



2010

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING REPORT

COMPANY: Russ Berrie U.S. Gift, Inc.
COUNTRY: United States
FACTORY CODE: 113008247076I
MONITOR: Accordia Global Compliance
Group
AUDIT DATE: August 24, 2010
PRODUCTS: Logoed Drinkwear
PROCESSES: Screenprinting
NUMBER OF WORKERS: 10

FLA Comment: Further to follow-up attempts with the company, FLA received notice from a company representative that Russ Berrie U.S. Gift, Inc. filed for Chapter 7 bankruptcy on Thursday, April 21, 2011. Prior to that Russ Berrie U.S. Gift, Inc. had made a decision to withdraw from the sports licensing business. FLA was advised that RUSS had notified its professional and collegiate sports licensors in late 2010 of its intention not to renew any current licenses and, in some cases, terminate early some longer term licenses



CONTENTS:

Code Awareness:..... 3
Health and Safety: Document Maintenance/Worker Accessibility and Awareness..... 4
Health and Safety: Safety Equipment and First Aid Training 5
Health and Safety: Chemical Management and Training 6
Health and Safety: Material Safety Data Sheets/Worker Access and Awareness..... 7
Health and Safety: Machinery Maintenance and Worker Training 8



Code Awareness:

GEN.2 Ensure that all Company factories as well as contractors and suppliers inform their employees about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by employees and managers) and undertake other efforts to educate employees about the standards on a regular basis.

Noncompliance

Explanation: Workers have not received training on Workplace Standards, although there is a posting of the FLA's Workplace Code of Conduct posted in the workers' break room. Worker interviews did not find that they were aware of or knew about the code.

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Health and Safety: Document Maintenance/Worker Accessibility and Awareness

H&S.2 All documents required to be available to workers and management by applicable laws (such as health and safety policies, MSDS, etc.) shall be made available in the prescribed manner and in the local language or language(s) spoken by the workers if different from the local language. (P)

Noncompliance

Explanation: Facility does not maintain an Emergency Action Plan that must include, at a minimum, procedures for:

- a) reporting a fire or other emergency
- b) emergency evacuation, including type of evacuation and exit route assignments
- c) employees who remain to operate critical plant operations before they evacuate,
- d) how to account for all employees after evacuation
- e) employees performing rescue or medical duties
- f) name or job title of every employee who may be contacted by employees who need more information about the plan or an explanation of their duties under the plan.

(29CFR1910.38 Emergency Action Plan)

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Health and Safety: Safety Equipment and First Aid Training

H&S.10 All safety and medical equipment (such as fire fighting equipment, first aid kits, etc.) shall be available in sufficient numbers throughout the factory, maintained and stocked as prescribed and easily accessible to workers. A sufficient number of workers shall be trained in first aid and fire fighting techniques. (S)

Noncompliance

Explanation: 1. Company has not trained workers in use of portable fire extinguishers within the past 12 months. (29CFR1910.157 Portable Fire Extinguisher)

2. Inspection of print room found an eye wash station in place. The most recent inspection and refilling of the eye wash was identified as being done in 2004. Common accepted practice is to inspect station monthly and replace the fluid annually to retard growth of bacteria and toxins. (29CFR1910.151 Medical Services and First Aid)

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Health and Safety: Chemical Management and Training

H&S.13 All chemicals and hazardous substances shall be properly labeled and stored in accordance with applicable laws. Labels shall be placed in the local language and the language(s) spoken by workers, if different from the local language. Workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances. (S)

Noncompliance

Explanation: 1. Inspection of machine repair area found 4 unsecured compressed gas cylinders free standing on the floor. NFPA 55, Standard for the Storage, Use, and Handling of Compressed and Liquefied Gases in Portable Cylinders requires companies to maintain cylinders to be secured at all times to prevent tipping.

2. Chemicals in use not found to have properly labeled containers. A white plastic container was found in the print room under a workbench that was not clearly identified as to the contents. Label affixed to container was for a different substance. (29CFR1910.1200 Hazardous Communication)

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Health and Safety: Material Safety Data Sheets/Worker Access and Awareness

H&S.14 Material Safety Data Sheets (MSDS) for all chemicals used in the factory must be available at the usage and storage sites of the chemicals, in the local language and the language(s) spoken by workers, if different from the local language. Workers shall have free access to MSDS. (P)

Noncompliance

Explanation: Monitor found that chemicals in use (PR-500 Plate Cleaner, FS S-1801) did not have MSDS. (29CFR1910.1200 Hazardous Communication)

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Health and Safety: Machinery Maintenance and Worker Training

H&S.18 All production machinery, equipment and tools shall be regularly maintained and properly guarded. Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use. Employers shall ensure safety instructions are either displayed/posted near all machinery or are readily accessible to the workers. (S)

Noncompliance

Explanation: Monitor found 1 person qualified to operate an industrial vehicle (fork truck for moving pallets of product). Inspection of this person's training record indicated that their qualification had expired August 20, 2010 (training was August 20, 2007). Retraining every 3 years is required unless an unsafe act is committed sooner. (29CFR1910.178 Powered Industrial Trucks)

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