

Frutarom (UK) Ltd fined after two health and safety breaches

Food flavourings company Frutarom (UK) Ltd has been fined after two separate health and safety breaches.

Colchester Magistrates Court heard how the company was prosecuted following two separate Health and Safety Executive (HSE) investigations into incidents at Frutarom's premises.

In October 2016 a worker at the company's Hartlepool factory was emptying a part-finished product from a drum into two smaller containers when the toxic gas hydrogen sulphide was released from the liquid being decanted.

In June 2017 an agency worker lost four of his fingers when his hand came into contact with mixing blades inside a mixing machine.

HSE's investigation into the 2016 incident found that Frutarom had used hydrogen sulphide gas as part of the manufacturing process for several years. They had danger warnings about the gas on their work instructions but did not instruct workers to carry out industry standard practices to safely remove the gas.

A HSE investigation following the 2017 incident found that the company failed to prevent access into the discharge chute of the machine after failing to identify this as a risk. The company was not aware of the significance of a grille cover on the discharge chute which, had it been fixed to the machine or interlocked, would have prevented the incident from occurring.

Relating to the incident in October 2016, Frutarom (UK) Ltd of Riverside Avenue West, Lawford, Manningtree, Essex pleaded guilty to breaching Section 2 of the Health and Safety at Work etc. Act 1974. The company was fined £60,000 and ordered to pay costs of £5,603.90.

Relating to the incident in July 2017, the company pleaded guilty to breaching Section 3(1) of Health and Safety at Work Act 1974. It was fined £100,000 and ordered to pay costs of £3,992.51.

HSE inspector Edward Crick said: "The injuries sustained by the employee after the incident in July 2017 would have been prevented had a suitable and sufficient risk assessment been undertaken.

"Sadly, the company missed probably the most significant hazard associated with the use of the machine and therefore failed to take any appropriate action to eliminate the risk."

HSE inspector Julian Nettleton said: "It was fortunate that no one was harmed following the release of hydrogen sulphide in October 2016.

"Frutarom knew about the hazards of handling this chemical but had not

sufficiently considered the specific risks from the task which workers were routinely carrying out.

“Companies should ensure all tasks which expose employees to risk are suitably risk assessed. HSE will not hesitate to take appropriate enforcement action against those that fall significantly below the required standards.”

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. hse.gov.uk
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>
4. These cases were sentenced on the same day in the same hearing at Colchester Magistrates Court.
5. HSE’s website has statistics and further information on food machinery incidents (<http://www.hse.gov.uk/food/machinery.htm>)
6. Hydrogen sulphide exposure has been linked to fatal accidents, particularly in the offshore oil & gas, waste & recycling and farming industries. Further information and guidance on handling hazardous substances in the workplace is available on the HSE website. (<http://www.hse.gov.uk/coshh/basics/whatdo.htm>)
7. Hydrogen sulphide is a toxic gas that can kill. It is often associated with rotting waste and farm slurry but is commonly used in the chemical industry. The ‘rotten eggs’ smell of the gas is often noticed well below levels that cause harm, if the air contains enough of the gas the nose becomes overloaded and you cannot smell it.

Journalists should approach HSE press office with any queries on regional press releases.

North West trailer manufacturing company sentenced after worker injured

A Cheshire-based trailer manufacturing company has been fined after a worker was struck by a load on a fork lift truck and left with multiple injuries.

Manchester Magistrates’ Court heard how, on 10 March 2017, an employee of Meredith and Eyre Limited was in the process of lifting a stack of three trailer chassis using a fork lift truck, when a load shifted on the forks and

struck another employee. The injured employee suffered from four spinal fractures, a broken left scapula, a broken rib and wounds to his head, shoulder, and ankle.

An investigation by the Health and Safety Executive (HSE) found the work had not been properly planned and there was no safe system of work in place. The company should have made sure the stack of chassis was secure and stable on the forks and would not shift when the load was raised. Simple steps such as identifying the correct centre of gravity and ensuring the forks were placed at that point, providing employees with refresher training on lifting loads and removing the need for the stack to be steadied by hand, would have controlled the risk and prevented the employee's injuries.

Meredith and Eyre Limited of Broadway Industrial Estate, Hyde, Cheshire, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974 and has been fined £12,000 and ordered to pay costs of £1,745.16.

Speaking after the hearing, HSE inspector Roger Clarke said: "The incident could so easily have been avoided by simply putting in place the correct control measures and safe working practices.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Legislation on lifting operations and lifting equipment regulations can be found at: <http://www.hse.gov.uk/work-equipment-machinery/loler.htm>
5. HSE guidance on lift- truck training can be found at <http://www.hse.gov.uk/workplacetransport/lift-trucks/lift-truck-training.htm>

Journalists should approach HSE press office with any queries on regional press releases.

Farming company sentenced after threshing machine incident

Dullam & Co (Farmers) Ltd have been fined today after a worker was dragged into a reed combing machine.

Exeter Magistrate's Court heard that on 24 March 2017, 44 year old John Dullam was working on the reed combing machine at Narracott Farm, South Molton, when his overalls became entangled in the drum feed intake (mouth of the thresher machine). His legs were pulled into the machine and became trapped. He suffered serious injuries as a result of the incident. Mr Dullam and his father, both from Bishops Nympton are co-directors of the company.

An investigation by the Health and Safety Executive (HSE) found that the drum belt feeding the mouth of the comber lacked effective guarding, preventing any person coming into contact with the drum. Following a blockage, Mr Dullam climbed up and over the top of the comber and stepped down onto the platform where the drum feeding mouth was located. The machine re-started causing his protruding coveralls to become entangled in the drum belt and he was drawn into the reed combing machine feet first.

Dullam & Co (Farmers) Ltd of Bishops Nympton, South Molton pleaded guilty to breaching Regulation 11 (1) of the Provision and Use of Work Equip Regs 1998, and have been fined £6,000 and ordered to pay costs of £1,000 with a victim surcharge of £120.

Speaking after the hearing HSE inspector Paul Mannell said "This incident could so easily have been avoided by simply carrying out correct control measures for machinery guarding and safe working practices.

"Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery."

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. hse.gov.uk^{[1][1]}
2. More about the legislation referred to in this case can be found at: legislation.gov.uk ^{[2][2]}
3. HSE news releases are available at <http://press.hse.gov.uk>^[3]

Media contacts

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Construction firm fined after multiple safety failings

A Stockport construction firm has been fined after putting employees at risk due to widespread safety failings when carrying out work in an unsafe manner at two construction sites.

Manchester and Salford Magistrates' Court heard that Sherwood Homes Limited had appointed several Principal Contractors to construct numerous domestic properties at two sites, in Preston and at Tarporley. The Health and Safety Executive (HSE) carried out proactive inspections at both sites and found that those working on site were exposed to risks that included falls from height, electrocution, inhalation of silica dust and being struck by construction plant. As a result of the inspections, various enforcement action was taken against the Principal Contractors involved and the Client, Sherwood Homes Limited.

The HSE investigation found that the company failed to make suitable arrangements for managing the projects. There was no F10 notice of construction work displayed, and insufficient welfare facilities at the Tarporley site. The company also failed to give notice in writing to HSE before the construction phase began at the Preston site.

Further investigation found that since early 2014, HSE conducted 9 inspections to four separate sites developed on behalf of Sherwood Homes Ltd. During these visits, 16 enforcement notices and 9 notification of contraventions were served for various health and safety breaches.

Speaking after the hearing, HSE Inspector Susan Ritchie said: "Clients cannot delegate their health and safety responsibilities. CDM 2015 places clear duties on Clients making them accountable for the impact their decisions and approach have on the health, safety and welfare of their project. In general terms, the Client must ensure that the construction project is set up so that it is carried out from start to finish in a way that adequately controls the risk to health and safety of those who may be affected by it. In order to achieve this they must engage others (such as Designers and Principal Contractors) that have the necessary skills, knowledge, training and organisational capabilities to fulfil their responsibilities under CDM and deliver the project safely on behalf of the Client. If the Client fails to do this, HSE will consider taking enforcement action against them."

Sherwood Homes Ltd of Houldsworth Street, Stockport, were found guilty of breaching Regulation 6 (2), Regulation 6(3) and two breaches of Regulation 4 of the Construction (Design and Management) Regulations 2015. The company was fined £76,000 and ordered to pay costs of £14,651.64.

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2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>
4. More information on managing health and safety in construction can be found at: <http://www.hse.gov.uk/pubns/books/l153.htm>

and

<https://www.citb.co.uk/documents/cdm%20regs/2015/cdm-2015-clients-interactive.pdf>

Local Authority fined after a boy received chemical burns

Comhairle Nan Eilean Siar is the local authority which covers the Western Isles and was today fined £12,000 after a boy received chemical burns.

Stornoway Sheriff Court heard that on 11 July 2017 after employees of Comhairle Nan Eilean Siar had cleaned the slipway and steps of the pier at Valtos Pier, Uig using sodium hypochlorite two children (a boy aged 9 and a girl aged 12), who were later crabbing on the steps of the pier, and the hospital later confirmed that the boy had sustained a chemical burn from the sodium hypochlorite.

An investigation by the Health and Safety Executive (HSE) found that due to the Council's failure to wash away the solution or cordon off the area that the two children were able to access the area and the boy received burns.

Comhairle Nan Eilean Siar of Sandwick Road, Stornoway pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and were fined £12,000 and a compensation order was made in favour of the boy for £6,000

Speaking after the hearing, HSE inspector Kim Munro said: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"Employers should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>