

**Frequently Asked Questions: COVID-19**  
**Food & Agriculture Industry**  
**March 31, 2020**

*NOTE: This information is continually evolving. Please check back for the latest updates.*

**Q1. *I don't know if I am considered essential. How do I find out?***

**A)** Please review the [Governor's Stay At Home Executive Order 2020-21](#).

Also, review [MDARD guidance](#) on what is considered critical agriculture infrastructure.

The Attorney General launched a new [website](#) dedicated to coronavirus, including suggested practices for police and prosecutors (at the bottom of the page).

MDARD also added to the coronavirus website:

- [Guidance for individuals](#) to determine when they can leave home
- [Guidance for business](#) to determine who can perform in-person work

The Q&A [website](#) is being updated regularly.

If there are uncertainties after reviewing this document, please contact legal counsel or an industry group for further clarification. If you have other questions, please email them to [MDARD-COVID19@Michigan.gov](mailto:MDARD-COVID19@Michigan.gov).

**Q2. *I own, work on, or operate a farm and have multiple tasks I need to accomplish to continue production operation. Can I do these tasks?***

**A)** Under the Governor's Executive Order 2020-21 it states, "No person or entity shall operate a business or conduct operations except to the extent that its workers are necessary to sustain and protect life, regardless of whether the business or operation is open to members of the public." Agriculture broadly falls under this category, as the continuation of the food system is crucial. Therefore, you can do what is necessary to continue to function. Please keep in mind the following:

Such businesses and operations must adopt social distancing practices and other mitigation measures to protect workers and patrons. Those practices and measures include, but are not limited to:

- (1) Restricting the number of workers present at the job site to no more than are strictly necessary to perform the business' or operation's functions.
- (2) Promoting remote work to the fullest extent possible.

(3) Keeping employees at least six feet from one another to the maximum extent possible and enabling social distancing for customers who are standing in line.

(4) Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person who is known or suspected to have COVID-19.

(5) Any other social distancing practices and mitigation measures recommended by the Centers for Disease Control.

Additional information can be found [here](#).

**Q3. *I'm a lawncare/landscaping/residential fertilizer/tree trimming/ pest control business. Am I considered critical under the Governor's Executive Order 2020-21?***

**A)** Landscaping and lawncare are not considered essential except if the service is necessary to maintain and improve the safety, sanitation, and essential operations of a residence. Therefore, cosmetic and non-emergency maintenance and improvements to the outdoor areas of residences and businesses are not permissible under this order. Any necessary landscaping work that is carried out while the order is in effect must be done in accordance with the mitigation measures required under section 5(c) of the order.

More information for Michigan businesses can be found [here](#).

**Q4. *I need a letter for employees to show they're essential to my agriculture business and continue traveling to work. Where do I get one?***

**A)** The Michigan Agri-Business Association drafted a sample letter that can be found [here](#).

**Q5. *I am a supplier who works directly with agriculture producers and processors to keep them functioning. Am I an essential business?***

Under the Governor's Executive Order 2020-21 it states, "No person or entity shall operate a business or conduct operations except to the extent that its workers are necessary to sustain and protect life, regardless of whether the business or operation is open to members of the public." Agriculture broadly falls under this category, as the continuation of the food system is crucial. Therefore, you are able to do what is necessary to continue to function. Please keep in mind the following:

Such businesses and operations must adopt social distancing practices and other mitigation measures to protect workers and patrons. Those practices and measures include, but are not limited to:

- (1) Restricting the number of workers present at the job site to no more than are strictly necessary to perform the business' or operation's functions.
- (2) Promoting remote work to the fullest extent possible.
- (3) Keeping employees at least six feet from one another to the maximum extent possible and enabling social distancing for customers who are standing in line.
- (4) Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person who is known or suspected to have COVID-19.
- (5) Any other social distancing practices and mitigation measures recommended by the Centers for Disease Control.

A more detailed list of critical agriculture infrastructure can be found [here](#).

**Q6. *I own or operate a business that does some business with the agriculture industry. Am I an essential business?***

**A)** Governor Whitmer's Executive Order 2020-21 states, "No person or entity shall operate a business or conduct operations except to the extent that its workers are necessary to sustain and protect life, regardless of whether the business or operation is open to members of the public." Each employer must evaluate whether what they're doing is necessary to protect human health by ensuring the food supply chain works. If your business supports life and safety, it is essential.

A more detailed list of critical agriculture infrastructure can be found [here](#).

More resources for Michigan businesses can be found [here](#).

**Q7. *I operate or am a vendor in a farmers market, are we covered under the critical infrastructure of agriculture?***

**A)** Here is [MDARD's guidance](#) on Governor Whitmer's Executive Order 2020-21 where it states:

Workers supporting groceries, pharmacies, and other retail that sells food and beverage products.

MDARD recognizes that farmers markets fall under this category, but only for the sale of food and supplies necessary to support human health and life. Please use all necessary precautions to keep employees and customers safe.

**Q8. *I operate a brewery. Are we considered essential?***

**A)** Breweries are allowed to make beer for distribution, as well as take-out sales of food and beer at their establishments consistent with Governor Whitmer's [Executive Order 2020-20](#).

More information for Michigan businesses can be [found here](#).

**Q9. *What do I do if an employee is suspected of contracting COVID-19 or has tested positive for COVID-19 at my essential business?***

**A)** MDARD recommends following the Michigan Department of Health and Human Services and the Center for Disease Control guidelines, which can be found [here](#).

**Q10. *I am concerned about trucking my product. Will trucks be able to move interstate? What about CDL expiration and medical requirements?***

**A)** Trucking is considered a critical function under Executive Order 2020-21. The federal government has also put out guidance for the trucking industry found [here](#). The state continues to work to ensure the trucking of agriculture commodities can continue without delay or interruption. The department will post more information on the MDARD COVID-19 resource page as it becomes available.

**Q11. *I am concerned about bottle return. Do I still have to participate in the bottle return program?***

**A)** Although bottle return services are often located within grocery and convenience stores, they are not considered critical infrastructure. There will be no change in the deposit collected at the time of purchase during this temporary suspension of bottle return services.

**Q12. *I have a construction project ongoing or about to begin at my essential agriculture business. Can this continue?***

**A)** Some limited forms of construction are permissible, including construction to maintain and improve roads, bridges, telecommunications infrastructure, and public health infrastructure (such as the creation or expansion of hospitals or other medical facilities to provide or support the provision of necessary care during the emergency). Construction workers may also undertake projects that are necessary to maintain and improve the safety, sanitation, and essential operations of a residence.

Cosmetic and non-emergency maintenance and improvements to residences are not permissible under this order. In addition, a business may designate a construction firm to provide necessary support to its critical infrastructure

workers. All construction work that is carried out while the order is in effect must be done in accordance with the mitigation measures required under section 5(c) of the order.

**Q13. *I have an MDARD license that is going to expire soon. Will I be able to renew it during the “Stay Home, Stay Safe” order?***

**A)** MDARD continues to function at nearly full capacity with staff working from home and those in the field continuing their work while taking all precautions necessary to prevent the spread of COVID-19. MDARD staff will work to ensure all re-licensing continues on schedule. The department is looking into options for some specific licenses and further guidance will be shared as it becomes available.

**Q14. *I do work with animals, am I essential?***

**A)** The care of animals is covered under critical agriculture infrastructure. The guidance reads as follows:

- Workers who care for animals at veterinary clinics, animal shelters and research facilities. Veterinary clinics should only be performing essential life-saving procedures.
- Animal agriculture workers include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, bedding, etc.; transportation of live animals, animal medical materials; deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants; and associated regulatory and government workforce.
- MDARD recommends shelters minimize visits and adoptions unless there is a space need which jeopardizes health and welfare of the animals. If adoptions are deemed necessary for the well-being of animals, the shelter must take all appropriate precautions.
- The transportation of animals for sale or health purposes is also permitted.