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CIAA Bulletin

An Exclusive CIAA Member Update

FDA Updates Recommendations on Social Distancing and Use of PPE for Food Companies

Over the last several days, the U.S. Food and Drug Administration (FDA) has updated its [recommendations](#) for food manufacturers and food handlers during the COVID-19 public health emergency. While FDA continues to underscore that there is no evidence of food or food packaging being associated with the transmission of COVID-19, FDA has updated its recommendations based upon updated guidance provided by the Centers for Disease Control and Prevention (CDC).

Social Distancing

FDA recommends that employees in processing facilities and retail food establishments employ social distancing and maintain approximately 6 feet from others, when possible. However, FDA recognizes that this may not be possible at all establishments. When it is impractical for employees to maintain social distancing, FDA recommends that effective hygiene practices be maintained to reduce the chance of spreading the virus. However, FDA notes that solely maintaining social distancing without effective hygiene practices may not prevent the spread of this virus. FDA recommends that food facilities be vigilant in their hygiene practices, including frequent and proper hand-washing and routine cleaning of all surfaces.

Personal Protective Equipment (PPE)

The CDC has [recommended](#) the use of cloth face coverings when social distancing measures are difficult to maintain. FDA recommends that workers on farms, in food production, processing, and retail settings who do not wear facemasks as part of their jobs, consider the following:

- Maintain face covering in accordance with the [FDA Model Food Code](#) sections applicable to clean linens.
- Clean reusable face coverings before each daily use; and

- Follow CDC guidance on the use of face coverings, washing instructions, and how to make homemade face covers.

FDA also notes that the cloth face coverings recommended by the CDC are not surgical masks or N-95 respirators, as those are critical medical supplies that should be reserved for healthcare workers and other medical first responders.

Further, FDA has not changed its recommendations for the use of handwashing and gloves for use in food service and retail food stores. Those entities are directed to follow the Food Code and avoid direct contact with ready-to-eat foods and food contact surfaces except within the limited exceptions outlined in the Food Code. Food manufacturers are expected to follow the good manufacturing practices requirements for handwashing.

We will continue to monitor as FDA updates its recommendations to cheese importers during the COVID-19 outbreak. Should you have any questions regarding this alert, contact the Husch Blackwell LLP team at CIAAGeneralCounsel@huschblackwell.com.

Dates to Remember

July 2, 2020

Last day for an exporting country that is not designating importers for calendar year 2020 to notify FAS

August 31, 2020

Last day to enter dairy products into U.S. Customs territory that may be used to qualify and establish eligibility for a calendar year 2021 license.

* If a deadline date falls on a Saturday, Sunday, or Federal holiday, the deadline will be the next business day (Section 6.36(a) of the Dairy Tariff-Rate Import Quota Licensing Regulation). This does not apply to dates of entry for eligibility.

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