



## *Important News*

30 July 2007

To: All BFFF Members  
All BFFF Members' Health & Safety Contacts

### **HEALTH AND SAFETY PROSECUTIONS WITHIN THE FOOD INDUSTRY - UPDATE JULY 2007**

As part of our partnership work with the Local Authority (LA) and the Health and Safety Executive (HSE), we will be providing information to all members regarding prosecutions on Health and Safety related matters within the food industry.

We have stated below information on two of the latest prosecutions during the second quarter of 2007 as reported by the HSE.

- **18<sup>th</sup> June 2007- Forklift Truck Dangers Warning After Worker Paralysed**

HSE reminded businesses using forklift trucks of the steps they must take to safeguard against dangers posed by forklift trucks.

The warning came after Silvery Tweed Cereals Ltd was fined £20,000 and ordered to pay costs of £5,397 after a worker was paralysed when a downgrade bin fell from the forks of a forklift. The company was fined after pleading guilty to breaching Section 2 (1) of Health and Safety at Work etc Act 1974 (£16,000 fine) and Regulation 3 (1) of the Management of Health and Safety at Work Regulations 1999 (£4,000 fine).

HSE Inspector Martin Baillie said:

'Forklift trucks were responsible for just under 2,000 reportable incidents last year, including seven deaths. They are a potential danger to their operators and to other people in the vicinity if not operated with great care. Risks include being struck by a moving truck, crushed by an overturning vehicle, becoming trapped between a truck and an object or, as in this case being crushed by a falling load.'

'Employers must ensure they assess the risks involved in any use of these vehicles and take appropriate steps to counter those risks. They must also provide adequate health and safety training for any employees operating forklift trucks.'

'In this case Silvery Tweed Cereals Ltd did not ensure the load was adequately secured, nor did they make a suitable risk assessment and they did not ensure that all of their operators received adequate forklift truck training.'

Contd.

## 2.

'The tragic result was that one of the employees, Steven Rogers aged 29 of Berwick, sustained injuries which have left him permanently paralysed after a downgrade bin which he was attempting to empty fell from the forks of a forklift truck and pinned him to the ground.'

The incident occurred at the company's premises on Tweedside Trading Estate, Tweedmouth, Berwick upon Tweed, on 29 June 2006.

- **17<sup>th</sup> April 2007 – Inadequate Safe System of Work Results in Prosecution**

E Park and Sons Ltd were fined £17,000 and required to pay £2776.20 costs after they were found guilty of health and safety offences under Section 2 (1) of the Health and Safety at Work etc Act 1974 and Regulation 6 of the Work at Height Regulations 2005.

On 11<sup>th</sup> July 2006, an employee of E Park and Sons Ltd fell over 3 metres from a gantry whilst sampling potatoes. The HSE reported that there was an inadequate safe system of work for this procedure which resulted in the subsequent accident and company prosecution.

BFFF

July 2007

All reasonable care is taken in the preparation of this newsletter, but no liability is accepted for any loss or damage caused to any person, company or organisation relying on any statement or omission in the contents.