



Revised April 13, 2020

COVID-19 and Food, Pool and Lodging Facilities: Questions and Answers for LPHAs on Governor's Orders in Response to the COVID-19

NOTE: This guidance is a living document that is continuously updated with additional questions and answers.

Questions and Answers:

- 1) **Q:** How long does the Governor's order limiting food facilities to take out or delivery last?

A: The order remains in effect until rescinded by the Governor. EO 20-14.

- 2) **Q:** What about gatherings of 25 people at Mobile Food Unit Pods or in a mall food court?

A: Mobile food units located in pods and food facilities located in a mall food court may continue to operate if service is limited to takeout or delivery. Pod, mobile unit, and food courts must implement physical distancing protocols. They should assure that physical distancing of at least six (6) feet is maintained for customers and employees (if practical) and that no public seating be provided. Removal of seating is not required. There is no expectation that inspectors assure that the 25-person limit is adhered to in these situations.

- 3) **Q:** Does the prohibition of eating food inside the facility apply to outdoor seating areas as well?

A: Yes. Customers cannot order takeout food and sit in outdoor seating areas and eat the food. It must be consumed off the premises.

- 4) **Q:** Can a consumer buy a beer or soda and drink it while waiting for their food order?

A: No. The Governor's order prohibits consumption of food or beverages on the premises of the facility and only takeout or delivery of food items or drinks may occur. The dining area may not be used for on-site consumption of food or drink.

5) **Q:** What are tips for acceptable takeout/grab-and-go methods?

A:

- a) Food service facilities may take customer orders by phone or in person. Physical distancing protocols of at least six (6) feet must be implemented for customer orders in person.
- b) Customers may stand in line inside or outside of the facility (e.g., Subway, Chipotle, McDonald's) or at the host station (most sit-down restaurants) if staff monitor the line and assure physical distancing of at least six (6) feet between customers is maintained at all times while on the premises.
- c) Providing signage for customers to support this requirement is recommended but not required.
- d) Customers cannot congregate inside of the facility or sit to eat after receiving their food.
- e) No consumption of any food or beverage may occur on the premises of the food facility.
- f) OHA recommends that single use items like napkins and condiments be provided directly to the consumer rather than placed in a self-service area. Self-service beverage operations must be discontinued, and beverages must be filled by employees. Refilling of beverage containers by the consumer is not allowed.

6) **Q:** Are continental breakfast operations subject to the prohibition as well?

A: Yes. Tourist facilities can offer and deliver food via room service, but the dining area must close. The facility could also have employees prepare and package the food for take-out service as long as customer physical distancing of six (6) feet is maintained during the ordering and dispensing process.

7) **Q:** Will the food service ban be extended to hotel buffets? Will hotels need to remove tables/chairs or block them off so that people don't sit there to consume food?

A: The Governor has prohibited food service operations from providing dining room service. Hotel buffets are in-person dining and are not allowed. There is no expectation that chairs or tables be removed or cordoned off.

8) **Q:** Does this order apply to food services at shelters, schools and childcare facilities?

A: No. The Governor's order specifically exempts food service at shelters (even if they are licensed restaurants in your county), schools and childcare facilities from the prohibition.

9) **Q:** Are Senior Centers required to close their dining areas?

A: Yes. The Governor's announcement does not exempt Senior Centers. Since these facilities serve a population that needs food but is also especially vulnerable to COVID-19, options for safe packaging and take out or delivery of food should be discussed with the facility staff.

10) **Q:** Can bed and breakfast operators still serve food to guests at a dining table?

A: No. The Governor's announcement applies to all food service operations that provide dining in the facility, so bed and breakfast operations are included. Food may be delivered or taken to-go to the customer's room for consumption.

11) **Q:** Can a food facility keep the Oregon Lottery machine area open and continue to operate?

A: The Oregon Lottery disabled video lottery on March 17, 2020. Food facilities should consult with the Oregon Lottery regarding lottery questions.

12) **Q:** Can a customer order food from inside their car while parked in an outdoor stall (e.g., at Sonic)?

A: Yes, this can be considered the equivalent of food delivery.

13) **Q:** If a customer purchases food from the drive-thru and eats in their car, can they come inside the facility and re-fill their beverage?

A: No, the customer is not allowed to refill their own beverage container. The food establishment can choose to provide subsequent beverages in new containers.

14) **Q:** If the facility has customer seating for less than 25 people, can they continue to operate their dining area?

A: No. The Governor's order prohibits any on-site consumption of food or drink regardless of the size of the facility. Only takeout or delivery of food or drink is allowed if in accordance with social distancing protocols.

15) **Q:** Are there any specific requirements for delivery vehicles?

A: No. Food should be packaged for delivery in a manner that protects it from contamination and in a way that maintains the food hot or cold. The vehicle should also be clean. Children and animals should not be transported in the car during use as a delivery vehicle. However, in general, we do not inspect delivery vehicles and there is no expectation that you do so now.

16) **Q:** Should counties no longer issue temporary restaurant licenses while the Governor's order limiting gatherings to no more than 25 people is in effect?

A: At this time, it is hard to imagine a public event that requires a temporary restaurant license would be limited to 25 people. However, each event is unique and so a blanket recommendation to not issue temporary restaurant licenses in any case is not warranted.

17) **Q:** Are cash transactions prohibited?

A: No.

18) **Q:** Can self-service operations such as yogurt shops or buffet/salad bars continue to allow customers to serve themselves?

A: No. Food must be prepared and packaged by employees for takeout or delivered to customers.

19) **Q:** Can a school or restaurant receive donations of whole fruit and commercial intact peanut butter, jelly, bread and other non-potentially hazardous food (non-PHF) to make the sandwiches on site and provide them to children or anyone who may need a meal?

A: If members of the public (or a grocery store) donate unopened/sealed food from commercial sources to a school or a restaurant, then the school/licensed facility could prepare the food for people to pick up. Fruit must be whole and washed. There cannot be any homemade food brought into the school/licensed facilities or used for these activities. Ultimately the Oregon Department of Education will have jurisdiction over the school and the students they are serving, so they could choose to do something different.

20) **Q:** Executive order 20-12 states under the heading “Outdoor Recreation and Travel. “I authorize the immediate closure of all pools, skate parks, outdoor sports courts, and playground equipment areas.” Does this closure only apply to outdoor pools, or are all indoor pools also required to close?

A: Executive Order 20-12 applies to all public pools statewide, both indoor and out.

21) **Q:** Are restaurants offering drive through and take out required to offer restroom access to their customers?

A: No. Since the Oregon Food Sanitation Rules exempt takeout-only facilities from providing customer restrooms they do not need to allow access. The restaurant may choose to allow restroom use by customers. Restaurants that allow restroom use must implement protocols for social distancing while customers wait in line.

22) **Q:** Can a restaurant on a golf course offer food to go and allow patrons to take the food onto the fairway or greens and eat while they play golf?

A: Yes, however, physical distancing of at least six (6) feet is still required on the course.

23) **Q:** Can a restaurant continue to provide takeout orders if they are not able to meet the recommendation of six (6) feet of physical distancing mentioned in Executive Order 20-07?

A: Executive Order 20-07 prohibits on-premises consumption of food and drink at restaurants. It requires establishments offering off-premises consumption to implement a physical distancing protocol of at least six (6) feet between customers ordering, waiting or in line. It also requires establishments to implement similar physical distancing protocols for staff “whenever possible.” There are times when maintaining six (6) feet of separation between staff may not be possible. The facility

may choose to close if it is not possible to maintain six (6) feet of physical distancing for staff, but they are not required by the Executive Order to do so.

- 24) **Q:** Can a customer bring in a used growler and refill it with beer or Kombucha in a bar or restaurant?

A: Oregon Administrative Rules 333-003-1020 prohibits self-serve operations in restaurants, bars, cafes, food trucks and similar food service establishments. A customer may not refill a growler at this time due to the risk of cross contamination. An employee of the business may refill for the customer. OHA recommends against refilling growlers and instead recommends exchanging the growler for a new or sanitized growler.

- 25) **Q:** Some campgrounds have hookups for recreational vehicles (RVs) and are licensed as Recreation Parks by Local Public Health Authorities. Are RVs at these sites required to leave?

A: Executive Order 20-12 requires all private and public campgrounds to close immediately. However, the closure does not apply to housing. Therefore, RVs used as housing are not subject to the Executive Order closure. The Executive Order does not require individuals using an RV for housing, even if temporarily, to leave campgrounds. Campgrounds should consider housing to include, but not be limited to, when the RV is the individual's primary residence or the individual's only current option for housing during the COVID-19 outbreak. Restrooms at the Recreation Park should remain open to individuals using the site as housing. The CDC provides guidance on [cleaning and disinfection for community facilities](#).

- 26) **Q:** Who is providing guidance to grocery stores on physical distancing guidelines described in Executive Order 20-12?

A: The Oregon Department of Agriculture is the primary contact for grocery stores on physical distancing guidelines and other COVID-19 related information. Complaints regarding grocery stores physical distancing may be referred to the Oregon Department of Agriculture at <https://oda.direct/FSComplaint>. OHA will provide LPHAs with additional guidance on complaint referral soon.

- 27) **Q:** Are LPHA inspectors required to wear a mask while conducting an inspection?

A: No. However, LPHA inspectors may choose to wear a mask or other face covering while conducting inspections. Even with a mask, physical distancing measures of six (6) feet are still required. The CDC provides [recommendations regarding the use of cloth face coverings](#).

- 28) **Q:** Are food service employees allowed to wear a homemade mask while working?

A: Yes. However, they are not required to do so. A homemade mask (e.g. a cloth mask) is considered outer clothing and must be clean. The mask should be laundered daily on the hottest wash setting. Physical distancing of at least six (6) feet is still required while wearing a mask. The CDC provides [recommendations regarding the use of cloth face coverings](#).