

[SAMPLE EDUCATION LETTER]

Dear Facility Owner/Operator:

This notice is simply to inform you of a recent consumer complaint received by The Pennsylvania Department of Agriculture (PDA) Bureau of Food Safety and Laboratory Services (BFSL) concerning the lack of COVID-19 mitigation strategies implemented in your facility. It is Department policy to respond to every consumer complaint received. Consumer complaint research literature estimates that for each complaint received, many additional dissatisfied consumers exist who have not complained; but, have taken their business elsewhere.

At this time implementation of risk mitigation strategies are required to inhibit transmission of coronavirus throughout the state. The measures as outlined in the April 15th, 2020, [Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-Person Operations](#) are mandatory for any business that maintains in-person operations. On July 1st, 2020, expansion of the Business Safety Order was released in the [Order of the Secretary of the Pennsylvania Department of Health Requiring Universal Face Coverings](#) for all persons in the Commonwealth. Most recently, the [Wolf Administration announced Targeted Mitigation Efforts in Response to Recent COVID Case Increases](#) to take effect at 12:01 a.m. on July 16, 2020.

Peer-reviewed studies published in scientific journals such as [The New England Journal of Medicine](#) corroborate the need for masks and the U.S. Surgeon General said that wearing a mask doesn't impinge on our freedom – it gives us more freedom from unknowingly spreading COVID-19. The state's [business guidance](#) outlines mask-wearing requirements and additional safety parameters for both employees and customers.

Increased frequency of cleaning and sanitizing of non-production common areas, utilization of masks and other personal protective equipment (PPE), employee temperature screening, and quarantining those suspected of having close contact with an infected individual are all appropriate counter measures against this virus.

The complaint received for your facility specifically relates to the enforcement of at least one of the following **mandatory** mitigation requirements:

- *Provide masks for employees to wear during their time at the business and make it a mandatory requirement to wear masks while on the worksite, except to the extent an employee is using break time to eat or drink, in accordance with the guidance from the Department of Health and the CDC. Employers may approve masks obtained or made by employees in accordance with Department of Health guidance*
- *Require all customers to wear masks while on premises, and deny entry to individuals not wearing masks, unless the business is providing medication, medical supplies, or food, in which case the business must provide alternative methods of pick-up or delivery of such goods; however, individuals who cannot wear a mask due to a medical condition (including*



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children under the age of 2 years per CDC guidance) may enter the premises and are not required to provide documentation of such medical condition

- *All bars, restaurants and private catered events must limit occupancy to 25% of the stated fire code for indoor events. A discrete indoor event or gathering in a retail food facility must be limited to 25 people.*
- *Where feasible, businesses should conduct business with the public by appointment only and to the extent that this is not feasible, businesses must limit occupancy to no greater than 25% of the number stated on the applicable certificate of occupancy at any given time, as necessary to reduce crowding in the business, and must maintain a social distance of 6 feet at check-out and counter lines, and must place signage throughout each site to mandate social distancing for both customers and employees*

Implementation of these strategies are for the protection of not only your customers, but for your workers and yourself as an operator of an essential business in Pennsylvania. We strongly encourage you to comply with the Orders and avoid further enforcement action.

Your workforce is your greatest asset. Please make smart decisions that will allow your life sustaining work to continue without increasing risk.

Sincerely,

Regional Supervisor
Bureau of Food Safety and Laboratory Services