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April 14, 2020

For Immediate Release:

5:20PM CT on April 14, 2020

CDC Resources for Coronavirus (https://www.cdc.gov/coronavirus/2019-ncov/index.html)

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Media Release:

Gov. Ricketts Announces Regulatory Changes to Allow Restaurants to Operate as Pop-Up Retailers

Gov. Ricketts (podium), NDA Director Steve Wellman (center-left in tie); and

Nebraska Restaurant Association Executive Director Zoe Olson (far left) at today's press briefing.

Watch the video by clicking here (https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.dropbox.com%2Fs%2F1jejst4tlyyy0af%2FPress%2520Conf%25204.14.2020.mp4%3Fdl%3D0&data=02%7C01%7Ctaylor.gage%40nebraska.gov%7

Governor Press Release 4-14 - SPANISH.pdf (/sites/governor.nebraska.gov/files/doc/press/Governor%20Press%20Release%204-14%20-%20SPANISH_0.pdf)

LINCOLN – Today, during his daily COVID-19 press briefing, Governor Pete Ricketts announced regulatory changes to give restaurants the flexibility to sell packaged foods to customers. Under normal circumstances, restaurants cannot sell packaged foods–like loaves of bread or cartons of eggs–that do not have nutrition labels. The Governor explained that the intent of the change is to give Nebraskans greater access to food, while also helping restaurants add another revenue stream during the pandemic.

Nebraska Department of Agriculture (NDA) Director Steve Wellman joined the Governor to provide details about the decision to waive specific nutrition labeling requirements. Zoe Olson, Executive Director of the Nebraska Restaurant Association, also took part in the news conference. She talked about how the regulatory changes will benefit restaurants and the communities they serve.

Gov. Ricketts: 21 Days to Keep Nebraska Healthy

- We are now on Day 5 of the 21 Days to Stay Home to Keep Nebraska Healthy.
- I want to remind people of our Six Rules to Keep Nebraska Healthy.
    1. Stay home. No non-essential errands and no social gatherings. Respect the ten-person limit.
    2. Socially distance your work. Work from home or use the six-foot rule as much as possible in the workplace.
    3. Shop alone and only shop once a week. Do not take family with you.
    4. Help kids follow social distancing. Play at home. No group sports. And no playgrounds.
    5. Help seniors stay at home by shopping for them. Do not visit long-term care facilities.
    6. Exercise daily at home or with an appropriately socially-distanced activity.
- We have seen a very positive response to these rules, and we encourage people to post them in their home and in their workplace.

Gov. Ricketts: Restaurant Pop-Up Stores

- Today is #TakeOutTuesday, and I want to remind Nebraskans to support their local restaurants.
- The pandemic has hit restaurants incredibly hard. That's why we've been cutting red tape for them, such as allowing takeout of beer, wine, and mixed drinks.
- Today, we are taking new steps to allow restaurants to provide additional products to consumers during the pandemic.
    - The United States Food and Drug Administration (FDA) issued a temporary policy allowing restaurants to sell food without a Nutrition Facts label.
    - As a result, the Nebraska Department of Agriculture (NDA) will allow food establishments to sell food without nutrition labeling.
    - This will give Nebraska consumers additional access to in-demand food and supplies.

Director Wellman: Food Labeling Waiver

- The FDA recently issued guidance to provide restaurants and food manufacturers with flexibility regarding nutrition labeling. This will permit them to sell certain packaged foods during the COVID-19 pandemic.
- As a result of this guidance, I am issuing an order today to allow retail sales of packaged foods at Nebraska restaurants and other food establishments during the pandemic.
- Packaged food is bulk food that restaurants usually buy from manufacturers, distributors, or local farmers.
- The Nutrition Facts label that consumers normally see on retail sale packages may not be on these products.
- During the pandemic, NDA will not object to the sale of packaged foods that lack a nutrition fact label, provided the food does not have any nutritional claims and contains the following required information on a label:
    - Statement of identity
    - Ingredient statement
    - Name and place of business of the food manufacturer, packer, or distributor
    - Net quantity of contents
    - Allergen information required by the Food Allergen Labeling and Consumer Protection Act
- This action will allow for the sale of readily available provisions in restaurants to give consumers greater accessibility to food and supplies.
- NDA will also allow food establishments to sell food and other related items which do not meet all of the requirements of the Weights and Measures Act so long as the food and items are not being sold in a deceptive or misleading manner.
- As a reminder, NDA has a COVID-19 resource page on our website at nda.nebraska.gov/COVID-19 (http://nda.nebraska.gov/COVID-19).

Zoe Olson: Restaurant Pop-Up Stores

- Across the state, Nebraska's restaurateurs have dedicated their lives to providing nourishment to the communities they serve.
- During this crisis, our restauranteurs have changed their mode of operations on short notice several times. These establishments are struggling to survive as small businesses, and they are our family, friends, and neighbors.
- As a way for our restaurant community to continue to nourish our communities and neighborhoods, we are offering temporary retail service within our restaurants.
- Over the coming days, we will have items you can purchase along with your take-out or delivery order.
    - These are items that may be limited in normal retail locations, such as meat, eggs, milk, toilet paper, paper towels, or disinfectant.
- This process will:
    - Help move products available from our amazing allied members—Sysco, Cash-Wa, and US Foods—to the public. These are high-quality items, but they are not labeled for retail sale.
    - Provide a measure of relief to grocery stores and their staff who have been working non-stop to provide product for consumers. We partner with the grocers to bring much-needed food to all communities in Nebraska.
    - Allow small communities that may have a bar or restaurant, but no grocery store, to provide local access to food and supplies.
    - Allow consumers to shop with fewer people than seen at traditional retail stores.
    - Allow Nebraskans to purchase staple items with food deliveries to promote social distancing.
    - Provide an alternative way to shop, as many shopping services currently have 3-5 day wait times due to increased demand.
    - Give restaurants an opportunity to remain open by creating a new revenue stream.
    - Give restaurants an opportunity to continue to employ staff.
    - Allow the community to continue to support local restaurants.
- Thank you to Sysco for bringing this concept to the Nebraska Restaurant Association and for working with us to communicate its value.
- Thank you to the Governor for continuing to be open to solutions for Nebraska's needs during this time of crisis.

Full video of today's press briefing is available by clicking here (https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.dropbox.com%2Fs%2F1jejst4tlyyy0af%2FPress%2520Conf%25204.14.2020.mp4%3Fdl%3D0&data=02%7C01%7Ctaylor.gage%40nebraska.gov%7

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