

Fine for Legionnaires' cider firm

Cider maker HP Bulmer and its water treatment contractor Nalco have each been fined £300,000 over a fatal outbreak of Legionnaires' disease.

Two people died and more than 20 others fell ill in Hereford in 2003, the city's crown court heard.

Judge Alistair McCreath said a failure to clean two cooling towers adequately at Bulmer's mill in Plough Lane in 2003 was "almost beyond belief".

The two firms had admitted breaching the Health and Safety at Work Act.

Legionella 'flourishing'

They were also ordered to pay more than £50,000 each in prosecution costs.

Nalco, based in Northwich, Cheshire, and the cider firm pleaded guilty last year to breaching the Health and Safety at Work Act by failing to ensure the safety of persons not in their employment.

The sentencing hearing was told that legionella bacteria were found in two cooling towers following the deaths of an elderly man and a 56-year-old woman in the winter of 2003.

Judge McCreath criticised both firms for their roles in the "woefully inadequate" cleaning of the towers in September 2003.

Earlier prosecutor Mark Harris said that the outbreak was traced to cooling tower number nine at the Plough Lane site.

Of the 28 cases, the age range of the victims was between 36 and 91 and 21 of the victims were men, he said.

Describing the circumstances which led to legionella "flourishing" inside two cooling towers, Mr Harris said Bulmer had then operated an outdated water treatment policy and also had deficiencies in its staff training.

Nalco had failed to comply with its contractual obligations to Bulmer by failing to adequately clean the towers and had also carried out an inadequate risk assessment on behalf of the cider-maker.

In a statement released after the hearing, a spokesman for HP Bulmer said it took its role in the community very seriously.

He said it had worked closely with the Health and Safety Executive to trace and eliminate the source of the outbreak.

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