

On March 9, 2016, Cal/OSHA issued nine workplace safety citations against [James Deen Productions](#) in regards to failure to use condoms and dental dams for female oral sex while filming adult films in California. Of the nine citations issued, four were considered “serious” violations and five were considered “non-serious” or regulatory violations.

Of the four serious violations, one was for failure to maintain a written employer injury and illness program, which [James Deen Productions](#) vigorously denies. Evidence of this written program was provided to Cal/OSHA prior to the issuing of the fines. Of the nine total citations, three were for potentially placing adult film performers at risk of “serious bodily injury or death.”

At no point was any adult performer exposed to any disease while working for [James Deen Productions](#). At no time did any performer contract any illness or suffer any injury while working for [James Deen Productions](#). None of the citations issued by Cal/OSHA even allege that there was any actual injury or illness that occurred. The vast majority of the \$77,875.00 in fines was for potential exposure, not actual injuries or even an actual exposure to any illness.

It must be noted that this Cal/OSHA investigation was not instituted at the request of any adult performer that worked for [James Deen Productions](#) nor was it instituted by Cal/OSHA directly. Rather, it was solely based on a complaint filed by the AIDS Healthcare Foundation with Cal/OSHA in their attempt to use California tax-payer resources to further their political and moral agenda of “condoms in porn.”

One of the serious citations was for a film in which [James Deen](#) performed only oral sex on his female co-performers. There was not a single act of penis to vagina penetrative sex in that film. However, Cal/OSHA has made the determination that oral sex performed on a female can lead to “serious bodily injury or death.” This is simply not supported by medical science.

In response [James](#) has stated, “I am not ok with the government dictating what people are allowed to watch in the privacy of their homes. This is a case of an outside organization pushing their personal desires and agenda on the viewers of adult entertainment. Just because the AIDS Healthcare Foundation decides they are not comfortable with certain sexual acts does not mean it should be deemed illegal.”

Comparatively, Cal/OSHA issued citations of just \$58,000 against a San Diego manufacturing company in December 2015 where an actual explosion at the work place seriously injured 4 employees (<http://www.nbcsandiego.com/news/local/CalOSHA-Cites-Company-58K-for-Explosion-That-Injured-Employees-361368671.html>). And in January 2015, Cal/OSHA issued citations of only \$30,410.00 when an employee of a painting company was electrocuted and killed on a work-site (<http://www.dir.ca.gov/dosh/citation.html>). These citations against [James Deen Productions](#) are wholly unreasonable in regards to the degree of potential exposure and lack of any actual injury.

[James](#) stated, “the fines presented against my company are significantly higher and not one person was exposed to or contracted any illness on my sets. I gave the performers the option to perform with condoms however, they desired not to use condoms and I honored their requests.”

[James Deen Productions](#) is represent by the Law Offices of Michael W. Fattorosi, P.C. located in Woodland Hills, California. Michael, an adult industry attorney, stated “this is nothing more than AHF and Michael Weinstein using the tax-payers of California as well as local and state resources to further their moral agenda. They have and will continue to use Cal/OSHA to enforce their desire to outlaw certain aspects of sexual free-expression. In January, after Cal/OSHA failed to properly serve my client with a subpoena, AHF and Cal/OSHA decided to use a search warrant and five uniformed Los Angeles Police Officers to kick down my client’s front door and conducted a raid of his home, seizing his belongs and even his home security video recording system, possibly in an attempt to cover up their raid. In February, the Cal/OSHA Standards Board decided to vote against new condom regulations and refused to apply these new regs to adult film production, yet, Cal/OSHA’s Enforcement Division believes that the will of Standards Board, comprised of citizens of California, has no effect on their decision to engage in a witch-hunt at the request of AHF and Michael Weinstein. The waste of taxpayer dollars is simply appalling. Is this where the citizens of California want their hard earned money spent?”

[James](#) concluded with: “I am just a [small production company](#) but intend to do what I can to stand up to AHF and Cal/OSHA dictating to the fans what they should and shouldn’t view in the privacy of their own homes.”