

## **EXECUTIVE SUMMARY**

### **OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD**

Summary of Bimbo Bakeries USA – Decision After Reconsideration

The Division proved the alleged violations, including machinery guarding, by a preponderance of the evidence. Employer's argument that the inspection violated its Fourth Amendment right to be protected from unreasonable search and seizure was not properly raised or proven. The party asserting such issue must produce evidence tending to show the violation of rights so that the matter can be heard.

**Bimbo Bakeries USA, 03-5215**

**June 9, 2010**

**3203(a)(4)**