Restaurant Safety Fatality File



Worker was cooked to death in industrial oven with 12,000lb of TUNA at 270F after colleagues thought he was in the bathroom

- Jose Melena, 62, died when he was trapped inside the 35ft-long oven
- A colleague filled the oven with 12,000 pounds tuna and turned it on
- During the two-hour cooking process, it reached a temperature of 270F
- Authorities have now filed charges against the company and two managers

A food processing worker was cooked to death with 12,000 pounds of canned tuna after colleagues mistakenly believed he was in the bathroom and turned on the company's industrial oven.

Jose Melena, 62, was performing maintenance on the 35ft-long cooker at California's Bumble Bee Foods plant when he was trapped inside, the cooker turned on and heated to a temperature of 270F for two hours.

When a supervisor noticed Mr. Melena was missing, an announcement was made on the intercom and employees searched for him in the facility and parking lot, according to a report by the California Division of Occupational Safety and Health.

His body was found two hours later after the pressure cooker, which reached a temperature of 270 degrees, was turned off and opened.

Yesterday the company, its plant Operations Director Angel Rodriguez and former safety manager Saul Florez were each charged with three counts of violating Occupational Safety and Health Administration rules that caused a death.

The charges specify that the company and the two men willfully violated rules that require implementing a safety plan, rules for workers entering confined spaces, and a procedure to keep machinery or equipment turned off if someone's working on it.

Rodriguez, 63, of Riverside, and Florez, 42, of Whittier, could face up to three years in prison and fines up to $250,000 if convicted of all charges, prosecutors said. Bumble Bee Foods faces a maximum fine of $1.5million.

The state’s occupational safety agency previously cited the San Diego-based company for failing to properly assess the danger to employees working in large ovens and fined it $74,000.

Bumble Bee, which has appealed the penalties, said the company improved its safety program after the tragedy.