



Last Updated: March 27th, 2020

Overall Summary:

As the Federal Government is leading efforts to respond to coronavirus (COVID-19), states are serving on the front lines. Below is a quick summary of all the main resources that might be helpful to you and your staff. Please do not hesitate to reach out to NASDA staff with questions, concerns, or reports of disruptions impacting your department.

All this information can also be found at nasda.org/coronavirus.

STATE ACTIONS

- [National Governors Association](#): Updates on state declarations of emergency, and specific state actions.
- [National Conference of State Legislatures](#): Updates on state responses, bills, state travel restrictions, etc.
- [National League of Cities](#): Updates on the policy actions that cities across the U.S. are enacting.

FEDERAL ACTIONS

Federal agencies have created specific websites to provide updates on their efforts to combat the spread of coronavirus. Below is a quick summary of all the main information resources available:

I. CRITICAL INFRASTRUCTURE

- **Department of Homeland Security (DHS)**: Guidance on critical infrastructure workforce can be found [here](#).
 - DHS-Cybersecurity and Infrastructure Security Agency (CISA) indicated that the guidance will have minor edits as they collect more information from stakeholders. If you believe DHS-CISA guidance needs to be amendment or updates please send an email to CISA.CAT@CISA.DHS.GOV.
 - DHS-CISA does not plan on issuing any guidance on documentation for critical infrastructure workers at this point. States are taking different measures to address this issue such as, state agencies issuing letters, private companies giving letters to employees, and state agencies working

closing with law enforcement to address any challenge that might occur. Some state administrations have also explicitly stated that they will not require documentation.

- Industry proposed definition for critical infrastructure for the seed sector:
 - Seed Labs and companies conducting seed research including plant breeding
 - Seed producers including producers of research and foundation seed
 - Seed processors
 - Seed suppliers and brokers
 - Seed testing laboratories - private, state and Federal
 - Public and private seed certifying agencies
 - Manufacturers and suppliers of seed treatments including but not limited to insecticides, fungicides, inoculants and biologicals
 - Agricultural retailers and distributors
 - Transporters of agricultural inputs

II. WORKFORCE

- **State Department:**
 - Secretary Pompeo, in consultation with the Department of Homeland Security, has authorized consular officers to expand the categories of H-2 visa applicants whose applications can be adjudicated without an in-person interview.
 - Consular officers can, if they so choose, now waive the visa interview requirement for first-time and returning H-2 applicants who have no potential ineligibility.
 - This expansion also increases the period in which returning workers may qualify for an interview waiver. Applicants whose previous visas expired in the last 48 months (increased from 12 months), and who did not require a waiver of ineligibility the last time they applied, do not need to be interviewed in-person if they are applying for the same visa classification as their previous visa.
 - We anticipate the vast majority of otherwise qualified H-2 applicants will now be adjudicated without an interview.
 - Overall guidance on these actions can be found [here](#).

- **Department of Labor (DOL):** DOL is continuously updating their coronavirus information [here](#). See section: “Supporting Workforce Needs in the Agriculture Sector.”
- **U.S. Department of Agriculture (USDA):** USDA is working with the State Department and White House on H2A issues.
 - USDA will continue to update its website on the U.S. embassies status. U.S. Embassy and Consulate in Mexico closed on March 18th.
 - Updates: <https://www.farmers.gov/manage/h2a>
 - Frequently asked questions: [here](#)
 - If there are *specific situations* that you are aware of please send the details to (aglabor@usda.gov)

III. TRANSPORTATION

- **Department of Transportation (DOT):** DOT is working closely with the White House and industry stakeholders to ensure continuation of critical infrastructure support. More information around DOT coronavirus efforts can be found [here](#).
- **Hours-of-Service (HOS):** FMCSA has extended their existing emergency declaration that provides hours-of-service relief to truck drivers transporting essential COVID-19 items until May 15th, 2020. The extension also expanded the waiver to cover liquefied gases to be used in refrigeration or cooling systems. The full declaration can be found [here](#).
 - FMCSA has identified the following food/ag items as exempt: ***packaging for food, livestock, wood pulp, feed, and fertilizers.***
 - Currently, FMCSA has deemed ***pet food as ineligible for HOS relief.***

FMCSA continues to monitor the list of eligible products, if there are items that should be included and are not, please reach out to FMCSA at FMCSADeclaration@dot.gov.

 - More information on specific exempt items, ELD use, etc. can be found here:
 - [FAQ: FMCSA’s Emergency Declaration \(HOS\)](#)
 - [FAQ: FMCSA’s Emergency Declaration FAQ \(Part 2\)](#)
- **Commercial Driver’s License (CDL) Waivers:** FMCSA has granted, until June 30, 2020, a waiver for expiring commercial driver’s licenses and commercial learner’s permits. More details around the waivers can be found [here](#).

- **State to State Resources:**
 - American Trucking Association is tracking closures of state driver license agencies, CDL expiration date extensions, new CLP and CDL issuance / testing restrictions, increased size and weight limits, parking and rest stop availability across all 50 states [here](#).

IV. ADDITIONAL RESOURCES & INFORMATION, BY AGENCY:

- **U.S. Department of Agriculture (USDA):** The U.S. Department of Agriculture developed a website addressing some of the main areas of concerns as relates to USDA's activities. Additionally, USDA has added frequently asked questions related to Food Safety, Access to Food, Pet Safety and Trade, and Foreign Agricultural Affairs <https://www.usda.gov/coronavirus>.
- **Food Supply Chain Disruption:** USDA is part of the food supply chain interagency working group. If you are currently hearing of any major disruptions on the food supply chain in your state or has any questions please contact USDA at foodsupplychain@usda.gov.
- **Access to Food:** USDA created flexibilities for their FNS programs during the pandemic response. More information can be found [here](#).
 - **Child Nutrition Waivers:** USDA released three additional nation-wide waivers for Child Nutrition programs.
 1. **Parent pick-up waiver:** Allows for;
 - State level waiving of the student pick-up requirements across all child nutrition programs in a targeted and justified approach.
 - Parents or guardians to pick up meals for children without the children needing to be present at the site.
 - *NOTE:* State agencies must have a plan in place for ensuring that Program operators are able to maintain accountability and program integrity at open sites.
 2. **Meal pattern flexibility:** Allows for;
 - State level waiving of the meal pattern requirements across all child nutrition programs in a targeted and justified approach.
 - State agencies to waive certain meal patterns in the Child Nutrition programs at various sites, provided that local Program operators requests are targeted and

justified based upon disruptions to the availability of food products resulting from unprecedented impacts of COVID-19.

- *NOTE:* Local Program operators must contact their State agency for approval to utilize this waiver, and State agencies must report to their FNS Regional Office when and where this waiver is in effect and for what food components.

3. **Delay in CEP Requirements:**

- This waiver extends the data collection, notification, and election deadlines for the Community Eligibility Provision (CEP) for the upcoming 2020-2021 school year allowing additional flexibilities for this reporting during these unprecedented times.

Find your FNS local office [here](#).

- USDA is also working with the private sector to deliver boxes of food to children affected by coronavirus related school closures. If you know of any stakeholder in your state that would like to be part of this effort please have them reach out to feedingkids@usda.gov.
- **Food Safety:** USDA is ensuring food safety during the COVID-19 outbreak. The following agencies have provided operational updates and can be found here: <https://www.usda.gov/media/press-releases/2020/03/17/usda-ensures-food-safety-during-covid-19-outbreak>
 - **Food Safety and Inspection Service (FSIS):**
 - Meat, poultry, and processed egg inspection services continue as normal.
 - Planning for absenteeism is a part of normal FSIS operations and as such, FSIS is closely monitoring and tracking employee absenteeism to plan for and minimize impacts to operations.
 - FSIS is also working to prioritize inspection at establishments based on local conditions and resources available.

- **Animal Plant Health Inspection Service (APHIS) and Agricultural Marketing Service (AMS):**
 - APHIS and AMS continue to provide critical inspections and grading services.
 - APHIS and AMS are ensuring the health and safety of USDA employees while still providing the timely delivery of the services to maintain the movement of America's food supply moving from farms to forks.
 - APHIS and AMS are prepared to remedy any possible disruptions in their services.
 - AMS will continue to report commodity prices through its market news service.
 - Commodity markets can be assured that the USDA will keep America's food supply safe as well as abundant during this national emergency.
 - The National Veterinary Stockpile maintains supplies of PPE and disinfectant which is used to support animal health disease events, such as the ongoing virulent Newcastle disease incident in California. Any request to redirect for the public health emergency should come through federal partners (HHS/FEMA) to ensure supplies are distributed to the areas with most need. In determining what to release, a decision on minimum levels to maintain for animal health mission activities and the ability to restock to maintain response capabilities and lab operations would have to be made.
 - APHIS frequently asked questions: [here](#)

- **Trade operations:** In collaboration with U.S. Customs and Border Protection, USDA continues to inspect imported agriculture and food products. The Foreign Agricultural Service has postponed trade promotion activities, including trade missions and shows.

- **Rural Development:** USDA Rural Development launched a website specific to the RD covid-19 response [here](#).

- **Food and Drug Administration (FDA):** NASDA is in communication with FDA about continuity of operations. We should have more will be provide you updates from the agency pertinent to cooperative agreements and inspections soon.
 - **Audit Guidance:** Temporary Policy Regarding Preventive Controls and FSVP Food Suppliers Verification Onsite Audit Requirements
 - FDA issued [guidance](#) outlining that due to restrictions, FDA is aware that the ability to do onsite audits as part of the supplier verification activities under the PCHF, PCAF, and FSVP regulations is going to be impacted due to coronavirus. This guidance provides a temporary enforcement discretion policy.
 - **Clarifying food worker status as part of critical infrastructure sector:** FDA is working with state and federal officials to ensure that law enforcement agencies are made aware that human and animal food workers are part of the critical infrastructure and must be allowed to travel to and from their jobs.
 - Please spread this message and work with your sister agencies and food stakeholders to spread this word. There have been instances of workers being stopped.
 - If your stakeholders are experiencing issues regarding supply chains, delivery of goods, or business continuity, please contact the FEMA National Business Emergency Operations Center at NBEOC@fema.dhs.gov. This is a 24/7 operation and they can assist in directing your inquiry to the proper contact.
 - **Temporary Policy Regarding Nutrition Labeling of Packaged Foods:** guidance is [here](#) to provide restaurants and food manufacturers with flexibility regarding nutrition labeling so that they can sell certain packaged foods during the COVID-19 pandemic.
- **Environmental Protection Agency (EPA):** Additional information on approved disinfectants, and expedited product approvals.
 - EPA's [announcement](#) on enforcement and compliance.
- **U.S. Trade Representative (USTR):** USTR staff continue to work on implementation and enforcement of trade agreements. No updates to share regarding current negotiations.
- **Department of Interior (DOI):** The Department does not anticipate any delays with processing or approving federal grazing permits. Turnout for the summer grazing season is proceeding as planned.

- **Centers for Disease Control and Prevention ([CDC](#)):** More on the novel coronavirus and its situation in the United States.