropriate management:
 - Determine if any processes use hazardous chemicals at/above Threshold Quantities (TQ)
 - Determine if any processes use flammable liquids or gas in quantities $\geq 10,000$ lbs.
 - Remember to include all quantities in use, not just storage tanks.



Threshold Quantity

1910.119(a)

- Threshold Quantity (TQ):
 - Chemicals listed in appendix A (1910.119)
 - Ammonia TQ = 10,000 Lbs.
 - Chlorine TQ = 1,500 Lbs.
 - Flammable liquids and gas TQ \geq 10,000 Lbs.
 - » Defined in 1910.119(a)

Process Safety Management

- If highly hazardous chemicals are present \geq threshold quantities:
 - Determine if employer has created/implemented a PSM program
 - Consult with District Supervisor to determine if a referral must be made, etc.

Process Safety Management

- If the CSHO has questions on 1910.119, contact:
 - Program Quality Verification (PQV) team member
 - Division PSM Coordinator
 - District Supervisor or Bureau Chief

Process Safety Management

- Review for more details:
 - OPN 145, Appendix B, lists the process of evaluating if the PSM standard applies.
 - CPL 02-02-045 – 29CFR 1910.119, Process Safety Management of Highly Hazardous Chemicals – Compliance Guidelines and Enforcement Procedures
 - CPL 03-00-021 – Process Safety Management Covered Facilities

Additional Resources

- **OPN 145- SEP:**

<https://www.labor.nc.gov/documents/opn-145-special-emphasis-program-grocery-and-related-product-merchant-wholesalers>

- **Industry Guides:**

<https://www.labor.nc.gov/safety-and-health/publications/osh-industry-guides>

- **Sample Programs:**

<https://www.labor.nc.gov/safety-and-health/publications/example-programs>

Summary

- Students should now be aware of:
 - The details of OPN 145 - Grocery and Related Product Merchant Wholesalers SEP.
 - Standards and Hazards covered by this OPN.
 - General procedures for a compliance inspection under this OPN.

Thank You For Attending!

Final Questions?

1-800-NC-LABOR

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