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FDA, OSHA Release COVID-19 Safety Checklist for Food Industry

The American Fruit & Vegetable Processors and Growers Coalition (AFVPGC) and the Michael Best Strategies (MBS) Food & Agriculture Team, working closely with Charles Palmer, leader of the Workplace Safety & Health Practice Group at Michael Best (MBF), worked successfully with the Food & Drug Administration (FDA) to publish a checklist for food industry safety amidst the ongoing COVID-19 pandemic.

When OSHA and CDC first issued guidance in the wake of COVID-19 cases in meat and poultry processing facilities, it became apparent that those guidelines did not provide enough specific measures to be easily understood and followed; nor did they capture the unique needs of the food industry. “The Coalition was looking for a practical and specific punch we could point to as good practices,” Denise Bode, Head of Federal Practice for MBS and Coalition Coordinator for AFVPGC, said. Industry leaders, like others, were faced with a challenge, requiring rapid response amidst conflicting opinions coming from all directions. “But, unlike government, schools and some other industries, food production cannot simply halt, while the problem is studied and solved,” she continued. “There is no work from home option. People don’t stop eating, animals and crops must be processed at a specific time, and the products are perishable. We were faced with the potential loss of entire crops. So the COVID-19 response in the food industry had to be like building an airplane while it is in the air.”

The FDA recognized the need for action to protect the nation’s food supply and worked around the clock to take leadership. “They really listened to the industry to pull together something practical and took that guidance to the Department of Labor as a measure to protect American workers and the food supply,” said Charles Palmer of Michael Best. The industry representatives are thankful for the FDA’s leadership on this project, as well as OSHA’s assistance and expertise in development of the guidelines.”

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In collaboration with the Occupational Safety and Health Administration (OSHA), FDA published the checklist earlier this morning. The checklist is for FDA-regulated human and animal food operations to use when assessing operations during the COVID-19 pandemic, especially when restarting operations after a shutdown or when reassessing operations because of changes due to the COVID-19 public health emergency.

“One thing we learned quickly was the science keeps changing and the guidelines need to change with it,” said David Crass, Co-Chair of the Agribusiness Food & Beverage Practice group at Michael Best. The guidelines link to the external resources. Those links may change overtime to reflect the changing conditions. The checklist serves as a launching point to get to the ever-changing guidelines, but rather than having to sift through the guidance that may not apply to the food industry, this checklist provides the industry with a porthole leading directly to the resources, practices, and procedures for the food industry.

Not all of the items are relevant to all types of food operations. There is additional sector-specific information available (e.g., guidance from CDC and the U.S. Department of Labor for Agriculture Workers and Employers, Seafood Processing Workers (developed in consultation with FDA), and Meat and Poultry Processing Workers and Employers.)

While this checklist is not a standard that establishes a basis for a fine or liability, should a food sector business miss certain elements on the list, industry members would be wise to shoot for as many of the elements as possible. OSHA can and has cited food sector employers under its General Duty Clause which requires employers to maintain workplace free of recognized hazards. The basis for some of those citations involved allegations that an employer missed some of the items that are now contained in this checklist.

[Click here to view the Employee Health and Food Safety Checklist for Human and Animal Food Operations During the COVID-19 Pandemic](#)

Related People

Denise Bode

dabode@michaelbeststrategies.com

T 202.844.3804

David Crass

Partner

dacrass@michaelbest.com

T 202.595.7921

Charles Palmer

Partner

cbpalmer@michaelbest.com

T 262.956.6518