

# HSE Prosecution results in £640,000 fine for a 'FATAL 6' related incident in which operator seriously injured within the Food Manufacturing sector

## WHAT HAPPENED

Nestlé UK Ltd was sentenced for breaching health and safety regulations after an employee was dragged into a production line machine on the production line.

Bradford Crown Court heard how on 13 February 2016, while observing the operation of the machine, the technical operator placed his right hand close to a gap in the machine housing. An emery cloth held in his right hand was dragged into the machine taking his arm with it.

The employee was unable to reach any of the emergency stop buttons located around the machine from the position in which he was trapped. He had to be released from the machine by paramedics. He suffered a double compound fracture to his arm, which required surgery.

An investigation by the Health and Safety Executive (HSE) found the company had failed to prevent access to dangerous moving parts of the machine, namely an 'in-running nip'. There was a gap large enough to allow access at a belt conveyor entry on the After Eight line.

Nestlé UK Ltd pleaded guilty to breaching Reg 11 of the Provision and Use of Work Equipment Regulations 1998 and were fined £640,000 and ordered to pay £26,234 in costs.

Speaking after the hearing, HSE inspector Jacqueline Ferguson said: "This is a tragic incident that could so easily have been avoided. The risks inherent in failures to properly guard dangerous parts of machinery are well known in industry and to Nestlé.

The incident serves as a valuable reminder from outside of our sector of the risks of getting dragged into machines, where the instinct is to grab the item caught rather than to let go. Sufficient guarding must be provided to prevent items getting snagged or drawn in and all machinery must be stopped and fully isolated before any work on it commences.

## LEARNING POINTS / ACTIONS TAKEN

- Undertake a guarding inspection/audit to make sure that body parts or any items an operator could be using or holding **'could not get dragged in'**
- If any work is required on a machine ensure operators follow LOTOTO
- Review the Fatal 1 resources on Safequarry.

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LOCATION:

OTHER

ALERT STATUS:

Normal

ACTIVITY:

GUARDING AND ISOLATION

DATE ISSUED:

18/01/2021 14:52:52

SUB ACTIVITY:

NO SUB ACTIVITY AVAILABLE

INCIDENT No:

03583