



Effective Date: December 3, 2020

Sector Guidance — Eating and Drinking Establishments

Authority: Executive Order No. 20-66, ORS 433.441, ORS 433.443, ORS 431A.010

Applicability: This guidance applies to food and drink establishments, including but not limited to restaurants, bars, breweries, brewpubs, wineries, tasting rooms and distilleries statewide. For capacity limits, please refer to county of operation risk level matrix [here](#).

Note: Hookah bars and senior centers are not allowed to operate regardless of the designated risk level of the county in which the establishment is located.

Enforcement: To the extent this guidance requires compliance with certain provisions, it is enforceable as specified in Executive Order No. 20-66, paragraph 10.

Definitions: For purposes of this guidance, the following definitions apply:

- “Eating and drinking establishments” means food and drink establishments, including but not limited to, restaurants, bars, breweries, brewpubs, taverns, wine bars, cafes, food courts, coffee shops, wineries, tasting rooms and distilleries.
- “Outdoor” means any open-air space including any space which may have a temporary or fixed cover (e.g. awning or roof) and at least seventy-five percent of the square footage of its sides open for airflow.

Operations:

Eating and drinking establishments are required to:

- Review and implement [Statewide Mask, Face Covering, Face Shield Guidance](#).
- Review and implement [General Guidance for Employers and Organizations](#).
- Comply with closure times and party size limits for eating and drinking establishments based on the [designated level of risk for the county](#) in which the establishment is located.
- Ensure that any one space that is intended for outdoor dining meet the definition for “outdoor”. **Any space that is intended as an outdoor space that does not meet the definition of outdoor must comply with the requirements and guidance for indoor operations.**

- Adhere to guidance outlined in this document, as well as all applicable statutes and administrative rules to which the business is normally subject.
- Provide condiments, such as salt and pepper, ketchup, hot sauce and sugar, in single-service packets or from a single-service container. Disinfection must be done in a way that does not contaminate the food product. For example, do not use a spray device on a saltshaker.
- Comply with ORS chapter 471 and any rules adopted thereunder for any sale of alcoholic beverages for off-premises consumption.
- Comply with the [Self-Service Operations Guidance](#).
- Use menus that are single-use, cleanable between customers (laminated), online, or posted on a whiteboard or something similar in order to avoid multiple contact points.

Employees:

Eating and drinking establishments are required to:

- Ensure employees are complying with the [Statewide Mask, Face Covering, Face Shield Guidance](#).
- Minimize employee bare-hand contact with food through use of utensils.
- Reinforce that meticulous hand hygiene (frequent and proper handwashing) is of utmost importance for all employees, including chefs, line cooks and waitstaff.
- Have employees wear gloves when performing cleaning, sanitizing, or disinfecting activities. Please note that for non-cleaning activities, non-Oregon Department of Agriculture (ODA) licensed facility employees are not required to wear gloves. Wearing gloves for activities that might overlap with food handling can foster cross-contamination. If businesses choose to have employees use gloves, they must provide non-latex gloves and employees must prevent cross-contamination by replacing gloves after touching faces or changing tasks (e.g. food preparation versus taking out garbage). [See Food Code Fact Sheet #1-Minimizing Bare Hand Contact](#).

Additional requirements for facilities licensed by the Oregon Department of Agriculture (ODA):

- No bare-hand contact with food is permitted per ODA's licensing requirements.

Distancing and Occupancy:

Eating and drinking establishments are required to:

- Limit maximum capacity, which includes staff, based on the [designated level of risk for the county](#) in which the establishment is located.
- Ensure customers/parties remain at least six (6) feet apart when ordering, waiting or in line, or sitting.

- Comply with the party size limits for eating and drinking establishments based on the [designated level of risk for the county](#) in which the establishment is located.
- Not combine parties/guests at shared seating situations who have not chosen to be in a party together.
- Post signs as necessary to ensure that customers meet the requirements of this guidance.
- Mark designated spots on the floor where customers will wait in line.
- Ensure staff remain at least six (6) feet apart, when possible.

To the extent possible, eating and drinking establishments should, but are not required to:

- Install plexiglass (acrylic) or other nonpermeable physical barrier that is easily cleaned, in front of cashiers or customer service counters, or in other places where maintaining six (6) feet of physical distance between employees and customers is more difficult.
- Assign a designated greeter or host to monitor distancing while waiting in line or ordering, and during the entering and exiting process. Do not block egress for fire exits.
- Assign employee(s) to monitor customer access to common areas such as restrooms to ensure that customers do not gather.
- Post clear signs (available at healthoregon.org/coronavirus) listing COVID-19 symptoms, asking employees and customers with symptoms to stay home, and listing who to contact if they need assistance.

Cleaning and Disinfection:

Eating and drinking establishments are required to:

- Frequently clean and sanitize work areas, high-traffic areas, and commonly touched surfaces in both customer/public and employee areas of the business. For example, wipe down payment machines and counter tops between each customer use. Use disinfectants that are included on the [Environmental Protection Agency \(EPA\) approved list](#) for the SARS-CoV-2 virus that causes COVID-19.
- Disinfect customer-contact surfaces including counters, menus, condiment containers and all other touch points.
- Frequently disinfect all common areas and touch points, including payment devices.

To the extent possible, eating and drinking establishments should, but are not required to:

- Consider providing hand-washing facilities for customer use in and around the business. Hand sanitizer is effective on clean hands. Businesses may make hand sanitizer (at least 60-95% alcohol content) available to customers. Hand sanitizer must not replace hand washing by employees.

Video Lottery Terminal (VLT) Operations:

Eating and drinking establishments are required to:

- Determine if VLTs can operate based on the designated level of risk of the county in which they are located.
 - For eating and drinking establishments that can operate VLTs based on the level of risk designated to their specific county, they are required to:
 - Ensure VLTs are spaced at least six (6) feet apart so that at least six (6) feet between players is maintained. If VLTs cannot be spaced at least six (6) feet apart, businesses may install plexiglass (acrylic) or other nonpermeable physical barrier that is easily cleaned, between VLTs in lieu of having six (6) feet of distance, if the barrier is at least one (1) foot higher than head level for customers seated and at least three (3) feet wide or at least the width of the VLT if wider than three (3) feet.
 - Require individuals to request VLT access from an employee before playing; an employee must then clean and disinfect the machine to allow play. A business must not allow access to VLTs or change VLTs without requesting access from an employee.
 - Consider a player at a VLT machine the same as a customer seated for table service.
 - Limit one player at or around a VLT.
 - Review and implement [General Guidance for Employers and Organizations](#).

Note: Oregon Lottery will not turn on VLTs until the agency is satisfied that all conditions have been met.

Additional resources:

- [Signs you can post](#)
- [Statewide Mask, Face Covering, Face Shield Guidance](#)
- [OHA General Guidance for Employers and Organizations](#)
- [Food Code Fact Sheet #1-Minimizing Bare Hand Contact](#) (applies to county licensed facilities only)
- [ODA No Bare Hand Contact Fact Sheet](#) (applies to all ODA licensed facilities)

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