



January 8, 2021

Submitted Electronically

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RE: Safety and Health Codes Board intent to adopt Permanent Standard for Infectious Disease Prevention: SARS-CoV-2 Virus That Causes COVID-19, 16VAC25-220

Dear Safety and Health Codes Board Members:

I am writing you today on behalf of the Virginia Wineries Association to provide comments regarding the proposed Permanent Standard for COVID-19 mitigation. The Virginia Wineries Association (VWA) is a member-based trade association representing the Virginia wine and cider industries, contributing \$1.37 billion to the Virginia economy as last calculated in 2017.

We oppose the standard as an unnecessary, static, and one-size fits all policy that does not allow the industry to adapt to the latest science and guidelines for mitigation. The Northam Administration is currently coordinating an effort to distribute the vaccine for COVID-19. As the vaccine is distributed over the next several months, public safety measures and mitigation strategies are likely to change. This static regulation is not adaptable to these changing recommendations.

In response to COVID, our public-facing farm wineries and cideries have vigorously followed the Governor's Phased Guidelines. This permanent standard is yet another layer of regulation this already heavily regulated industry must follow. It comes from yet another agency that leads to further confusion and endangers the very workers the standard seeks to protect.

In addition, we request that the regulations not encompass other infectious diseases, as not all infectious diseases are transmitted the same or mitigated in the same manner. The Emergency Temporary Standard was proposed to deal specifically with SARS-COV-2 and the Permanent Standard is largely unchanged in mitigation measures. An expansion of the current Permanent Standard to all future, unspecified diseases violates the purpose for the statute and puts an unspecified burden on businesses with no practical benefit of preventing the spread of disease.

We also request the Board include a provision repealing the standard when the Governor removes the State of Emergency related to COVID-19. The Governor has stated he expects life to be back to a relative normal by mid-summer. If the state of emergency is removed, a permanent standard responding



to a temporary threat is nonsensical, and therefore, should sunset when the Governor's State of Emergency expires.

Again, we kindly request the Virginia Safety and Health Codes Board reject the permanent standard given the changing science of SARS-COV-2 and for the previously stated reasons. We appreciate the opportunity to comment and would be happy to answer any questions the Board may have.

Sincerely,

A handwritten signature in black ink that reads 'Laurie P. Aldrich'.

Laurie Aldrich
Executive Director