

# Manufacturer fined after two killed by spray-booth explosion

A Norwich manufacturing firm has been fined after two employees working with flammable substances in a spray booth were killed by an explosion.

Norwich Crown Court heard how, on 13 July 2015, two workers had already sprayed several welded steel buckets that morning and were preparing for their next batch. The flammable vapour generated whilst cleaning or flushing a paint spray gun was ignited by one of the various sources of ignition which were present at the scene. An explosion occurred, killing both workers.

An investigation by the Health and Safety Executive (HSE) found the immediate cause of the explosion to be the inconsistent and incomplete approach to health and safety by the company and its employees. This resulted in the lack of suitable control measures; specifically, a suitable and sufficient safe system of work for the activities in the spray booth.

Harford Attachments Limited of Spar Road, Norwich pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974 and breaching Regulation 6(4)(f)(i) of the Dangerous Substances and Explosive Atmosphere Regulations 2002 and has been fined £145,000 and ordered to pay costs of £65,900.

Speaking after the hearing HSE inspector Keith Waller said: "This was a tragic and wholly avoidable incident, caused by the failure of the company to implement safe systems of work, and failure to ensure that health and safety documentation was communicated and followed.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall 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](http://hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

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

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## Two companies fined after worker suffers fall from height

Two companies have been sentenced after an employee fell from scaffolding whilst at work.

Poole Magistrates' Court heard how, on 28 September 2016, 32-year old self-employed builder, Jamie Butler, was working on a refurbishment project at a block of flats when he fell over 2 metres from unsecured scaffold boards onto concrete flooring below. Mr Butler, who was contracted by Brewsters, suffered a broken wrist, collarbone and head injuries as a result of the fall. He also sustained lower back injuries that required an operation.

An investigation by the Health and Safety Executive (HSE) found the work was not properly planned, nor appropriately supervised or carried out in a safe manner when the incident occurred. Mr Payne, as the principal contractor, had a duty to control how the work was carried out and to ensure that the scaffolding would be correctly erected and maintained. The work was done under the control of Brewsters (Poole) Ltd who failed to plan the work properly and in a safe manner.

Jeff Payne of Milton Road, Bournemouth pleaded guilty to breaching Section 13 (1) of the Construction (Design and Management) Regs 2015, and has been issued with a 60 hour community service order and ordered to pay costs of £1,000 with a victim surcharge of £125.

Brewsters (Poole) Ltd of Playfields Drive, Poole pleaded guilty to breaching Regulation 4 (1) of the Work at Height Regs 2005, and has been fined £2700 and ordered to pay costs of £1,000 with a victim surcharge of £125.

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

"Falls from height remain one of the most common causes of work related fatalities/injuries in this country and the risks associated with working at height are well known."

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## **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.”

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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.

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# 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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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>

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## 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](http://hse.gov.uk)<sup>[1][1]</sup>
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk](http://legislation.gov.uk)<sup>[2][2]</sup>

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#### Media contacts

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