

COVID-19 UPDATE March 21, 2020

Today Governor Murphy issued Executive Order 107 further limiting business operations in NJ and increasing the request for people to stay at home.

Find the full order here:

<http://d31hzhk6di2h5.cloudfront.net/20200321/72/72/ea/72/bec24cb2fad63980ea9e0db/EO-107.pdf>

What does this mean for NJ agriculture?

The order does several things that should be a comfort for New Jersey Agribusiness. Early in the executive order the instructions preempt local and county rules, regulations, ordinances or resolutions that run counter to his EO and the intent behind it. This means the state has one set of rules for operating during this emergency. He also issued Executive Order 108 to further clarify this statement.

The following is a list of essential business that can operate:
this list:

- a. Grocery stores, farmer's markets and farms that sell directly to customers, and other food stores, including retailers that offer a varied assortment of foods comparable to what exists at a grocery store;
- b. Pharmacies and alternative treatment centers that dispense medicinal marijuana;
- c. Medical supply stores;
- d. Retail functions of gas stations;
- e. Convenience stores;
- f. Ancillary stores within healthcare facilities;
- g. Hardware and home improvement stores;
- h. Retail functions of banks and other financial institutions;
- i. Retail functions of laundromats and dry-cleaning services;
- j. Stores that principally sell supplies for children under five years old;
- k. Pet stores;
- l. Liquor stores;
- m. Car dealerships, but only to provide auto maintenance and repair services, and auto mechanics;
- n. Retail functions of printing and office supply shops; and
- o. Retail functions of mail and delivery stores.

Farms, Farm Markets, and farms that sell direct are open under section a of this order they and all businesses are encouraged to do the following;

Essential retail businesses must, wherever practicable, provide pickup services outside or adjacent to their stores for goods ordered in advance online or by phone. Additionally, online and telephonic delivery services are permitted to the extent the retail business is authorized to operate an online or telephonic delivery service under existing law.

Any essential retail business whose brick-and-mortar premises remain open to the public shall abide by social distancing practices to the extent practicable while providing essential services. These include all reasonable efforts to keep customers six feet apart and frequent use of sanitizing products on common surfaces.

For social distancing purposes, the CDC recommends avoiding gatherings of 50 people or more, the Whitehouse is recommending gatherings less than 10, keep this in mind in your business operations.

The intent of the executive order is to encourage businesses to stay open but have workers work from home in those cases where it is impossible for workers to work from home a business can operate as long as they practice the above social distancing and use on line ordering and delivery services as much as possible. Examples of these businesses are out lined here.

Examples of employees who need to be physically present at their work site in order to perform their duties include, but are not limited to, law enforcement officers, fire fighters, and other first responders, cashiers or store clerks, construction workers, utility workers, repair workers, warehouse workers, lab researchers, information technology maintenance workers, janitorial and custodial staff, and certain administrative staff.

This would include lawncare and landscape businesses, florists, greenhouse and garden centers and their workers, agricultural workers working on a farm, that may not have a retail customer base.

The business action center has updated their website with additional information on how EO 107 and 108 can impact business in NJ please see the site for additional information

<https://faq.business.nj.gov/en/articles/3799035-how-do-executive-orders-no-107-and-108-on-closures-and-social-distancing-affect-my-business>

The federal government also issued their list of critical infrastructure industries and food and agriculture are part of that (NJ uses the same list) if you are concerned about employees traveling to and from work and the farm or on farm business please keep a copy of the 11 page in your vehicles.

<https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>