



**An Important Updated Message to Retail Food Service Establishments
about
Coronavirus (COVID-19) Food Service Restrictions**

The Governor has issued an Executive Order which may affect your facility. Please see Section 4 of the Executive Order (located at the end of this document) for information related to retail food establishments. A copy of the Executive Order is attached.

To facilitate social distancing, restaurants and bars can no longer provide sit down dining. **This applies to both indoor and outdoor dining areas.** The Governor is encouraging all affected facilities to provide take out, drive through or delivery service. Patrons may come into the facility to place orders. However, to promote social distancing, we are encouraging that orders be taken via phone, online or at a service window.

Retail food establishments are not required to notify DHEC or the Division when they become aware of an employee who tests positive for COVID-19. There is also no requirement for public notification by your facility should you have a report of a positive employee. COVID-19 is a reportable disease, but that requirement is the responsibility of the medical provider or the testing laboratory, not the patient or their employer.

Retail stores, convenience stores and hotel breakfast service may continue to offer self-service food service such as grab and go, hot dog and pizza or other food pick up; however, any seating areas need to be closed.

If you choose to temporarily close your facility due to the Governor's Executive Order, you do not need to notify DHEC, and you can reopen without notifying DHEC.

If a follow-up is scheduled for your facility, DHEC will be contacting you by phone to discuss the processes for conducting the inspection.

For the duration of the emergency restrictions and to encourage social distancing practices, DHEC will not be conducting routine inspections. However, we will come and provide a non-graded evaluation and consultation upon request. Requests can be made to the Division of Food and Lead Risk Assessments at (803) 896-0640/ foodsafetyteam@dhec.sc.gov or to your [regional BEHS office](#).

DHEC is continuing to encourage all retail food service establishments to be vigilant by emphasizing employee health, good hygiene and sanitation practices for your employees. While

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COVID-19 is not spread by food, continued action should be taken to prevent the person to person spread of COVID-19 from an infected food worker to co-workers and/or customers.

Food workers should not work when sick or touch ready-to-eat foods with bare hands. They should carefully wash their hands with warm water and soap often.

Other steps you can take to help South Carolinians stay healthy include:

- **Adhere to the Governor's order to provide take out or delivery service only**
- Cover coughs and sneezes
- Appropriately dispose of tissues and other items you've coughed and sneezed into
- Ensure routine environmental cleaning and disinfection of frequently touched surfaces and objects, such as tabletops, countertops, doorknobs, etc.
- Be prepared and informed

As part of our ongoing communications efforts, you may find the following materials and information helpful:

- In addition to your employee health policy, use this guidance from the CDC: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>
- [Novel Coronavirus \(2019-nCoV\) and You \(pdf\)](#)
- [COVID-19 Quick Facts](#)
- **Poster:** [Stop the Spread of Germs](#)
- <https://www.fda.gov/emergency-preparedness-and-response/mcm-issues/coronavirus-disease-2019-covid-19-frequently-asked-questions>

For questions related to the coronavirus, visit our website at scdhec.gov/COVID19.

If you have questions about the restrictions on service, food sanitation or hygiene practices, please call or email the Division of Food and Lead Risk Assessments at 803-896-0640/ foodsafetyteam@dhec.sc.gov.

Section 4. Pursuant to the aforementioned authorities and other applicable law, as well as the following specific provisions, I hereby order and direct that any and all restaurants or other food-service establishments (collectively, "Restaurants"), as set forth below, which prepare, produce, or otherwise offer or sell food or beverages of any kind for on-premises consumption in the State of South Carolina, shall suspend services for, and may not permit, on-premises or dine-in consumption, beginning Wednesday, March 18, 2020, and through Tuesday, March 31, 2020. Notwithstanding the foregoing directive and prohibition, I hereby authorize, permit, and encourage Restaurants to prepare, produce, or otherwise offer or sell food or beverages for off-premises consumption to the extent currently authorized, permitted, or otherwise allowed by law, whether via delivery, carry-out or drive-thru distribution, curbside pick-up, or other alternate means.

For purposes of this Section, Restaurants are defined as “retail food establishment[s],” pursuant to citation 1-201.10(B)(106) of Regulation 61-25 of the South Carolina Code of Regulations, licensed or permitted by DHEC in accordance with section 44-1-140 of the South Carolina Code of Laws, as amended, or other applicable law, with the exception of “independent living food service operations” or “licensed healthcare facilities,” which are expressly excluded from the definition of Restaurants. This Section does not apply to grocery stores, pharmacies, convenience stores, gas stations, or charitable food distribution sites to the extent that such businesses, entities, or operations prepare, produce, or otherwise offer, sell, or distribute prepared food. However, on-premises, sit-down food or beverage service within these facilities is prohibited. This Section does not direct the closure of retail beverage venues that currently provide for the sale of alcoholic beverages for off-site consumption and does not require the closure of production operations or wholesale distribution at breweries, wineries, or distilleries. Notwithstanding the foregoing, to the extent that Restaurants are licensed or permitted by the South Carolina Department of Revenue (“DOR”) for the on-premises sale of “alcoholic liquors” or “alcoholic beverages,” as defined by section 61-6-20(1)(a) of the South Carolina Code of Laws, as amended, DOR and the South Carolina Law Enforcement Division are authorized to administer the provisions of this Order, and enforce compliance with the same, as necessary and appropriate. Pursuant to section 1-23-370(c) of the South Carolina Code of Laws, as amended, “[i]f the agency finds that public health, safety[,] or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action.”

Pursuant to sections 1-3-430 and 1-3-440 of the South Carolina Code of Laws, the undersigned is authorized to enforce the provisions of this Order, as well as Executive Order No. 2020-08, “by use of all appropriate available means,” to include, *inter alia*, “[o]rder[ing] any and all law enforcement officers of the State or any of its subdivisions to do whatever may be deemed necessary to maintain peace and good order” and “order[ing] or direct[ing] any State, county[,] or city official to enforce the provisions of such proclamation in the courts of the State by injunction, mandamus, or other appropriate legal action.” In addition to the foregoing authorities, noncompliance with this Section shall be further governed by the provisions of section 16-7-10(A) of the South Carolina Code of Laws.