

Donna Boggs

From: Ag Association Management Services, Inc <chris@agamsi.com>
Sent: Tuesday, April 14, 2020 12:26 PM
To: Donna Boggs
Subject: AAMSI Update on COVID-19 Situation

April 14, 2020

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SPECIAL **COVID-19 UPDATE**
FROM YOUR TEAM AT AAMSI



OSHA Issues Guidance for Recording Occupational Illnesses of COVID-19

This [memorandum](#) provides interim guidance to Compliance Safety and Health Officers for enforcing the requirements of 29 CFR Part 1904 with respect to the recording of occupational illnesses, specifically cases of Coronavirus Disease 2019 (COVID-19). This memorandum will take effect immediately and remain in effect until further notice. It is intended to be time-limited to the current public health crisis.

The memorandum notes that under OSHA's recordkeeping requirements, COVID-19 is a recordable illness and employers are responsible for recording cases of COVID-19, if: (1) the case is a confirmed case of COVID-19, as defined by Centers for Disease Control and Prevention (CDC);^[1] (2) the case is work-related as defined by 29 CFR § 1904.5;^[2] and (3) the case involves one or more of the general recording criteria set forth in 29 CFR § 1904.7.^[3]

USDA Announces Labeling Flexibility to Facilitate Distribution of Food to Retail

The U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS) is exercising enforcement discretion for a temporary period to provide labeling flexibilities to the Country of Origin Labeling (COOL) requirements that allow for the re-distribution of food products intended for foodservice to be sold in retail establishments.

COOL is a labeling law that requires retailers to notify their customers with information regarding where certain foods originated. Covered commodities include muscle cut and ground meats: lamb, goat, and chicken; wild and farm-raised fish and shellfish; fresh and frozen fruits and vegetables; peanuts, pecans, and macadamia nuts; and ginseng. Ordinarily, commodities subject to COOL requirements are not required to include a country of origin or method of production label when distributed to foodservice, but the labels are required when these foods are sold at retail establishments.

To facilitate the distribution of food to retail establishments from suppliers that have inventory on hand that is labeled for use in restaurants, effective April 20, 2020, and for a period of 60 days, AMS will not take enforcement action against the retail sale of commodities that lack an appropriate country of origin or method of production label, provided that the food does not make any country of origin or method of production claims. Once the 60-day period has ended, COOL designations will once again be required at covered retail establishments.

By allowing this labeling flexibility, food can be diverted from restaurants to retail, ensuring that this food is made available to families around the country and helping restaurants and their suppliers access additional markets, such as grocery stores, that are currently experiencing greater demand. These actions are in line with similar labeling flexibilities allowed by the [Food and Drug Administration](#) and USDA [Food Safety and Inspection Service](#).

Cal Trans Issues Special Permits Authorizing Overweight Trucks to Deliver Emergency COVID-19 Supplies

Caltrans has issued a press release announcing it will temporarily issue special permits for overweight trucks transporting emergency supplies in support of COVID-19 relief and prevention efforts.

According to Caltrans Director Toks Omishakin. "Emergency medical supplies and equipment, groceries, perishable items, water and countless other essential items will now reach their destinations more rapidly than they did before, at a time when people need them most."

[Caltrans will issue permits for overweight trucks on the State Highway System and will help support transportation operators in obtaining permits from local agencies for local roads. These permits increase the maximum allowable gross vehicle weight from 80,000 to 88,000 pounds and will be valid until further notice.](#)

To expedite the permits, Caltrans is performing advance review and analysis on major corridor routes, including: I-5, US-101, I-15, SR 60, I-405, SR99, I-10, SR 91, I-80 and I-710.

This Emergency Declaration provides regulatory relief for commercial motor vehicle operations moving essential goods in support of relief and preventive measures associated with the COVID-19 pandemic.

"Essential Goods" are defined as the following:

- Medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19
- Supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap and disinfectant

- Food, paper products and other groceries for emergency restocking of distribution centers or stores
- Immediate precursor raw materials such as paper, plastic or alcohol that are required and to be used for the manufacture of items above
- Fuel
- Equipment, supplies and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19

In response to COVID-19, Caltrans continues its critical functions during this crisis, including highway maintenance and roadway access to medical facilities and facilitating transport of essential goods and services throughout the state.

You can view this news release as a [webpage here](#).

CDFA is working closely with Cal OES to identify new or additional suppliers for PPE to compile a list of potential vendor resources. To the extent they can, CDFA will make the attempt to verify on a surface-level those vendors that are placed on the list for sharing with agricultural industry partners. Because CDFA cannot fully vet the vendors, the buyer has an obligation to do their own vetting.

Groups Collaborating to Provide Information and Updates

As the COVID-19 situation continues to evolve, several associations and alliances are forming throughout the food and agriculture industry to get better guidance to producers and eliminate confusing, conflicting directives. We aren't all the way there yet, but a few key groups are emerging to address the situation.

Once such alliance is the Food and Beverage Issue Alliance (FBIA). You can access their website [here](#). The associations involved are listed prominently on the homepage of this website. Membership ranges from groups representing retailers and foodservice distributors to an alphabet soup of food product associations including produce, eggs, canned goods and more.

The FBIA has put together some extremely valuable summaries of guidance documents spanning a range of topics. We are linking to a few of those documents here.

- [**Emergency Prevention Measures for Physical \(Social\) Distancing in Food Manufacturing Facilities as Related to COVID-19**](#)
- [**Food Industry Recommended Protocols When Employee/Customer Tests Positive for COVID-19**](#) (V3 linked to from the FDA guidance- V4, linked, is updated to align with the latest from CDC)
- [**Screening Food Industry Employees for COVID-19 Symptoms or Exposure**](#)
- [**Proper Usage of Face Masks**](#)

It may be a good idea to bookmark this website and utilize it as you are developing or updating your own policies.

Multiple government agencies are also working closely together to ensure accurate information is being shared with businesses. Recent updates include those posted below:

- The Federal Emergency Management Agency (FEMA) has created a Rumor control page to provide ground truth on rumors and facts. The page can be found [here](#).
- The Centers for Disease Control (CDC) and Homeland Security Administration's Cyber + Infrastructure. Released this week Interim [**Guidance for Implementing Safety**](#)

[Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19.](#)

- Also available from CDC are **[“do’s” and “don’ts”](#)** regarding best safety practices for persons who have been exposed to COVID-19.
- Last but not least, the California Department of Food and Agriculture has provided an updated list of **[Personal Protection Equipment \(PPE\) suppliers.](#)**

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