

The emerging normal: navigating food establishment precautions amidst the COVID-19 pandemic in Dubai

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As part of the COVID-19 "lockdown measures" in Dubai, all dine-in restaurants, cafés and food establishments were temporarily closed as from 25 March 2020. As from 24 April 2020, the Dubai government began the process of easing certain lockdown measures. This facilitated the reopening of food establishments, subject to certain restrictions. This alert provides an overview of the various precautionary measures for food establishments in the wake of the UAE lockdown restrictions easing.

Pre-opening measures

Before re-opening, business owners should ensure that their food establishments are well placed to operate in full compliance with the various precautionary measures imposed. In achieving this, pre-opening measures should include:

- undergoing a cleaning a disinfectant exercise using government approved disinfectants¹;
- hanging a red tag at the entry point of any dine in facility indicating the "revised seating capacity" (one customer for every 4 metres of dining area);
- placing tables and seating at least two metres apart;
- posting a notice at all entry points reminding customers of certain safety precautions²;
- ensuring adequate hand washing facilities, with soap and running water, are available for customers at all times;
- placing hand sanitizer (containing at least 60% alcohol) at regular intervals throughout the facility;
- ensuring the outlet has sufficient dedicated cleaning staff available to regularly sanitize the facility; and
- ensuring a sufficient supply of disposable face masks and hand gloves are available for staff/customer use.

¹ For a list of the approved disinfectant, please see here: https://www.dm.gov.ae/en/Business/HealthAndPublicSafety/Documents/Health%20and%20Safety%20Consultancy%20and%20Training%20Companies/DM-PH%26SD-L2_APB_List%20of%20approved%20professional%20Use%20%20Business-to-Business%20%e2%80%9cB2B%e2%80%9d%20Biocides_v4.pdf

² For poster format please see here: http://www.foodsafe.ae/pic/requirements/Poster_for_Precautions_COVID-19.pdf

Food establishments offering dine in facilities must also apply for a special permit via the Foodwatch Connect App³ to reopen (the "**Special Permit**"). The Special Permit applies to restaurants, cafés and staff canteens. Although it is not mandatory to obtain the Special Permit prior to re-opening a food establishment, it must be obtained within 14 days of an establishment reopening for dine-in services. The Special Permit application requires the "person in charge" of the establishment to submit information about the venue's dining area, revised seating capacity and photos of the area itself.

Heightened sanitation measures

Once the food establishment has reopened the following heightened sanitation measures should be carried out:

- thorough cleaning and disinfection of the food establishment after it has closed for the day;
- frequent cleaning and disinfection of all hand contact surfaces using approved disinfectants;
- toilets are to be sanitized after each use and should have their own dedicated cleaners; and
- seating, dining furniture and any re-useable menus must be cleaned with alcohol solution (containing at least 75% alcohol) after each customer use.

Disinfection compliance is required to be confirmed daily using the Foodwatch Connect App.

Health screenings and monitoring

It is the employer's responsibility to assess all staff at the beginning of their shift (i.e. they must take their temperature and assess for any cough (even mild cough), shortness of breath or body aches). Whilst the Dubai Municipality directives only reference assessment of staff at the beginning of their shift, separate general regulations issued by the Ministry of Human Resources and Emiratization require all employees to be assessed at the beginning and end of their shifts (i.e. twice a day). As such food establishments should also assess staff at the end of their shifts. The Dubai Municipality directives indicate that anyone with a temperature of 37.3 degrees Celsius or more or displaying any other symptoms mentioned above should be sent home/instructed to stay at home and seek immediate medical care.

Although there is no specific guidance on how an employee's health should be assessed, we recommend that an employer:

- asks their employees to complete a written survey on their health; and
- uses any reliable method (while minimising contact between individuals) to measure their employees' temperature.

Customers are also required to undergo a body temperature check before entering the establishment. Whilst not specified it would be sensible to conclude that the threshold entry requirement would be the same as for staff (i.e. a temperature of less than 37.3 degrees Celsius).

Food establishments must refer suspected or confirmed cases of COVID-19 to the relevant health authority immediately.

³ https://play.google.com/store/apps/details?id=com.gov.dm.foodwatchinspection&hl=en_GB;
<https://apps.apple.com/ae/app/foodwatch-connect/id1462741840>

Hygiene measures for staff

Food service workers must to adhere to hygiene measures, including but not limited to:

- maintaining high levels of personal hygiene at all times;
- wearing clean, suitable uniforms provided by their employer;
- reporting any illness or contact with any ill person to their supervisor;
- avoid touching their eyes, nose and mouth;
- refraining from handshaking;
- thoroughly washing their hands regularly (for at least 20 seconds with soap and water);
- not gathering together in common areas;
- wearing facemasks and disposable gloves all times whilst at work; and
- using hand sanitizer (of at least 60% alcohol) at regular intervals.

It is the employer's responsibility to provide their staff with appropriate handwashing facilities, facemasks, plastic gloves and hand sanitizer required to comply with these hygiene measures.

Disposable cutlery and plates

All serving utensils, cutlery, plates, dishes and cups should be of a single use nature. Moreover, disposable cutlery should be provided individually and wrapped in plastic.

Social distancing measures

Food preparation staff

With respect to food preparation staff, the Dubai Municipality has directed that physical distancing guidance should be followed as far as reasonably possible. Where working arrangements mean social distancing is difficult or impractical, food establishments should consider alternative measures that can be practiced to protect its staff. For example, the number of staff in the food preparation area can be limited and workstations can be staggered so those preparing food are not facing one another.

Customers

Although food establishments must space tables and seats seating two metres apart, there is no specific limit on the number of people per table (subject of course to the 2 metre distance requirement for those not from the same household). There is however other restrictions in place. For instance, customers are not permitted to remain in restaurants or cafés for longer than three hours. Additionally, all self-service counters and waiting areas in food establishments must be closed until further notice.

Although cash must still be accepted, food establishments have been advised to promote smart payments such as the use of bank cards and other means of digital payment.

Enforcement

Through intense inspection campaigns, Dubai Municipality has shown particular vigilance in ensuring all businesses comply fully with the recent precautionary measures. Food establishments who fail to adhere are exposed to the risk of fines and restaurant closure. It will therefore be of critical importance for food establishment owners to ensure they monitor Dubai Municipality directives as regards all new precautionary measures and ensure their staff has a clear understanding of what is required.

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