

CRA ADVISES CALIFORNIA DISTRIBUTION CENTERS CAN STAY OPEN UNDER STATE ORDER

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California Governor Newsom has clarified that distribution centers in California can remain open under his Safer At Home order, stating that “distribution centers are part of critical infrastructure for many industries,” according to the California Retailers Association. CRA also reports that it has obtained oral confirmation from the governor’s office that online sales and shipping activities can continue under the order.

As we previously reported, Governor Newsom on Thursday issued a statewide order directing all individuals to stay at home “except as needed to maintain continuity of operations of the federal critical infrastructure sectors.” The order went into effect on Thursday, and is in place until further notice.

As to exempt business activities, the order and web page providing more information on the order both refer to the Guidance on the Essential Critical Infrastructure Workforce by the U.S. Dept. of Homeland Security’s Cyber Infrastructure (CISA), which lists 16 federal critical infrastructure sectors, including Food and Agriculture.

The Guidance lists as critical Food and Agriculture workers who support “food, feed, and beverage distribution, including warehouse workers, vendor managed inventory controllers and block chain managers” as well as employees who support “infrastructure necessary to agricultural production and distribution.”

Other exempt Food and Agriculture workers include:

- Workers supporting groceries, pharmacies and other retail that sells food and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees

More than a dozen California counties and cities have also issued shelter-in-place orders. As to how the state order interacts with county and city orders, and whether it supersedes them, the Safer at

Home web page merely states: “This is a statewide order.”

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