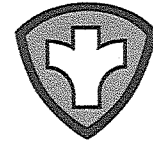


# Brown County Health Department

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**Public Health**  
Prevent. Promote. Protect.

Norman Oestrike, MD  
Brown County Health Officer

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As the State of Indiana Governor's Edict 20-32 specifically states in Section 10 subsection iii that "all employees and staff shall wear face coverings", in Restaurants and other Retail Food Establishments; and as Local Health Departments are allowed to mandate above and beyond the Governor's Edict requirements, the Brown County Health Department is instituting the following mandate for Brown County:

## **Food Establishments and Grocery Stores Violation Procedures.**

All employees are to wear masks at all times. Masks are to cover the nose and mouth. If an employee or staff member is observed without a mask at any time, or if there is misuse in the wearing of a mask so that it is ineffective, (such as under the chin) , this will be the process:

- 1) Verbal or written or emailed warning is given to food establishments to cease the unsafe practice. Specifics on who, where and when the violation was observed will be provided if possible. Then there will be a follow up inspection within 2 days of the violation by the health department.
- 2) If an additional violation is observed at that follow-up inspection, or if there is another complaint during that time on the lack of a mask or of bad mask usage, a certified letter requiring a receipt signature will be issued from the BC Health Department. Inspection will occur again within 2 days of issuing the certified letter by the Health Department
- 3) If violation is again observed by inspection or by another complaint during that time, the food establishment or grocery will be closed by authority of Section 116 ("Preventing Health Hazards") and Section 109 (Imminent Health Hazard number 8 – "Other circumstances that can endanger public Health") of the 410 IAC 7-24 Food Code (see these specific sections at the end of this letter).
- 4) The business then must demonstrate compliance by a signed letter of commitment and a documented staff training exercise with the specific time, attendees, and topics covered presented to the Brown County Health Department prior to being allowed to reopen. This re-opening will be allowed after signed Health Department Approval is granted.
- 5) Further violations will follow this same process and also be forwarded to IOSHA for follow-up.
- 6) Repeat violations may result in license revocation.

**IN ADDITION, the Health Department is ordering the following mandate;**

**CUSTOMERS of Dine-In Food Establishments and Grocery Stores;**

All people entering Dine-In restaurants and/or Grocery Stores are now required to wear masks.

For Dine-In establishments, when customers are not seated at their tables, such as going to the restroom or departing from the restaurant, they must wear a mask. Masks can be removed when eating and drinking at the table. Customers in outside seating areas must mask if entering the building.

Signs are to be posted on the establishment doors that customers must wear masks to enter the building. If the customer refuses to wear a mask, they are not to be allowed into the food establishment building or allowed into the grocery store.

Handwashing and Sanitizing of surfaces is of equal importance. All staff are to frequently wash their hands. All touch surfaces are to be sanitized frequently.

As more information is discovered about the COVID-19 virus, the transmission rates have been proven to be reduced by mask usage, and by the prevention of contamination of viral particles on surfaces. Consider the produce in groceries being displayed openly and possibly having someone coughing over the product ! This is one reason masks in groceries are essential. Masks are proven to help reduce viral particle transmission by at least 65%.

This policy is for the health protection of Brown County. Our community is a tourism based community, and we must strive to protect our residents and businesses from a large COVID-19 outbreak that would have severe consequences for all.

Norman Oestrike, MD

Brown County Health Officer

## Food Code Sections;

### 410 IAC SECTION 7-24-116 Preventing Health Hazards; provisions for conditions not addressed

Sec. 116 (a) If necessary to protect against public health hazards or nuisances, the regulatory authority may temporarily impose specific requirements in addition to the requirements contained in this rule that are authorized by law.

(b) The regulatory authority shall document the conditions that necessitate the imposition of additional requirements and the underlying public health rationale. The documentation shall be provided to the retail food establishment and a copy shall be maintained in the regulatory authority's file for the retail food establishment.

(c) For the purposes of this section, a violation of subsection (a) or (b) is a noncritical item

### 410 IAC 7-24- 109 Ceasing operations, reporting, and resumption of operations

Sec. 109 (a) Except as specified in subsection (b), the owner or operator of the retail food establishment shall immediately discontinue operations and notify the regulatory authority if an imminent health hazard may exist because of an emergency, such as the following;

- (1) Fire
- (2) Flood
- (3) An extended interruption of electrical or water service
- (4) A sewage backup
- (5) A misuse of poisonous or toxic materials
- (6) An onset of an apparent food borne illness outbreak
- (7) A gross unsanitary occurrence or condition
- (8) Other circumstances that may endanger public health**

(b) The owner or operator of a retail food establishment need not discontinue operations in an area of the establishment that is unaffected by the imminent health hazard.

(c) If operations are discontinued as specified under this section or otherwise according to law, the retail food establishment shall obtain approval from the regulatory authority before resuming operations

(d) For purposes of this section, a violation of subsection (a) is a critical item

(e) For purposes of this section a violation of subsection (b) or (c) is a noncritical item.

**Governor's Edict – 20-32 Section 10 Restaurants Section iii – Employees and Staff;; All employees and staff shall be screened for COVID-19 symptoms before being allowed to work and all employees and staff shall wear face coverings;**