



COVID-19 GUIDANCE FOR RESTAURANTS AND ESTABLISHMENTS THAT MEET THE DEFINITION OF A “BAR” PER O.C.G.A. § 3-1-2(2.1)

On May 28th, 2020, Governor Kemp issued Executive Order 05.28.20.02, “Reviving a Healthy Georgia,” which maintains the operating guidelines for restaurants and dining facilities and adds guidelines for bars, banquet facilities, private event facilities, and private reception venues where food is served.

The Order requires that **all** facilities that meet the definition of “food service establishment” per O.C.G.A. § 26-2-370(2), as well as banquet facilities, private event facilities, and private reception venues where food is served, **shall** implement certain measures to mitigate the exposure and spread of COVID-19 among their patrons and workforce. Bars with food service establishment permits are included in these requirements.

The Order also includes several provisions that apply only to bars, which are specifically noted below. “Bar” is defined in O.C.G.A. § 3-1-2(2.1) to mean “any premises at which a retailer licensed pursuant to this title to sell alcoholic beverages derives 75 percent or more total annual gross revenue from the sale of alcoholic beverages for consumption on the premises.”

Executive Order 05.28.20.02 does not apply to dine-in services provided in hospitals, health care facilities, nursing homes, or other long-term care facilities. However, the Order directs these excepted facilities to implement the Order’s operating guidelines to the extent possible.

The specific directives of the Order are reproduced below in plain text. Additional recommendations and clarification from the Georgia Department of Public Health’s Food Service Program are provided in italics.

WORKER HEALTH & SAFETY MEASURES

- Screen and evaluate workers who exhibit symptoms of COVID-19. *Symptoms of COVID-19 may include a fever over 100.4°F, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. While it is strongly recommended that each restaurant have an infrared thermometer on hand to screen workers, it is not required. Workers may screen themselves for fever with their own thermometers prior to arriving at work.*
- Require workers who exhibit signs of illness to not report to work or to seek medical attention. Per existing U.S. Food and Drug Administration Food Code and Department of Public Health requirements, workers who are sick should remain home. If a worker becomes ill or presents signs of illness at work, the operator should identify the worker’s condition during a pre-work screening and send the worker home.



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- Restaurants and bars shall create, maintain, and follow established policies regarding when workers who have become ill are permitted to return to work. A worker with known or suspected COVID-19 must follow Centers for Disease Control and Prevention guidelines to self-isolate for at least ten (10) days after symptom onset and end isolation only after symptoms have improved and the worker has been fever-free and/or symptom-free for three (3) consecutive days without medication before returning to work. *If a worker is diagnosed with COVID-19, it is highly recommended that the Person-In-Charge notify the health department as soon as possible. Timely reporting of diagnosed cases will assist with contact tracing measures to help isolate and contain the spread of COVID-19.*
- Ensure the Food Safety Manager certification of the person in charge is up-to-date and provide food handler training to refresh workers.
- Implement teleworking for all possible workers.
- Implement staggered shifts for all possible workers.
- Where possible, stagger workstations to avoid workers standing adjacent to one another or next to each other. Where six (6) feet of separation is not possible, consider spacing options that include other mitigation efforts with increased frequency of cleaning and sanitizing surfaces.
- Hold all meetings and conferences virtually, whenever possible.
- Train all workers on the importance and expectation of increased frequency of handwashing, the use of hand sanitizers with at least 60% alcohol, and provide clear instruction to avoid touching hands to face. *Food service workers are required to wash their hands according to the Georgia Food Service Rules and Regulations, Chapter 511-6-1-.03(5)(b)&(c). “Hand sanitizer,” for purposes of Executive Order 05.28.20.02, means “any hand antiseptic, hand rub, soap, or agent applied to the hands for the purpose of removing common pathogens.” Hand antiseptics and hand sanitizers must meet the criteria for the US Food and Drug Administration’s food additive definition of Generally Recognized as Safe (GRAS) if food will be touched after using. Otherwise, hands should be thoroughly rinsed in clean water prior to handling food after the use of any hand antiseptics or hand sanitizers that do not meet the GRAS requirements. Bare hand contact with ready-to-eat foods is prohibited.*
- For establishments meeting the definition of a “bar” per O.C.G.A. § 3-1-2(2.1), workers are required to wash or sanitize their hands upon entering the establishment and



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between interactions with patrons. *For any bar which has a food service permit, it is a requirement that workers wash their hands prior to entering the kitchen or working with food. Food employees are not allowed to sanitize their hands in lieu of handwashing. Food employees may sanitize their hands after they have properly washed their hands.*

- Require all workers to wear face coverings at all times. Workers may also wear face shields in addition to their face coverings. Such coverings or face shields shall be cleaned or replaced daily. *Face coverings and face shields are not the same thing. Face shields are clear plastic barriers that do not contact the face but are worn as a way to protect the full face from spray aimed at the individual wearing the shield. Face shields do not protect others from contaminated airborne particles expelled from the person wearing the face shield. Face coverings are made of cloth or fabric and must cover the nose and mouth while being worn. Workers will not be allowed to work unless they have a face covering. Instructions for making face coverings can be found on the CDC’s website: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/DIY-cloth-face-covering-instructions.pdf>.*
- Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment (*such as pens, pencils, check holders, etc.*). *Clean registers or Point of Sale machines between worker use.*
- Establish a limit for the maximum number of workers permitted in worker breakrooms to reduce contact.
- Prohibit handshaking and other unnecessary person-to-person contact in the workplace.
- Increase physical space between workers and patrons, and limit contact between wait staff and patrons.
- Remind third-party delivery drivers and any suppliers of your internal distancing requirements. *Third-party delivery drivers should also wear face coverings while in the restaurant and when interacting with any customers at the delivery location.*
- Implement procedures to increase cleaning and sanitizing frequency of surfaces, *including in the back-of-house. Avoid all food contact surfaces when using disinfectants.*



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CUSTOMER & PATRON SAFETY:

- Post signage on entrances that no one with a fever or symptoms of COVID-19 is permitted in the facility. *Signage should be designed in such a manner as to be easily seen and read by any patrons approaching the restaurant.*
- No more than ten (10) patrons should be allowed in the facility per 300 square feet of public space. In calculating the total number of public space square feet, such calculation shall include waiting and bar areas as well as patios or any outdoor dining space, if any, but shall not include hallways, restrooms, and spaces closed to patrons. *If allowed by local ordinances, additional outdoor customer dining areas may be provided. In dining areas with less than 300 square feet, patrons must be able to maintain at least 6 feet from other patrons and workers at all times.*
- For establishments meeting the definition of a “bar” as per O.C.G.A. § 3-1-2(2.1), the occupancy shall be limited to 25 persons or 35% of total listed fire capacity occupancy of the entire bar, whichever is greater.
- Where practicable, take-out and curbside pick-up services should be prioritized over dine-in services.
- Thoroughly detail, clean, and sanitize the entire facility prior to reopening or resuming dine-in services and continue to do so regularly, focusing such cleaning and sanitation on high contact areas that would be touched by workers and/or patrons.
- Bars shall be sanitized at least twice daily before opening and after closing.
- Limit party size at tables to no more than ten (10) in restaurants, and no more than six (6) at establishments meeting the definition of a “bar” per O.C.G.A. § 3-1-2(2.1).
- Enforce Social Distancing of non-cohabitating persons while present on such entity's leased or owned property. *If the restaurant has a bar area, ensure patrons at the bar are seated at least 6 feet apart and that tables in the bar area are at least 6 feet away from customers seated at the bar.*
- In establishments that meet the definition of a “bar” per O.C.G.A. § 3-1-2(2.1), service shall only be provided to seated patrons, or, if not applicable, to patrons in designated areas that are practicing Social Distancing. Bars shall establish seating areas for patrons to discourage loitering at the bar or in commonly trafficked areas, and shall establish



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pathways for patrons’ ingress and egress and ensure that they are clear and unobstructed.

- Do not allow patrons to congregate in waiting areas or bar areas. Design a process to ensure patron separation while waiting to be seated that can include floor markings, outdoor distancing, or waiting in cars.
- For establishments meeting the definition of a “bar” per O.C.G.A. § 3-1-2(2.1), prevent activities that enable close human contact.
- Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six (6) feet of separation from seating to seating. Utilize physical barriers on booth seating when available to ensure Social Distancing. *Back-to-back booth seating for non-cohabitating patrons is not allowed.*
- The use of disposable paper menus is strongly encouraged, which should be discarded after each patron use. Otherwise, businesses subject to this Section shall clean and sanitize reusable menus between each use by a patron. Non-touch menus are also acceptable for use.
- Between diners, clean and sanitize table condiments, digital ordering devices, check presenters, self-service areas, tabletops and commonly touched areas, and discard single-use items.
- Use rolled silverware and eliminate table presets.
- Remove items from self-service drink, condiment, utensil, and tableware stations and have workers provide such items to patrons directly wherever practicable. *Customers can still utilize self-service drink stations provided social distancing is maintained.*
- Discontinue use of salad bars and buffets, unless the salad bar or buffet is being used for cafeteria style service where a worker is responsible for serving the patron, handling the utensils, and ensuring proper distancing in lines.
- If providing a "grab and go" service, stock coolers to no more than minimum levels.
- Clean and sanitize restrooms regularly, check restrooms based on the frequency of use, and ensure adequate supply of soap and paper towels at all times. *Some restaurants may not be equipped with paper towel dispensers, since it is not required by the Georgia*



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Food Service Rules and Regulations, Chapter 511-6-1; however, it is strongly recommended that paper towels be provided.

- Where practical, consider a reservations-only business model or call-ahead seating.
- Where practicable, physical barriers such as partitions or plexiglass at registers should be used.
- Use technological solutions where possible to reduce person-to-person interaction: mobile ordering, mobile access to menus to plan in advance, text on arrival for seating, and contactless payment options. *If PIN pads are used, they should be sanitized between patrons.*
- For restaurants, provide hand sanitizer for use by patrons, including contactless hand sanitizing stations when available. *Hand sanitizer must be provided; however, it is also recommended to use the contactless hand sanitizing stations if possible. Hand sanitizer wipes are an acceptable form of sanitizer to provide for both patrons and workers. See definition of “hand sanitizer” above under Worker Health and Safety Measures. If hand sanitizer is not available, the restaurant will not be allowed to open its dining room.*
- For establishments meeting the definition of a “bar” per O.C.G.A. § 3-1-2(2.1), set up hand sanitizing stations at every entrance to the establishment and encourage patrons to use hand sanitizer upon entering. *If hand sanitizer is not available, the bar will not be allowed to open.*
- If possible, use an exit from the facility separate from the entrance.
- Mark ingress/egress to and from restrooms to establish paths that mitigate proximity for patrons and staff.
- All restaurant or dining room playgrounds shall be closed.
- Discard all food items that are out of date.
- Verify that ware-washing machines are operating at the required wash and rinse temperatures and with the appropriate detergents and sanitizers.



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RECOMMENDATIONS AND REQUIREMENTS FOR CATERERS:

If catering a private event, the best option is to deliver the food and any equipment to the customer at the designated time, and then return after the event has concluded to retrieve the equipment.

If catering a private event where it is required that the caterer stay on site for the event to provide set-up and service, the following additional measures should be implemented to the extent practicable:

- *If the event is at the home of a person who meets the criteria for higher risk of severe illness as defined by the Centers for Disease Control and Prevention (CDC), to the extent practicable under the circumstances, the caterer should not enter the person’s home and should conduct the catering service outside if possible.*
- *If the event will be held at the home of a person who is not at a higher risk for a severe illness, or at an event center, social distancing of at least 6 feet must be maintained between the caterer and attendees at the event.*
- If the caterer is responsible for providing tables and chairs at the event, seating shall be arranged in accordance with the Executive Order, to ensure that no more than ten persons are seated per 300 square feet and that non-cohabitating attendees can maintain social distancing requirements.
- If the caterer is contracted to remain on site to serve the food items, food shall be plated or served by caterer or caterer’s staff only, to minimize contact with utensils by attendees and maintain compliance with the Executive Order’s guideline for buffet style dining.

HANDLING OF COMPLAINTS AT RESTAURANTS & ENFORCEMENT OF EXECUTIVE ORDER REQUIREMENTS:

The local health departments will investigate any complaints at restaurants under their jurisdiction for compliance with the Executive Order requirements. A written warning will be issued for non-compliance with the Executive Order for the first complaint. Repeated violations of the Executive Order for the same restaurant will be turned over to local law enforcement or the Georgia State Patrol for enforcement measures. The local health department will enforce the requirements of the Georgia Food Service Rules and Regulations, Chapter 511-6-1.



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INSPECTION GUIDANCE:

The routine inspection timeline under Chapter 511-6-1-.10(2) may be extended by 120 days for any permit holder of a food service establishment maintaining an “A” food safety grade which was scheduled to have a routine inspection at any time between March 14th, 2020 and September 10th, 2020. *This is to allow the regulatory agency flexibility in prioritizing high risk establishments. However, any new restaurant that opened within 60 days prior to or after March 14th, 2020 is still required to have its initial routine inspection even if its opening score was an “A.” Any foodservice establishment with a history of fluctuating scores that received a score of an “A” on the previous inspection should be included on the list of high risk prioritization.*