

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
Fremont District Office  
39141 Civic Center Drive, Suite 310  
Fremont, CA 94538  
Phone: (510) 794-2521 Fax: (510) 794-3889

**Inspection #:** 1495407  
**Inspection Dates:** 10/01/2020 - 12/22/2020  
**Issuance Date:** 12/23/2020  
**CSHO ID:** W6136  
**Optional Report #:** 018-21



**Citation and Notification of Penalty**

**Company Name:** D'Arrigo Bros. Co. of California

**Establishment DBA:**

and its successors

**Inspection Site:** Morela Road, At Hwy. 1  
Castroville, CA 95012

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

Title 8 CCR Section 3203(a). 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:

⋮

(4) Include procedures for identifying and evaluating work place 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;

(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

Prior to and during the course of the inspection, including, but not limited to, on October 1, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program, in that it did not identify, evaluate, or correct the unhealthy conditions or work practices relating to SARs-CoV-2, the virus causing COVID-19, in the following instances:

Instance 1

The employer failed to ensure harvesting employees were wearing face coverings at this work site. [3203(a)(4) &(6)]

Instance 2

The employer failed to ensure harvesting employees maintained a safe physical distance from each other of at least six feet in all directions at this work site. [3203(a)(4) &(6)]

Instance 3

The employer did not install physical barriers between workers who were not working at a safe physical distance from each other of at least six feet in all directions to separate them while harvesting lettuce alongside the harvesting machine. [3203(a)(4) &(6)]

Or, in the alternative to Instance 3:

Title 8 CCR Section 5141 (a). 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 inspection, including, but not limited to, on October 1, 2020, the employer failed to prevent potentially harmful exposures of its employees to COVID-19 airborne particles by ensuring the use of feasible engineering controls, including but not limited to, physical barriers, such as Plexiglas shields or other impermeable dividers or partitions, to separate employees while harvesting lettuce alongside the harvesting machine. [5141 (a)]

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

**Corrected During Inspection**  
**\$7650.00**

---

Kelly Tatum  
Compliance Officer / District Manager