



17 March 2020

Business support 24/7 during coronavirus pandemic

Food industry: food service establishments, food shops, retail outlets, food producers

The ongoing state of emergency related to the growing number of COVID-19 infections in Poland is a challenge for businesses, particularly in the food, food service and retail sectors. It is crucial to react quickly and effectively in order to ensure epidemic security and, at the same time, continuity of supply of food and other goods needed by society.

It is important for all food production, food service and retail establishments to comply with the restrictions imposed on food service operations and the sale of goods in large mass retail outlets as well as the recommendations for an enhanced hygiene regime. In particular, it may be recommended to increase hygiene standards laid down in HACCP procedures, to provide additional instructions to employees who have contact with food, and potentially to modify standard procedures for food production and distribution.

Food service establishments

On 14 March 2020, an epidemic state of emergency was introduced in Poland by way of the Minister of Health Regulation of 13 March 2020 declaring an epidemic state of emergency in Poland (the "**Regulation**").

Under § 5(1)(1) of the Regulation, a temporary restriction has been introduced on businesses conducting activities, inter alia:

- involving preparing and serving meals and beverages to guests sitting at tables or guests choosing their
 own dishes from a menu displayed, excluding the provision of services involving preparing and serving
 take-away food or its preparation and delivery, and restaurant or bar activity conducted in means of
 transport, performed by separate units (...);
- related to the consumption and serving of beverages;
- related to the operation of tourist accommodation and other short-stay accommodation.

Shopping centres and food shops

Under § 5(2) of the Regulation, a temporary restriction has been introduced on businesses conducting in commercial facilities with a sales area of over 2,000 m2:

- (i) retail trade to tenants of commercial space whose main activity consists of trading in:
 - (a) textiles,
 - (b) clothing products,
 - (c) footwear and leather goods,
 - (d) furniture and lighting equipment,
 - (e) radio, television or household equipment,
 - (f) stationery and books;
- (ii) food service and entertainment activities.

Importantly, for food service establishments in shopping centres, no exception is made for preparing and serving take-away food or preparing and delivering take-away food.

Special guidelines for commercial and service facilities were issued by the Ministry of Development. Selected example guidelines include:

- drawing customers' attention to the need to keep a safe distance in queues and at cash desks (at least 1-1.5m);
- not being afraid to draw the attention of co-workers and customers to not coughing and sneezing in our direction or in the direction of food products;
- promoting non-cash payment;
- promoting regular and thorough hand washing among facility staff with soapy water or disinfection of hands with an alcohol-based agent (min. 60%) (...);
- limiting, as far as possible, exposure in points of sale of non-prepacked food intended for direct
 consumption, especially bread, cakes, and where non-packed food is packed by the consumer drawing
 attention to appropriate hygiene;
- limiting the dressing and touching of products that are intended for consumption without washing and heat treatment (e.g. bread, rolls, confectionery);
- ensuring that commercial premises are clean and hygienic:
 - o touch surfaces such as self-service checkouts, countertops, counters and tables, handles, light switches, handrails and other items (e.g. telephones, keyboards, payment terminals) and also trolleys and baskets must be regularly wiped with disinfectant or wiped with water and detergent;
 - o all frequently used areas, such as toilets and common areas, should be regularly and carefully cleaned with water and detergent.

The full guidelines can be found at: https://www.gov.pl/web/rozwoj/wytyczne-dla-placowek-handlowych-i-uslugowych-w-zwiazku-z-rozprzestrzenianiem-sie-koronawirusa

Food producers

The Chief Health Inspector has issued Q&A about food and coronavirus, addressed particularly to food industry businesses and workers. The Health Inspectorate, following the guidelines of the World Health Organisation (WHO), recommends that people in contact with food should follow good hygiene practices, including proper hand washing to prevent contamination of food with potentially pathogenic microorganisms, including SARS COV-2:

- proper hand hygiene;
- coughing/sneezing hygiene;
- food safety rules;
- employees limiting close contact with any person who has respiratory symptoms (sneezing, coughing);
- persons with the above-mentioned symptoms are not allowed to work in food establishments.

The Chief Health Inspector also stresses that food sector workers must wash their hands:

- before starting working;
- before coming in contact with food intended for direct consumption, cooked, baked, fried;
- after processing or contact with raw, unprocessed food;
- after handling waste/rubbish;
- after completing cleaning/disinfection procedures;
- after using the toilet;
- after coughing, sneezing, blowing their noses;
- after eating, drinking or smoking;
- after handling money.

Finally, among the issues that the CHI highlights and at the same time those that apply particularly to food producers, it is worth mentioning, inter alia, the following:

- analysing internal cleaning and disinfection procedures;
- reviewing good hygiene practices and HACCP procedures to eliminate contamination gaps/pathways;
- minimising business trips and observance of rules of access to the production facility by outside persons;
- enhancing toilet washing and cleaning procedures;
- developing an internal crisis management plan;
- other additional instructional, educational and supervisory activities.

You can read the full text of the CHI's Q&A here: https://gis.gov.pl/aktualnosci/qa-dotyczace-zywnosci-i-koronawirusa.

We are at your disposal



Michał Tracz Senior Associate | Life Sciences Practice E: michal.tracz@dzp.pl



Jowita Prokop
Associate | Life Sciences Practice
E: jowita.prokop@dzp.pl