

## Food packaging company prosecuted after previous warnings

MinEx



### Safety Alert Comment

All sites need to ensure that plant is adequately guarded. This fine and others like it signal the fact that WorkSafe will not tolerate a site's failure to respond to Improvement Notices. These fines and penalties will only get higher so please be vigilant in complying with WorkSafe notices.

2 August 2019

A food packaging company has been prosecuted after previous warnings around the importance of machine guarding went unheeded.

In a decision released by the Albany District Court yesterday, Alto Packaging Limited was fined \$250,000, and ordered to pay reparation of \$32,500 after an incident in October 2017 in which a worker's fingers were caught in a machine used to make food packaging.

The tips of two of the worker's right fingers were later amputated. A subsequent WorkSafe investigation found the machine was not adequately safeguarded, which allowed the worker to access counter-rotating rollers in the machine.

The food packaging company had trained some of its staff on how to use machines, but failed to ensure machinery was adequately guarded.

Alto Packaging has more than 20 sites across the country and between 2014 and October 2017, WorkSafe issued the company with nine Improvement Notices and one Prohibition Notice. The majority of these notices related to machine guarding issues.

WorkSafe Chief Inspector Specialist Interventions Hayden Mander said Alto Packaging should have been aware of the risks involved with working around unguarded machinery.

“This company has not learned from its previous failings. If you’ve been subject to 10 notices for health and safety failings since 2014, you’ve got to know you’re not doing something right.

“The right response to this alarming record should have been a company-wide review of its machine guarding - instead a worker has been left with life changing injuries,” he said.

“It is dispiriting for the health and safety regulator to have to ask: How many times do you need to be told things are not right before you actually put them right? We answered that question by prosecuting Alto Packaging.”

**Notes:**

- A fine of \$250,000 was imposed.
- Reparation of \$32,500 (\$25,000 having been paid prior to sentencing) was ordered.
- Alto Packaging Limited was sentenced under sections 36(1)(a), 48(1) and 2(c) of the Health and Safety at Work Act 2015.
  - Being a PCBU having a duty to ensure so far as reasonably practicable the safety of workers who work for the PCBU, while the workers are at work at the business or undertaking, namely while operating a Sencorp Extrusion coating line machine, did fail to comply with that duty, and that failure exposed the workers to a risk of serious injury arising from exposure to a crushing hazard created by unguarded counter-rotating rollers inside the machine.
- The maximum penalty is a fine not exceeding \$1,500,000.

## Media contact details

For more information you can contact our Media Team [using our media request form](#). Alternatively, you can:

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