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ORDER OF THE COMMISSIONER OF PUBLIC HEALTH

On March 10, 2020, Governor Charles D. Baker declared a state of emergency in the Commonwealth to respond to the spread of COVID-19. On March 11, 2020, in view of the grave threat that the spread of COVID-19 presents to the public health, the Public Health Council authorized and directed me to act pursuant to G. L. c. 17, § 2A and to take all appropriate actions, incur such liabilities, and establish such rules, requirements, and procedures necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth.

On March 23, 2020, the Governor issued an Order Assuring Continued Operation of Essential Services in the Commonwealth. As designated in the list of "COVID-19 Essential Services," grocery stores and pharmacies are essential and will remain open. Additionally, workers supporting grocery stores and pharmacies are deemed essential workers.

Therefore, in order to provide continuation of services while additionally reducing exposure of shoppers and employees to COVID-19, and pursuant to the authority granted by G. L. c. 17, § 2A and with the approval of the Governor and the Public Health Council, I hereby issue the following Orders:

1) As indicated in the list of "COVID-19 Essential Services", grocery stores and pharmacies will remain open.

2) Grocery stores and pharmacies **must** provide alternative hours, at least one hour every day in the early morning, for adults 60 years and older in order to limit their potential exposure. These hours must be conspicuously posted and should be enforced by grocery stores and pharmacies.

3) Grocery stores and pharmacies must deploy strategies to reduce COVID-19 exposure for their customers and employees including but not limited to:
   - Access to handwashing facilities, including those available in public restrooms, and allowing employees sufficient break time to wash hands, as necessary.
   - Alcohol-based hand sanitizers, as available.
   - Disinfecting wipes, as available, at point of entrance for customers to disinfect carts, at cash registers and/or other appropriate locations.

- Procedures to ensure that both employees and customers remain at least six feet apart at all times. Procedures should include a marked "Social Distancing Line," which begins six feet away from all checkout counters.
- Closure of any salad bar or other self-serve prepared or other open food stations.
- Elimination of any open free samples or tastings.
- Procedures to sanitize frequent touchpoints throughout the day, including point of sale terminals at registers.
- Employees who are sick should not report to work and if, when reporting to work, they have symptoms of COVID-19 they must be sent home.

4) Grocery stores and pharmacies must accommodate employees who fall within the higher-risk populations, as defined by the CDC guidelines, with lower-exposure work assignments or allowing them to stay home.

5) Grocery stores shall be closed to the public for a sufficient time overnight to allow for stores to be properly sanitized and restocked.

6) Grocery store and pharmacy employees shall not perform bagging of retail products if reusable checkout bags are used and customers at grocery stores and pharmacies shall not use reusable checkout bags until further notice.

7) Grocery stores and pharmacies, food banks and emergency food programs, including those currently subject to municipal ordinances or regulations banning single-use plastic bags, may choose to use recyclable paper bags, compostable plastic bags or single-use plastic bags.

8) Grocery stores and pharmacies may not assess a charge for recyclable paper bags, compostable plastic bags or single-use plastic bags.

This Order shall be effective immediately and shall remain in effect until the State of Emergency is terminated by the Governor, or until rescinded by me, whichever shall happen first.

IT IS SO ORDERED.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health

March 25, 2020