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For Immediate Release  
April 19, 2006

## **O & E FARMS LTD. FINED \$70,000 FOR HEALTH AND SAFETY VIOLATION**

STRATFORD, Ont. – O & E Farms Ltd., a Drayton, Ont.-based manufacturer of fertilizer, was fined \$70,000 today for a violation of the Occupational Health and Safety Act that resulted in serious injuries to an employee.

On September 1, 2004, a worker was attempting to empty the contents of a “tote” (a container filled with raw product used in the manufacture of fertilizer) into a “hammermill” (a device that ground raw product into fine, free-flowing granulation suitable for blending) when the worker fell into the running auger of an adjacent “blender” (equipment that combined products such as urea, monomonium phosphate and corn gluten used in the fertilizer manufacturing process). The worker suffered multiple injuries, including amputation of the left leg above the knee. Just prior to the incident, the worker had climbed up on equipment to open the bottom of the tote, which was suspended on the forks of a forklift truck. The tote weighed between 800 and 900 kilograms (1,764 and 1,984 pounds). The worker stood on a 132-by-122-centimetre (52-by-48-inch) sheet of plastic that partially covered the blender and the plastic broke under the worker’s weight, causing the worker to fall. The incident occurred at the company’s fertilizer plant at 5243 Line 89, County Road 6 in Wallace Township in Drayton.

A Ministry of Labour investigation found one of the contributing factors to the incident was that the worker had to climb up the equipment to reach the suspended tote and stood on top of the 1.27-centimetre (1/2-inch) thick plastic cover on the blender. The blender was equipped with a shut-off/lockout control, but had been left running. The worker was unaware the blender was running when the worker climbed up.

O & E Farms Ltd. pleaded guilty, as an employer, to failing to provide a permanent platform with access by a fixed stair or access ladder where frequent access was required to equipment elevated above floor level, as required by Section 19 of the Regulations for Industrial Establishments. This was contrary to Section 25(1)(c) of the act.

The fine was imposed by Justice of the Peace Robert Gay of the Ontario Court of Justice in Stratford. In addition, the court imposed a 25-per-cent victim fine surcharge, as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

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Court Information at a Glance

**Location:** Ontario Court of Justice  
1 Huron Street, Courtroom 1  
Stratford, Ontario

**Judge:** Justice of the Peace Robert Gay

**Date / Time:** April 19, 2006, 11:30 a.m.

**Defendant:** O & E Farms Ltd.

**Matter:** Occupational Health & Safety

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