

# Virus Control In Eating Establishments

## Recommendations for virus control

1. Review and reinforce employee health policies
2. Comply with the Maine Food Code
3. Promote additional handwashing\*
4. Clean and sanitize frequently touched surfaces such as hand rails, door knobs, ketchup bottles, salt and pepper shakers
5. Have standard operating procedures on cleaning, sanitizing, and using the proper chemicals
6. In facilities with air dryers only, provide paper towels in restrooms to shut off water after handwashing and to open doors
7. \*"The Maine Food Code requires food handlers to wash hands before food preparation, after any task that may contaminate hands, and as often as necessary to remove soil and contamination to prevent cross contamination when changing tasks. Frequent and thorough handwashing is the best safety measure food handlers and food service staff can take to help protect their customers. During this time of heightened awareness due to COVID-19, food handlers and food service staff need to be extra conscious to avoid touching their mouth, nose and eyes and to immediately wash hands if they do so. When using gloves, the same precautions apply. Change gloves between tasks and wash hands before donning new gloves."

## Common Question (Full FDA Q&A available [here](#))

### **Q: Is food imported to the U.S. from China or other countries affected by the coronavirus disease at risk of spreading COVID-19?**

A: Currently, there is no evidence to support transmission of COVID-19 associated with imported goods and there are no reported cases of COVID-19 in the U.S. associated with imported goods. We continue to learn about how the virus spreads.

### **Q: Are food products produced in U.S. a risk for the spread of COVID-19?**

A: There is no evidence to suggest food produced in the U.S. can transmit COVID-19.

### **Q: Can I get sick with COVID-19 from touching food, the food packaging, or food contact surfaces, if the coronavirus was present on it?**

A: Currently there is no evidence of food or food packaging being associated with transmission of COVID-19. Like other viruses, it is possible that the virus that causes COVID-19 can survive on surfaces or objects. For that reason, it is critical to follow the four key steps of food safety—clean, separate, cook, and chill.

### **Q: Can I get COVID-19 from a food worker handling my food?**

A: Currently, there is no evidence of food or food packaging being associated with transmission of COVID-19. However, the virus that causes COVID-19 is spreading from person-to-person in some communities in the U.S. The CDC recommends that if you are sick, stay home until you are better and no longer pose a risk of infecting others.

Anyone handling, preparing and serving food should always follow safe food handling procedures, such as washing hands and surfaces often.

**Q: Should food workers who are ill stay home?**

A: CDC recommends that employees who have symptoms of acute respiratory illness stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick. We recommend that businesses review CDC's interim guidance for businesses and employers for planning and responding to coronavirus disease. Also see the FDA's Retail Food Protection: Employee Health and Personal Hygiene Handbook.

**Q: Should food facilities (grocery stores, manufacturing facilities, restaurants, etc.) perform any special cleaning or sanitation procedures for COVID-19?**

A: CDC recommends routine cleaning of all frequently touched surfaces in the workplace, such as workstations, countertops, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label. CDC does not recommend any additional disinfection beyond routine cleaning at this time.

View the [EPA-registered disinfectant products on the Disinfectants for Use Against SARS-CoV-2](#) list that have qualified under EPA's emerging viral pathogen program for use against SARS-CoV-2, the coronavirus that causes COVID-19.

Restaurants and retail food establishments are regulated at the state and local level. State, local, and tribal regulators use the Food Code published by the FDA to develop or update their own food safety rules. Generally, FDA-regulated food manufacturers are required to maintain clean facilities, including, as appropriate, clean and sanitized food contact surfaces, and to have food safety plans in place. Food safety plans include a hazards analysis and risk-based preventive controls and include procedures for maintaining clean and sanitized facilities and food contact surfaces. See: [FSMA Final Rule for Preventive Controls for Human Food](#).

**Q: Since restaurant workers and other service industry employees have ongoing contact with the public, are there any special precautions these workers should take to avoid becoming sick with a respiratory illness such as wearing masks?**

A: US CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain, especially in areas of significant community-based transmission. The use of facemasks is also crucial for health workers and people who take care of someone with COVID-19 in close settings (at home or in a health care facility).

CDC recommends everyday preventive actions for service industry workers and customers:

- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose, and mouth.
- Stay home when you are sick.
- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Wash your hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing, or sneezing.
- If soap and water are not available, use an alcohol-based hand sanitizer with at least 60% alcohol. Always wash hands with soap and water if hands are visibly dirty.

**Q: Can the virus that causes COVID-19 be spread through food, including refrigerated or frozen food?**

A: Coronaviruses are generally thought to be spread from person-to-person through respiratory droplets. Currently there is no evidence to support transmission of COVID-19 associated with food. Before preparing or eating food it is important to always wash your hands with soap and water for 20 seconds for general food safety. Throughout the day wash your hands after blowing your nose, coughing, sneezing, or going to the bathroom.

It may be possible for a person to get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or eyes, but this is not thought to be the main way the virus spreads.

In general, because of poor survivability of these coronaviruses on surfaces, there is likely very low risk of spread from food products or packaging that are shipped over a period of days or weeks at ambient, refrigerated, or frozen temperatures.

U.S. CDC COVID-19 Resources: [How it Spreads](#) and [Frequently Asked Questions](#)

**Q: How long does the virus survive on surfaces?**

A: It is not certain how long the virus that causes COVID-19 survives on surfaces, but it seems to behave like other coronaviruses. Studies suggest that coronaviruses (including preliminary information on the COVID-19 virus) may persist on surfaces for a few hours or up to several days. This may vary under different conditions (e.g. type of surface, temperature, or humidity of the environment).

If you think a surface may be infected, clean it with simple disinfectant to kill the virus and protect yourself and others. Clean your hands with an alcohol-based hand rub or wash them with soap and water for 20 seconds. Avoid touching your eyes, mouth, or nose.

[World Health Organization Q & A on COVID-19](#)

**Q: I was exposed to a laboratory confirmed COVID-19 case. Do I need to self-quarantine for 14 days or can I continue to work in the restaurant or lodging industry?**

A: The recommendation is to self-quarantine at home for 14 days after the most recent exposure to the case and monitor for symptoms of COVID-19 (such as fever, cough, and shortness of breath). If you have symptoms, please call your primary care provider for instructions. If after 14 days, you are still without symptoms, you have successfully completed the self-quarantine and can return to work.

**Q: I was exposed to someone who was exposed to a confirmed COVID-19 case. Do I need to self-quarantine or can I continue to work in the restaurant or lodging industry?**

A: Yes, you may continue to work in the restaurant or lodging industry. Monitor for symptoms of fever, cough, and shortness of breath. If you have symptoms, immediately call your primary care provider for instructions and self-quarantine at home.

**Q: If a restaurant employee has been confirmed of having COVID-19, what are the cleaning requirements that establishments should take?**

A: Restaurants should close, clean, and sanitize all food contact surfaces and non-food contact surfaces. If the restaurant can still operate with existing staff, they can resume operations after they clean and sanitize. All employees should monitor for symptoms. Ill employees must stay home.

The below Q and A is based on information from the National Restaurant Association (4/4/2020)

**Q: May Restaurants require employees to provide notes from healthcare providers confirming they can return to work?**

A: Generally, even if employers do not require disclosure of medical information, they can require notes confirming employees can return to work without violating the ADA because the request would not be disability related. As a practical matter, however, public health authorities have warned that doctors and other health care professionals may be too busy during and immediately after a pandemic outbreak to provide “fitness-for-duty” documentation. In addition, please note that some jurisdictions, like New York, have laws forbidding employers from requesting notes from asymptomatic employees.

**Q: May Restaurants require employees to have their temperatures checked every time they show up to work?**

A: Generally, measuring an employee’s body temperature is a medical examination. However, the EEOC stated on March 18, 2020, that because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may, during this emergency, legally require the measuring of employees’ body temperature. Still, employers need to be aware that some people with COVID-19 do not have a fever. If you decide to establish such a policy, consider contacting your insurance carrier for suggestions and retain a contract nurse for the task. Alternatively, perform the task with an employee in a supervisory capacity who will maintain confidentiality of the results to the maximum extent possible. Also, employees waiting to be screened should still be at least six feet apart in line.

**Q: Is there liability under HIPAA Privacy Rule for Restaurants requiring employees to have their temperatures checked every time they show up to work?**

A: When a restaurant is functioning as an employer, it is neither a HIPAA covered entity nor a business associate of a covered entity, although it may sponsor a covered health plan subject to the HIPAA privacy and security rules. Thus, when an employer collects employee temperature functioning as an employer, such as in connection with protecting its workforce and the community during the COVID-19 pandemic, that information is not subject to the HIPAA Privacy Rule. Regardless, the employer should still consider where to conduct the temperature screening and do it in an area preferably separated with at least a screen, if possible.

**Q: May employers send employees home if they have a fever or develop other symptoms of a COVID-19 infection?**

A: Yes. An employer never has to allow a sick employee to remain at work. Procedures should already be in place to handle sending people home if the employer is checking temperatures and a fever is identified. The procedures must be uniformly applied. Also, the CDC states that

employees who become ill with symptoms of influenza-like illness at work during a pandemic should leave the workplace. The EEOC has stated that advising such workers to go home is not a disability-related action if the illness is akin to seasonal influenza or the 2009 spring/summer H1N1 virus. Additionally, the EEOC has stated that such actions would be permitted under the ADA if the illness were serious enough to pose a direct threat.

**Q: May employers require employees to wear cloth face coverings or masks while working?**

A: On April 3rd, the US CDC updated their guidance to recommend [the use of simple cloth face coverings](#) that cover the nose and mouth to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others. Cloth face coverings fashioned from household items or made at home from common materials at low cost can be used at restaurants as an additional voluntary public health measure. Employers may require the use of such face coverings relying on the US CDC guidance (unless there is an accommodation request which should be addressed on a case by case basis).

Please note that the cloth face coverings and masks recommended for restaurant workers are not the same as surgical masks or N-95 respirators. The US CDC does not recommend surgical masks or N-95 respirators be used at restaurants as those are critical supplies that must continue to be reserved for healthcare workers and other medical first responders.

