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**The Department of Health, Maui Food Safety Branch**

**COVID-19 Policy for Food Establishments in Maui County**

**REVISION #1 – November 10, 2020**

**The current DOH COVID-19 policy:**

The Department of Health (DOH), Maui Food Safety Branch’s (FSB) current COVID-19 policy covers all food establishments and special event permit vendors and is in alignment with the Office of the Mayor’s most recent public health emergency rules for Maui County. Maui FSB is responsible for our policy but is not the enforcement agency for the Mayor’s rules. The primary elements of this policy are:

* All food establishment employees must wear a cloth face mask described by CDC guidance;
* Food establishments must ensure that customers are socially distanced and the tables are spaced at least 6’ apart; and,
* Occupancy of food establishments must not exceed 50% capacity.

This office serves to enforce COVID-19 requirements through educating a food establishment on the requirements necessary to protect their employees and customers, issuing notices of violation warning letters, and in cases of repeated non-compliance, closing a food establishment to protect public health. Our goal is to obtain compliance, not to shut down food establishments. But for those that fail to institute public health protection measures related to COVID-19, they’ll be given a warning, and if changes aren't made or repeated COVID-19 complaints are received there, that food establishment faces the possibility of closure.

**The COVID-19 Inspection**:

A COVID-19 inspection of a food establishment is conducted by a DOH inspector to determine compliance status. If the inspector observes lack of compliance, those issues will be discussed with the person in charge and may issue a warning letter, a formal Notice of Violation. A follow-up inspection will be conducted to determine if the violations have been corrected. If not and it is determined that the violations are posing a “*public health hazard*” under Section 11-50-9(d)(3), Hawaii Administrative Rules, DOH can issue a red “CLOSED” placard. A press release will also be issued to the public. The food establishment would remain closed for 1-2 business days then another follow-up inspection would be conducted to ensure all COVID-19 requirements are being met.

**Socially distancing measures**:

Food establishments need to ensure that their customers and employees maintain at least 6’ distance between all other persons. Brief periods of non-distancing are allowed for employees to serve/interact with unmasked customers, intermittent job duties, customers or employees passing by others, etc. Methods such as signage, tape, ropes, partitions, etc., to identify the correct spacing distance between different groups of customers, including waiting in line to enter the business, should be utilized.

**Customers and masks**:

The Mayor’s rules mandate customers entering a food establishment must wear a face mask but includes an exemption for individuals that have an existing medical condition. The DOH has COVID-19 policies for food establishment operations and employees only, therefore, enforcement related to customers not wearing masks resides with Maui County. Complaints can be made to the non-emergency MPD number (808) 244-6400. The DOH encourages businesses to have policies in place to address individuals wanting to enter not wearing a mask, including offering “reasonable accommodations” which provide any customer services or goods without having them enter that business.

**Restaurants and bars:** Food establishments need to follow County rules by ensuring that all customers wear a mask when entering (see previous section for County medical exemption), waiting to be seated, getting take-out food, leaving their table for any reason, and when leaving the establishment. Once seated, customers may remove their masks. The food establishment shall arrange seating so that 6’ is maintained between tables and shall monitor customers and enforce the 6’ distancing between people from different households. They're encouraged to ask customers to wear their masks when speaking to any employees or others outside their group.

**All other food establishments**: Food establishments need to follow County rules by ensuring that all customers wear a face mask upon entering and within a food establishment (see previous section for County medical exemption).

**Food service**:

Customer self-service buffets, salad bars, condiments, beverages and other self-serve operations are not allowed. Menus need to sanitized between customers, single-use, or provided through on-line ordering. Condiments need to be single-use or sanitized before being used by others outside the group.

**Employees and masks**:

All food establishment employees shall wear a proper mask, as described by CDC guidance. If an employee needs to take a “break” from the mask, they need to be at least 20’ away from others, whether interior or outside. Use of their clothing pulled up over their nose and mouth, wearing a mask that isn't covering the nose or mouth and fit snugly against their face, or face shields (partial or full) alone are not allowed.

If an employee says they have a medical condition that prevents them from wearing a CDC recommended face mask, the DOH inspector may allow that food establishment to have an employee wear a full face shield. However, the following parameters are required to be followed: no direct contact with customers, not allow them in the “front of the house”, and they must be socially distanced away from all other workers. Full face shields can add to protection but are not a substitute for required cloth masks. If an employee can't or won't wear anything to protect themselves or others, then the food establishment should restrict them from working there as it can be cited and warning letter issued by an inspector as a COVID-19 violation against the food establishment.

**Employee health**:

Food establishments should screen all employees when arriving at work and if anyone is displaying symptoms of COVID-19, they should be excluded from work or sent home immediately. Employees should be instructed to wash their hands with soap and water for 20 seconds and/or use employer-provided hand sanitizer often, including before and after putting on or removing their mask.

**Cleaning:**

The person in charge must ensure that all frequently touched surfaces in the kitchen, dining area, break room, restrooms, etc., are adequately cleaned and sanitized frequently to help reduce the spread of the Coronavirus. They must conduct a thorough cleaning and sanitizing immediately if an employee who has been at work receives a positive test result for COVID-19.

**Signage**:

A sign at entrances shall state that no one with fever or symptoms of COVID-19 will be allowed to enter the business. Signage can also include that everyone entering must wear a mask.

**Further information**:

Maui Food Safety Branch: (808) 984-8230

[DOH, Maui District Health Office](https://health.hawaii.gov/maui/)

[Maui County COVID-19 website](https://www.mauicounty.gov/2370/COVID-19-Coronavirus-Information)

[CDC COVID-19 updates](https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html)

[CDC what to do if your sick](https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html)

[CDC about face masks](https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html)

[EPA-approved disinfectants](https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2-covid-19)