

**DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER
PROTECTION NOTICE OF PROPOSED GUIDANCE DOCUMENTS**

Pursuant to section 227.112 of the Wisconsin Statutes, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is hereby accepting comments on the proposed guidance document:

Recommendations for Opening Restaurants, Retail Businesses during COVID-19

LOCATION OF PROPOSED GUIDANCE

Proposed guidance document may be reviewed by accessing:

https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx

SUBMITTING PUBLIC COMMENTS

Public comments on proposed or adopted guidance document may be submitted by accessing:

https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx

DEADLINE FOR SUBMISSION

The comment period will run no fewer than 21 days after the publication of this document in the Administrative Register.

AGENCY PUBLICATION

The attached guidance document contains statements or interpretations of law under the following applicable provisions of federal law or the applicable state statutory or administrative code provisions: Wis. Stat. ch. 97.12(1), Wis. Admin. Code, ch. 75.

CERTIFICATION

Pursuant to the authority delegated to me by the Secretary, I have reviewed the attached guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.



_____05-28-2020_____

Steve Ingham
Administrator
Division of Food and Recreational Safety



Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Food and Recreational Safety

PO Box 8911, Madison, WI 53708-8911

Phone: (608) 224-4700

Fax:(608) 224-4710

GUIDANCE DOCUMENT

Guidance Document Title: Recommendations for Opening Restaurants, Retail Businesses during COVID-19

This guidance document is based on Wis. Stat. ch. 97.12(1) and chapter(s) ATCP 75 Wis. Admin. Code. This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed.

61 (DFRS)

Steven C. Ingham

May 28, 2020

Steven Ingham, Ph.D. - Administrator, Division of Food and Recreational Safety

DATE

Contributors:



Division of Food and Recreational Safety

May 20, 2020

Recommendations for Opening Restaurants, Retail Businesses during COVID-19

The [Centers for Disease Control and Prevention](#) (CDC) offers a variety of helpful information for restaurant and retail food establishments as they prepare to reopen during the COVID-19 pandemic. Below are recommendations for:

- General public
- Restaurant retail owners/operators
- Various types of retail food establishments

Recommendations for General Public

- Anyone grocery shopping or going out to restaurants should follow the restaurant/retail food establishment's rules for social distancing and personal hygiene.
- Stay home when you are sick, especially with these symptoms: vomiting, diarrhea or any [COVID-19 symptoms](#).

Recommendations for Restaurant & Retail Food Establishment Operators

- Follow the general guidance above and CDC guidance for restaurant and retail food establishment operators and employees posted at [the CDC website](#).
- As an employer/business operator:
 - Ensure that you have an adequate supply of single-use paper toweling, utensils, personal protective

equipment (masks, if available), single-use gloves, and soap/sanitizer to ensure best practices can be followed by employees. Enforce use of these items when interacting with customers, unless otherwise specified in the guidelines.

- Discourage staff from sharing work tools and equipment (desks, phones). If necessary, sanitize the equipment before and after use.
- Provide employees with training on new processes and procedures.
- Consider creating alternating work teams where possible to ensure that, should staff become infected, there are alternate, non-infected staff available to maintain operations.
- Offer cashless and contactless transactions whenever possible. Continue contactless services whenever possible.
- Customer contact areas (doors, buttons) should be sanitized frequently.
- Disposable disinfectant wipes should not be used when visibly soiled.
- Provide hand sanitizer (at least 60% alcohol) at entrance, and encourage customers to use it.



Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Food and Recreational Safety

2811 Agriculture Dr., P.O. Box 8911, Madison, WI 53708

<https://www.datcp.wi.gov>

- Restroom facilities should be sanitized frequently and patrons and staff shall adhere to social distancing guidelines.

Employee Health & Hygiene

- Do not let any employee who is or has recently exhibited COVID-19 symptoms—or is taking any medication that suppresses symptoms—come to work for at least 72 hours after symptoms subside or they have been cleared by a medical professional.
 - [Tips for identifying coronavirus symptoms](#).
 - Employees who are well but have a family member sick with COVID-19 should notify their employer and refer to CDC guidance for [what to do if you are sick](#). Train staff on the symptoms of COVID-19 and make sure they stay home when sick.
- Wear single-use disposable gloves when performing cleaning and disinfection/sanitizing duties.
- Avoid touching your eyes, nose and mouth.
- Wash your hands often with soap and water for at least 20 seconds.
 - If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol.
- If you become aware that an employee or recent customer has tested positive for COVID-19, it will be necessary to take additional precautions to avoid further spread.
 - Act quickly, identify individuals with whom they have been in direct contact with recently.
 - Alert potentially impacted individuals as soon as possible and direct them to appropriate CDC resources and inform the remaining

staff as well to ensure they take further precautions and may be prepared to cover for ill staff.

- Ventilate areas where the infected person spent time, try to eliminate the entry of others in the area and wait for as long a period as possible before completing a thorough cleaning.

Face Masks

- CDC recommends that face masks or cloth face coverings be worn.
- If face mask or cloth face coverings are worn, ensure your employees are wearing them properly (if available). The CDC illustrates how to properly wear a face covering and has [several tutorials](#) for making one.

Customer Relations/Protection

- Post signage on the front door letting customers know about changes to your policies and instructing them to stay away if they are experiencing COVID-like symptoms.
- Install sanitizing stations (at least 60% alcohol) at the entrance to your facility, and at key locations throughout the facility where customers are likely to contact shared equipment. Encourage customers to use them.
- Eliminate any unnecessary physical contact between staff and customers, and maintain social distancing of 6 feet between individuals whenever possible.
- Remove all unnecessary touchpoints, especially those that cannot be sanitized between uses. Examples include the use of pens to sign receipts (cashless and contactless transactions are recommended), paper ordering slips, order/table buzzers, etc.



Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Food and Recreational Safety
2811 Agriculture Dr., P.O. Box 8911, Madison, WI 53708

<https://www.datcp.wi.gov>

- Continue offering online sales, pre-ordering of dine-in meals, delivery, and curbside pickup to accommodate at-risk customers and reduce dine-in traffic.
 - No personal reusable/refillable food or beverage service items should be allowed (e.g., refillable drink containers).
 - Provide prepackaged condiments, or have employees dispense condiments for the customer.
 - Utilize single-use items versus reusable whenever possible and provide adequate trash receptacles and increase removal frequencies to accommodate additional waste.
 - Continue offering virtual experiences and curbside pickup of physical goods to accommodate all customers, if possible.
- 5 tablespoons (1/3 cup) bleach per gallon of water for non-food contact surfaces.
 - 1 teaspoon bleach per gallon of water for food contact surfaces.
 - Do not mix bleach and ammonia based chemical solutions!

Social Distancing

- The capacity of customer-facing businesses should be limited as much as possible to ensure adequate social distancing.
- Eliminate any unnecessary physical contact between staff and visitors, and maintain social distancing of 6 feet between individuals whenever possible.
- Install stickers or arrows on the floor/ground indicating customer traffic patterns to minimize conflict and to maintain 6 feet between customers at queuing areas, such as cashiers or loading areas.
- For businesses requiring queuing, consider allowing guests to digitally reserve times, minimizing on-site lines. Space appointment intervals to accommodate additional cleaning and sanitizing of equipment between users.
- Offer cashless and contactless transactions whenever possible.
- When exchanging paper and coin money, do not touch your face afterward; ask customers to place cash on the counter rather than directly into your hand; place money directly on the counter when providing change back to customers; clean counter between each customer at checkout.
- Consider adding clear plastic barrier protection at the cashier or entrance desk with a pass-through opening to exchange items as necessary. Registration and cashier desks must be 6 feet apart.

Clean and Sanitize

- Single-use gloves should be worn.
- High-contact areas such as door knobs, buttons and pens should be sanitized frequently, if feasible.
- Bathrooms should be cleaned and sanitized frequently.
- Sanitizing wipes should be discarded between uses or when visibly soiled.
- All cloth materials should be washed at the highest possible water temperature setting and dried thoroughly.
- Dishes, utensils and other reusable dishware and utensils used in the facility must be washed/rinsed and sanitized as required by ATCP 75.
- Sanitize surfaces using an [EPA-registered disinfectant](#) or a bleach solution.
- Prepare a bleach solution by mixing:



Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Food and Recreational Safety
2811 Agriculture Dr., P.O. Box 8911, Madison, WI 53708

<https://www.datcp.wi.gov>

- Ensure that tables and chairs maintain adequate distance, and that group size does not exceed 10 people.

Recommendations for Various Types of Retail Food Establishments

Restaurant Guidelines

- Conduct health surveys with workers prior to each shift.
- Remove common condiments from tables. Condiments shall be single use, or prepackaged and dispensed by employees.
- Close all self-service food areas.
- Drink stations shall be closed with the exception of those utilizing a “no touch” lever system. Beverages stations not utilizing a no touch system shall be operated by staff using a new cup or mug at time of refill.
- Adjust menu offerings and kitchen workflows to allow employees to maintain 6 feet of separation. This likely requires only one employee per station.
- Use floor markings in entry and checkout/cash collection areas to encourage social distancing.
- Customers should wait outside in their cars for available seating. Advance reservations are preferred to walk-in dining.
- Provide, monitor and maintain hand washing stations or sanitizer at entry, and encourage customers to use it.
- Sanitize common areas and surfaces in the front and back of the house frequently.
- Sanitize tables/chairs after each use.
- Menus should be disposable or sanitized between each use.
- Dining rooms should maintain 6 feet between tables. When possible, physical barriers should separate tables/booths.

- Standing area capacity should be limited to allow for social distancing. For bar areas, two bar stools should be available between unrelated customers.
- Offer cashless/contactless transactions if possible.
- Encourage more/all staff to become Certified Food Protection Managers.
- Do not present silverware. Use rolled silverware/napkins stored in sealed bags or containers. Gloves should be used by staff while rolling silverware in designated sanitary areas.
- Food contact surfaces must be sanitized frequently.
- It is encouraged to report to the public health department of any positive staff and two or more employees with symptoms within a 48-hour period.

Retail Guidelines (Grocery and other retail food operations)

Follow all other guidelines listed above for restaurants plus:

- Limit the number of people in facility to allow for 6 foot social distancing.
- Prevent waiting lines by opening additional registers as needed.
- Utilize single direction aisles as needed for social distancing.
- Allow employee dispensed food items in delis.
- Grocery store produce areas may remain accessible for customer self-service.
- Customer self-dispensing of bulk food items should be prohibited, unless those dispensing touch points such as scoops and tongs can be cleaned and sanitized on a frequent basis.



Wisconsin Department of Agriculture, Trade and Consumer Protection

Division of Food and Recreational Safety
2811 Agriculture Dr., P.O. Box 8911, Madison, WI 53708

<https://www.datcp.wi.gov>

- Frequently clean and disinfect high-contact surfaces (e.g., shopping carts, cooler doors).
- Specify hours that are restricted for elderly and vulnerable populations.

Bars/Pubs Guidelines

- Standing area capacity should be limited to allow for social distancing. For bar areas, two bar stools should be available between unrelated customers.
- Follow the restaurant operating guidelines included above.

Offsite/Catering Guidelines

- Food trucks and caterers should adhere to the same guidelines as restaurants listed above. This may require food trucks to operate with only one employee. Food trucks should be located far enough apart from each other to allow adequate room for queuing with social distancing.
- Catering staff are not responsible for setup of venue—host entity is responsible for table distancing and event logistics.
- Prepackaged disposable utensils and supplies should be used by guests or follow the pre-wrapping of utensils as described above. Serving dishes and utensils should be sanitized between use.

- Customers should not be allowed to self-serve (i.e., no buffet service).

More Resources

- [CDC: Resources for Businesses and Employers](#)
- [OSHA: Guidance on Preparing Workplaces for COVID-19](#)
- [Wisconsin Restaurant Association](#)
- [Tavern League of Wisconsin](#)
- [National Food Truck Organization](#). For restaurants, the NRA/ServSafe is offering a *free takeout/delivery training guide to advise on curbside and delivery operations*.
- [CDC: Cleaning & Disinfecting Guide](#)
- A list of products that are EPA-approved for use against the virus that causes COVID-19 is available [here](#).

Ensure that your business is in compliance with the [Families First Coronavirus Response Act](#) regarding sick leave.



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Food and Recreational Safety
 2811 Agriculture Dr., P.O. Box 8911, Madison, WI 53708
<https://www.datcp.wi.gov>