



**Public Health Department  
of Mendocino County**

*Healthy People, Healthy Communities*

**Andy Coren, MD, County Health Officer**



**ORDER OF THE HEALTH OFFICER OF MENDOCINO COUNTY  
TO REQUIRE POSTING OF CONSUMER NOTICE OF VACCINATION POLICIES FOR  
PATRONS AND WORKERS WHERE FOOD AND DRINK ARE PROVIDED INDOORS**

**DATE OF ORDER: September 19, 2021  
EFFECTIVE UNTIL RESCINDED**

**Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120275, et seq. and Mendocino County Ord. 4461 adopted March 31, 2020.)**

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, AND THE HEALTH OFFICER OF THE COUNTY OF MENDOCINO ("HEALTH OFFICER") ORDERS:

1. This Order takes effect upon release and may be rescinded, superseded, or amended in writing by the Health Officer.

**BASIS FOR THIS ORDER**

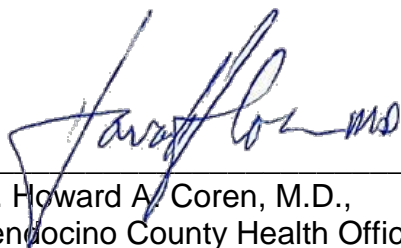
2. The California Department of Public Health (CDPH) has issued orders over the past several weeks requiring workers in certain high risk settings to be vaccinated, e.g., health care workers: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Health-Care-Worker-Vaccine-Requirement.aspx>, and local correctional facility health care workers: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Correctional-Facilities-and-Detention-Centers-Health-Care-Worker-Vaccination-Order.aspx>. CDPH has also issued orders requiring vaccine verification (with testing for those not fully vaccinated) in other high risk settings, such as schools: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Vaccine-Verification-for-Workers-in-Schools.aspx>. Locally, I have also extended vaccine verification with testing to EMS, Fire, Law Enforcement and Temporary Disaster Shelter workers in Mendocino County: <https://www.mendocinocounty.org/home/showpublisheddocument/45099/637648900683070000>.
3. Vaccination against COVID-19 is the most effective means of preventing infection with the COVID-19 virus, with the risk of infection reduced by 70 to 95 percent. Vaccination also appears to reduce the chance of transmission by an infected vaccinated person by 40 percent to 60 percent. The combination of reduced infection risk plus reduced transmission risk provides a very high level of protection for both customers and workers who are in close proximity. In contrast, the wearing of face coverings reduces

transmission by an infected person by about 70 percent. The combination of wearing face coverings and regular testing, with exclusion from work upon any positive test, significantly reduces the transmission risk.

4. The SARS-CoV-2 Delta variant which has become the dominant strain of the SARSCoV-2 virus in California and the County and is more contagious and causes more severe illness than previous strains of SARS-CoV-2. With the easing of COVID-19 prevention restrictions in business sectors since June 15, 2021, certain high-contact indoor sectors, specifically dining establishments where food or drink is served indoors are more vulnerable to transmission because masks come off for eating, drinking and socializing, creating situations in which the virus can spread more easily. We have seen examples of this transmission through such establishments in Mendocino County. Therefore, I am issuing this Order requiring these businesses (where food or drink is served indoors) to post signage providing notice to consumers of their patron and staff COVID-19 vaccination policies. I issue this Order concurrently with my accompanying and attached Guidance strongly urging such businesses implement policies (**by November 1, 2021**) of verification of vaccination for COVID-19 for patrons and workers (with weekly testing of unvaccinated workers) (see **Appendix A**).
5. Covered Businesses. This order applies to Covered Businesses which are defined as operators or hosts of establishments or events where food or drink is served indoors, including but not limited to, dining establishments, bars, clubs, theaters, and entertainment venues. For clarity, this does not include food or drink provided as part of a religious ceremony, (e.g., communion or Kiddush).
6. Required Signage for Patrons.
  - a. As soon as possible, but **no later than November 1, 2021**, all Covered Businesses are required to conspicuously post in at the entrance to the facility, accurate signage in English and Spanish (attached hereto as **Appendix B**) informing the public whether:
    - i. Patrons are required to provide proof of full vaccination for COVID-19 to enter the indoor portions of the facility for indoor dining/drinking; and
    - ii. Staff are required to provide proof of full vaccination for COVID-19 and undergo weekly testing if not fully vaccinated.
  - b. Covered Businesses may not post signage indicating they require verification of full vaccination for patrons unless they comply with all of the Recommended Vaccine Requirements For Patrons in the Guidance attached as Appendix A.
  - c. Covered Businesses may not post signage indicating they require verification of full vaccination for staff (and weekly testing for those not fully vaccinated) unless they comply with the all of the Recommended Vaccine Requirements for Staff in the Guidance attached as Appendix A.
7. Copies of this Order shall promptly be: (1) made available at the County of Mendocino Executive Office, County Administration Building, 501 Low Gap Road, Ukiah, California 95482, (2) posted on the County website,

[www.mendocinocounty.org](http://www.mendocinocounty.org), and (3) provided to any member of the public requesting a copy of this Order.

**IT IS SO ORDERED:**

A handwritten signature in blue ink, appearing to read "Howard A. Coren", is written over a horizontal line.

Dr. Howard A. Coren, M.D.,  
Mendocino County Health Officer

Dated: September 19, 2021

# **APPENDIX A**



**Public Health Department  
of Mendocino County**

*Healthy People, Healthy Communities*

**Andy Coren, MD, County Health Officer**



**HEALTH OFFICER GUIDANCE**

**Mendocino County Public Health Officer Strongly Urges Verification Of COVID-19  
Vaccination For Patrons And Workers Where Food And Drink Are Provided Indoors  
and Weekly Testing of Workers Who Do Not Provide Verification of Full Vaccination**

September 19, 2021

**BASIS FOR THIS GUIDANCE**

1. The California Department of Public Health (CDPH) has issued orders over the past several weeks requiring workers in certain high risk settings to be vaccinated, e.g., health care workers: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Health-Care-Worker-Vaccine-Requirement.aspx>, and local correctional facility health care workers: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Correctional-Facilities-and-Detention-Centers-Health-Care-Worker-Vaccination-Order.aspx>. CDPH has also issued orders requiring vaccine verification (with testing for those not fully vaccinated) in other high risk settings, such as schools: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Vaccine-Verification-for-Workers-in-Schools.aspx>. Locally, I have also extended vaccine verification with testing of those not fully vaccinated to EMS, Fire, Law Enforcement and Temporary Disaster Shelter workers in Mendocino County: <https://www.mendocinocounty.org/home/showpublisheddocument/45099/637648900683070000>.
2. Vaccination against COVID-19 is the most effective means of preventing infection with the COVID-19 virus, with the risk of infection reduced by 70 to 95 percent. Vaccination also appears to reduce the chance of transmission by an infected vaccinated person by 40 percent to 60 percent. The combination of reduced infection risk plus reduced transmission risk provides a very high level of protection for both customers and workers who are in close proximity. In contrast, the wearing of face coverings reduces transmission by an infected person by about 70 percent. The combination of wearing face coverings and regular testing, with exclusion from work upon any positive test, significantly reduces the transmission risk.
3. The SARS-CoV-2 Delta variant which has become the dominant strain of the SARSCoV-2 virus in California and the County and is more contagious and causes more severe illness than previous strains of SARS-CoV-2. With the easing of COVID-19 prevention restrictions in business sectors since June 15, 2021, certain high-contact indoor sectors, specifically dining establishments where food or drink is served indoors are more

vulnerable to transmission because masks come off for eating, drinking and socializing, creating situations in which the virus can spread more easily. We have seen examples of this transmission through such establishments in Mendocino County. Therefore, in conjunction with my Order requiring consumer notice of COVID-19 vaccination policies, I am issuing this Guidance strongly urging operators and hosts where food or drink is served indoors to require verification of vaccination for patrons before entering the indoor portions of their facility. By this Guidance, I also strongly urge businesses to require verification of vaccination status for all staff who work indoors where food or drink is served, and to require testing for all such staff who do not provide proof of full vaccination. I will consider converting this Guidance into an Order requiring such verification of vaccination for patrons and staff, based on factors such as transmission rates and any lack of compliance from the community with contact tracing and case investigation related to transmission in such establishments.

4. Cal/OSHA Regulations generally allow documentation of vaccination status by self-attestation. I have determined that, documentation of the vaccination status of people who work indoors where food or drink is served should be based on more reliable documentation than a self-attestation.
5. This Guidance is a companion to my Order requiring posting of consumer notice of vaccination policies for patrons and workers where food and drink are provided indoors. It is intended to apply to businesses or operators of establishments or events where food or drink is served indoors, including but not limited to, dining establishments, bars, clubs, theaters, and entertainment venues. For clarity, this does not include food or drink provided as part of a religious ceremony, (e.g., communion or Kiddush).
6. Fully Vaccinated/Full Vaccination. “Fully Vaccinated” and “Full Vaccination” mean two weeks after completing the entire recommended series of vaccination (usually one or two doses) with a vaccine authorized to prevent COVID-19 by the FDA, including by way of an emergency use authorization, or by the World Health Organization (WHO). For example, as of the date at least two weeks after receiving a second dose of the Pfizer-BioNTech or Moderna COVID-19 vaccine or two weeks after receiving the single dose Johnson & Johnson’s Janssen COVID-19 vaccine. A list of FDA-authorized vaccines is available at [www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines](https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines). A list of WHO-authorized vaccines is available at <https://extranet.who.int.pqweb/vaccines/covid-19-vaccines>.
7. Approved Methods of Verification. Unless otherwise specified, the following are acceptable as proof of Full Vaccination: (i) the CDC vaccination card, which includes name of person vaccinated, type of vaccine provided, and date last dose administered, or similar documentation issued by another foreign governmental jurisdiction, (ii) a photo of a vaccination card as a separate document, (iii) a photo of the a vaccination card stored on a phone or electronic device, (iv) documentation of vaccination from a healthcare provider, or (v) a personal digital COVID-19 vaccine record issued by the State of California and available by going to <https://myvaccinerecord.cdph.ca.gov> or similar

documentation issued by another State, local, or foreign governmental jurisdiction. If any state or federal agency uses a more restrictive definition of what it means to be Fully Vaccinated or to prove that status for specified purposes (such as Cal/OSHA rules for employers in workplaces), then that more restrictive definition controls for those purposes. Also, to the extent Cal/OSHA approves an alternate means of documenting whether an staff person or employee is “fully vaccinated,” even if less restrictive than the definition contained here, employers may use the Cal/OSHA standard to document their staff/employees’ vaccination status.

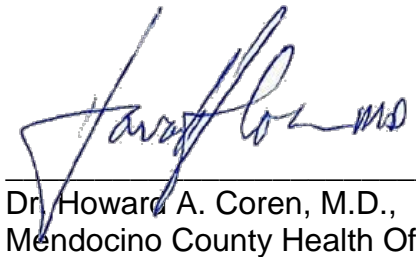
8. Tested. “Tested” means to have a negative test for the virus that causes COVID-19 within the prior 72 hours. Both nucleic acid (including polymerase chain reaction (PCR)) and antigen tests are acceptable. The following are acceptable as proof of a negative COVID-19 test result: a printed document (from the test provider or laboratory) or an email, text message, webpage, or application (app) screen displayed on a phone or mobile device from the test provider or laboratory. The information should include person’s name, type of test performed, negative test result, and date the test was administered. If any state or federal agency uses a more restrictive definition of what it means to be Tested for specified purposes (such as Cal/OSHA rules for employers in workplaces), then that more restrictive definition controls for those purposes.

### **RECOMMENDED VACCINE REQUIREMENT FOR PATRONS**

9. Recommended Vaccine Requirement for Patrons. Businesses described in section 5 above should require all patrons age 12 and older to verify they are Fully Vaccinated through Approved Methods of Verification (section 7 above) before entering any indoor portion of a facility where food or drink is served. To clarify, a dining or drinking area is considered “indoor” if it has two contiguous walls. To qualify as “outdoor” the dining or drinking area of the establishment must not have two contiguous walls. Businesses should cross-check proof of Full Vaccination for each patron against a photo identification, unless photo identification is integrated into the digital COVID-19 vaccine record.
10. Recommended Exceptions to Vaccine Requirement for Patrons:
  - a. Businesses that serve food or drink indoors may allow patrons wearing a well-fitted mask to come indoors to use a restroom without requiring patrons to show proof they are Fully Vaccinated.
  - b. Businesses that serve food or drink indoors may allow individuals wearing a well-fitted mask to enter the indoor portion of the facility to order, pick up, or pay for food or drink “to go” without showing proof of Full Vaccination.
  - c. Businesses that serve food or drink indoors may obtain proof of Full Vaccination in advance of a patron’s arrival at a facility, e.g., by e-mail or through a reservation system, but should confirm identification at the time of entry into the facility.
  - d. Younger children who are not eligible for vaccination may enter indoor areas with vaccinated adult(s), provided there is full compliance with the applicable masking orders.

## RECOMMENDED VACCINE REQUIREMENTS FOR STAFF

11. Recommended Vaccine Requirement for Staff. Prior to November 1, 2021, businesses described in section 5 above should verify the vaccination status of all staff who routinely work indoors through Approved Methods of Verification (section 7 above). Businesses should require any staff who routinely work indoors and who are not Fully Vaccinated to:
  - a. Get Tested for COVID-19 at least once a week using either a nucleic acid (including polymerase chain reaction (PCR)) or antigen test; and
  - b. At all times at the worksite wear a face covering in compliance with the Health Officer's Face Covering Order (<https://www.mendocinocounty.org/home/showpublisheddocument/44852/637640957676000000>).
12. Consistent with applicable privacy laws and regulations, businesses should maintain records of staff vaccination status, and provide these records to the Health Officer or Mendocino County Public Health promptly upon request, within one business day after receiving the request.
13. For clarity, "staff" is not intended to include individuals who enter or work indoors on an intermittent or occasional basis or for short periods of time (e.g., individuals who deliver packages or goods).



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Dr. Howard A. Coren, M.D.,  
Mendocino County Health Officer

Dated: September 19, 2021



# **APPENDIX B**

## Notice to Patrons for Consumer Protection

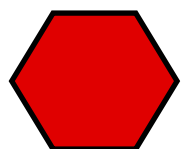
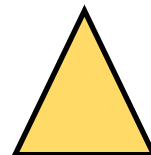
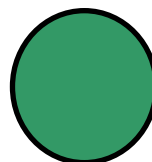
All  
employees  
are vaccinated or  
tested weekly.  
Vaccinated patrons  
welcome inside.

All must wear masks inside  
except when actively eating/drinking.

Patrons who are not vaccinated  
may only be seated outside  
or take out.



Posted by Order of the  
Mendocino County Public  
Health Officer



Todos  
los empleados  
están vacunados o  
tienen pruebas  
semanales.

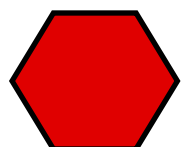
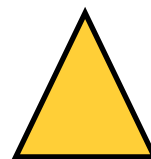
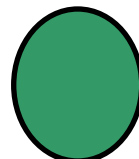
Clientes vacunados son  
bienvenidos adentro.

Todos deben utilizar cubrebocas adentro,  
excepto al comer o beber.

Clientes que no están vacunados  
pueden solamente sentarse  
afuera o pedir  
para llevar.



Publicado por Orden del  
Oficial de Salud Pública del  
Condado de Mendocino



## Notice to Patrons for Consumer Protection

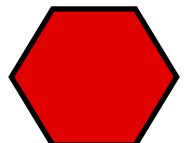
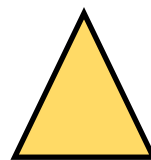
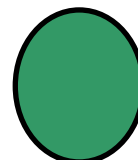
**All  
employees  
are vaccinated  
or tested weekly**

**All patrons may be  
seated inside**

**All must wear masks inside  
except while actively  
eating/drinking**



Posted by Order  
of the Mendocino  
County Public Health Officer



**Aviso a clientes para protección del consumidor**

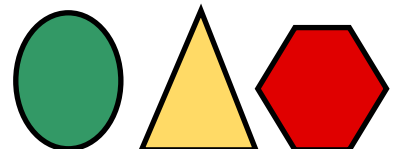
**Todos  
los empleados  
están vacunados o  
tienen pruebas semanales**

**Todos los clientes pueden  
sentarse adentro**

**Todos deben utilizar  
cubre bocas adentro  
excepto al  
comer o  
beber**



Publicado por Orden del Oficial de Salud  
Pública del Condado de Mendocino



## Notice to Patrons for Consumer Protection

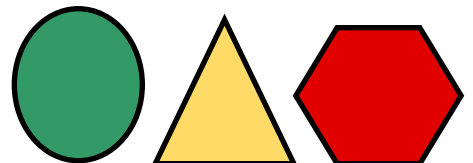
Employees  
are not required  
to vaccinate

Patrons are not  
required to vaccinate  
to eat inside

All must wear masks inside  
except when actively  
eating/drinking



Posted by Order of the  
Mendocino County Public  
Health Officer



## Aviso a clientes para protección del consumidor

Los empleados  
no están obligados  
a vacunarse

Los clientes no están  
obligados a vacunarse  
para comer adentro

Todos deben utilizar  
cubre bocas adentro  
excepto  
al comer o beber



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Condado de Mendocino

