
Waterloo Food Processing Company Fined \$55,000 After Worker Injured by Machine Blades

May 1, 2017 3:15 P.M.

KITCHENER, ON - A food processing company in Waterloo has pleaded guilty and has been fined \$55,000 after a worker was injured by running blades in a machine.

Sunwest Food Processors Ltd. is a mid-sized company that produces a wide range of batter and breaded products on a range of protein, cheeses, seafood and vegetable substrates at its workplace located at 35 Northland Road in Waterloo.

On June 1, 2016, a worker was using a 'former' machine to process meat - a device used to form patties from ground meat.

The machine has a hopper into which meat is placed and gravity fed down to the spiral feed auger at the bottom of the hopper. At the very bottom of the hopper is a rotor and form plate; the rotor has six blades that cut meat into smaller portions.

The worker used a ladder to gain access to the hopper and noticed that not all of the meat had been processed. The worker reached inside the hopper, which was still running, and pushed down the remaining meat. The rotor caught and one of the sharp steel blades caused injuries. The machine was not locked out.

Subsection 25(1)(c) of the Occupational Health and Safety Act requires an employer to ensure that "all measures and procedures prescribed are carried out in the workplace." One such measure and procedure is in section 75 of Regulation 851 (the Industrial Establishments Regulation) which states that that "a part of a machine... shall only be cleaned, oiled, adjusted, repaired or have maintenance work performed on it only when (a) motion that may endanger a worker is stopped."

Court was told that since the incident the company has undertaken a variety of steps as part of their ongoing commitment to workplace health and safety, including training for employees, supervisors and managers on the hazards associated with moving machine parts, and hiring a dedicated health and safety officer for 2017. The company has no prior convictions under the act.

Justice of the Peace Adriana Magoulas sentenced the company to a \$55,000 fine in Kitchener court on May 1, 2017. The court also 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.

Court Information at a Glance

Location:

Provincial Offences Court/Ontario Court of Justice

85 Frederick Street

Kitchener, Ontario

Judge:

Justice of the Peace Adriana Magoulas

Date of Sentencing:

May 1, 2017

Defendant:

Sunwest Food Processors Ltd.

35 Northland Road

Waterloo, Ontario

Matter:

Occupational health and safety

Conviction:

Occupational Health and Safety Act

Section 25(1)(c)

Ontario Regulation 851 (the Industrial Establishments Regulation)

Section 75

Crown Counsel:

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