



JOINT MEMORANDUM CIRCULAR NO. 21-02

HEALTH AND SAFETY GUIDELINES GOVERNING THE OPERATIONS OF INDOOR AND OUTDOOR DINE-IN SERVICES UNDER THE ALERT LEVELS SYSTEM FOR COVID-19 RESPONSE

WHEREAS, on 03 September 2021, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) issued Resolution No. 136-A, shifting from a community quarantine classification framework to a policy focusing on the imposition of granular lockdowns and adopting an Alert Level System for COVID-19 Response, with each alert level limiting restrictions only to identified high-risk activities;

WHEREAS, on 13 September 2021, the IATF introduced the Guidelines on the Pilot Implementation of Alert Levels System for COVID-19 Response in the National Capital Region (Pilot Guidelines), which was adopted in IATF Resolution No. 138, providing the list of establishments, persons or activities allowed and prohibited to operate, work or be undertaken under Alert Levels 1 to 5;

WHEREAS, Department of Trade and Industry (DTI) and Department of Tourism (DOT) are directed to “*issue guidelines promoting safe behaviors*” in indoor and *al fresco* dine-in services in restaurants and eateries;

WHEREAS, the IATF issued Resolution No. 136-F, Series of 2021 identifying the National Capital Region (NCR) as the area for the pilot implementation of the Alert Levels System, with pilot period from 16 to 30 September 2021;

WHEREFORE, foregoing premises considered, the following Health and Safety Guidelines Governing the Operations of Indoor and Outdoor Dine-In Services under the COVID-19 Alert Levels System are hereby issued.

I. GENERAL PROVISIONS


Section 1. Short Title. This Circular shall be known as “*Guidelines of Indoor and Outdoor Dine-In Services under the Alert Levels System.*”

Section 2. Coverage. This Joint Memorandum Circular (JMC) shall apply to all restaurants, including those located inside DOT-accredited Accommodation Establishments, fastfood businesses, canteens, food courts, food parks, and other eateries providing dine-in services, regardless of the size of the establishment during the implementation of the COVID-19 Alert Levels System.

Section 3. Definition of Terms. For purposes of these Guidelines, the following terms are hereby defined as follows:

- a. “Buffet Service” refers to a system of serving meals where the diners serve themselves, with or without assistance from a waiter, from a food selection placed on a table in a public and accessible area.
- b. “COVID-19 Alert Levels System” refers to the new Community Quarantine Classifications for dealing with COVID-19 covering entire cities and/or municipalities; aimed to manage and

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minimize the risk of the disease through System Indicators, Triggers and Thresholds determined by the IATF Sub-Technical Working Group on Data Analytics to specify the public health and social measures to be taken in relation to the COVID-19 response, as may be updated based on new scientific knowledge, information about the effectiveness of control measures in the country and overseas, and its application.

- a. Alert Level 1 - refers to areas wherein case transmission is low and decreasing, total bed utilization rate, and intensive care unit utilization rate is low.
 - b. Alert Level 2 - refers to areas wherein case transmission is low and decreasing, healthcare utilization is low, or case counts are low but increasing, or case counts are low and decreasing but total bed utilization rate and intensive care unit utilization rate is increasing.
 - c. Alert Level 3 - refers to areas wherein case counts are high and/or increasing, with total bed utilization rate and intensive care unit utilization rate at increasing utilization.
 - d. Alert Level 4 - refers to areas wherein case counts are high and/or increasing, with total bed utilization rate and intensive care unit utilization rate at high utilization.
 - e. Alert Level 5 - refers to areas wherein case counts are alarming, with total bed utilization rate and intensive care unit utilization rate at critical utilization.
- c. "COVID-19 Vaccination Card" shall refer to a digital or physical card or certification issued by a legitimate vaccinating establishment or authority, whether local or foreign, as a proof of full COVID-19 vaccination.
 - d. "Food Establishments" shall refer to establishments that prepare and sell food directly to consumers for immediate consumption, whether indoor or outdoor, such as restaurants, commissaries, cafeterias, cafes, lunchrooms, bistros, fast food establishments, food courts, buffets, eateries, retail bakeries, mobile food trucks, and dining areas in accommodation establishments.
 - e. "Fully Vaccinated Individual" shall refer to an individual who has been fully vaccinated for COVID-19. An individual shall be considered as having been fully vaccinated for COVID-19:
 1. More than or equal to 2 weeks after having received the second dose in a 2-dose series, or
 2. More than or equal to 2 weeks after having received a single-dose vaccine.
 3. The vaccines administered to the individual are included in any of the following:
 - i. Emergency Use Authorization (EUA) List or Compassionate Special Permit (CSP) issued by the Philippine Food and Drug Administration; or
 - ii. Emergency Use Listing of the World Health Organization.
 - f. "Indoor Dine-in Services" shall refer to the offering of food to be eaten inside the building or enclosed space of a Food Establishment.
 - g. "Management" shall refer to the owner, proprietor, manager, supervisor, administrator or other officer with control and supervision of the operations of the Food Establishment

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- h. "Outdoor or Alfresco Dine-in Services" shall refer to the offering of food to be eaten in a Food Establishment's outdoor dining area, with open-air ventilation and unenclosed spaces, including those with structures consisting of non-adjacent impermeable walls; those consisting of circular structures with 50% non-continuous impermeable walls; and those with ceilings, roofs, umbrellas, or canopies with no walls.
- i. "Restaurant" refers to any establishment that prepares and serves meals or refreshments to the public for a fee.

II. HEALTH AND SAFETY STANDARDS

Section 4. Compliance with Sector Specific Public Health Standards. Consistent with the minimum public health standards prescribed by the Department of Health (DOH) under Administrative Order No. 2021-0043¹ and DTI-DOLE Joint Memorandum Circular No. 2020-04-A², owners or designated safety officers of all establishments covered by this Circular are required to implement and maintain the following sector-specific public health standards:

4.1. **Prevention.** To prevent the transmission of COVID-19, Management shall:

A. Physical Set-Up Controls.

1. For indoor dining, install table top clear dividers made of acrylic or any similar transparent material to prevent droplet transmission in face-to-face seating arrangements.
2. For outdoor dining, implement an alternate/diagonal seating arrangement if table top clear dividers are not installed.
3. Ensure adequate air exchange in enclosed areas through the implementation of strategies as cited in DOLE Department Order No. 224-21,³ such as:
 - a. Maximizing natural ventilation through opening of windows;
 - b. Use of low-cost modifications to improve air flow (e.g. addition of fans or exhaust fans);
 - c. Identification of multi-occupant spaces that are used regularly and are poorly ventilated. Air flow shall be controlled to ensure indoor CO₂ concentrations be maintained at-or below 1,000 parts per million (ppm)⁴; and
 - d. Installation and regular maintenance of exhaust fans and air filtration devices with High-Efficiency Particulate Air (HEPA) filters.
4. Install any of the following hand hygiene and sanitation facilities and supplies:
 - a. Hand washing station or sink with adequate and safe water supply;
 - b. Soap and water or 70% Isopropyl (or Ethyl) Alcohol; and

¹ Omnibus Guidelines on the Minimum Public Health Standards for the Safe Reopening of Institutions dated 31 August 2021: <https://bit.ly/DOHAO21-0043>

² Interim Guidelines on Workplace Prevention and Control of COVID-19: bit.ly/MC20-04A

³ Entitled "Guidelines on Ventilation for Workplaces and Public Transport to Prevent and Control the Spread of COVID-19."

⁴ Note that outdoor CO₂ concentration directly impacts indoor CO₂ concentration. It is critical to measure outdoor CO₂ levels when assessing indoor concentrations. Indoor CO₂ levels shall not exceed the outdoor concentration by more than about 600ppm.

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- c. Hands-free trash receptacles, soap and towel dispensers, door openers, and other similar hands-free equipment.

The use of foot baths, disinfection tents, misting chambers, or sanitation booths are not recommended

- 5. Maintain physical distancing by ensuring table and seats spacing, using unidirectional markers in queuing areas, and reducing seating capacity in accordance with the prevailing alert level system where the Food Establishment is located.
 - a. Chairs shall be distanced at least one (1) meter on all sides.
 - b. Queueing area shall comply with the one (1) meter distance on all sides requirement.
- 6. Establish a screening area at the point/s-of-entry. The following protocols must be implemented thereat:
 - a. Health declaration or symptom assessment through the use of the Staysafe.ph application, or any national and certified contact tracing application integrated with the same, in the conduct of contact tracing activities. Those with symptoms or exposure to probable, suspect, and confirmed COVID-19 cases, regardless of vaccination status, shall not be allowed entry.
 - b. All personnel, suppliers, and customers must undergo a non-contact temperature check. Those with a temperature higher than 37.5 degrees centigrade shall not be allowed entry.
 - c. Indoor dine-in services in areas under Alert Level 4 shall only cater to Fully Vaccinated Individuals with no COVID-19 Symptoms, subject to presentation of a COVID-19 Vaccination Card.
- 7. Implement a Buffet Service only under the following conditions:
 - a. Food servers will serve the food;
 - b. All food trays are with food covers; and
 - c. Food is maintained at recommended safe temperatures (e.g. use of warming trays, ice, etc.).
- 8. Install visual cues or signages to communicate the following:
 - a. Maintaining physical distancing of at least one (1) meter distance between customers;
 - b. Cough and sneeze etiquette;
 - c. Proper hand hygiene and infection control;
 - d. Proper use and disposal of Personal Protective Equipment; and

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- e. Other critical reminders in the Prevent, Detect, Isolate, Treat, Reintegrate (PDITR+) strategy and BIDA Solusyon,⁵ and Resbakuna for the promotion of the Government's Vaccination Program.⁶
9. Provide a proper facility for proper storage, collection, treatment, and disposal of used PPE and other infectious waste in accordance with DOH AO 2021-0043.
10. Ensure that music volume is kept to a minimum to discourage loud talking, which increases the likelihood of droplet transmission.
11. Prohibit the use of play areas or playgrounds.
12. Disallow the use of self-service stations like do-it-yourself customer refill and condiment stations.

B. Administrative Controls


1. Ensure adequate provision of personal protective equipment to all employees, regardless of employment status, which includes:
 - a. Cloth or surgical masks, or face shields, as necessary; and
 - b. Gloves and other appropriate PPE for all personnel tasked to do regular cleaning and disinfection of chairs, tables, or other furniture, fixtures, and equipment.
2. Enforce limits on on-site capacity in accordance with the latest guidelines set by the national government or limitations on venue/seating capacity or other prohibitions as may be imposed by the Local Government Unit (LGU).
3. Permit individuals from the same household to dine together in one table, provided that they show proof of the same address; and provided, further that their table/s shall be distanced by at least one (1) meter from other customers' tables.
4. Remind customers that face masks may only be removed while eating or drinking.
5. Maximize the use of online or mobile platforms for rendering services.⁷
6. As far as practicable, utilize single-use or QR-based menus and contactless order-taking.
7. Utilize digital modes of payment or provide small trays for cash payment to avoid physical contact between personnel and customers.
8. Disinfect premises in accordance with DOH Department Memorandum No. 2020-0157, its amendments and *Cleaning and disinfection of environmental surfaces in the context of COVID-19* by the WHO. For this purpose, all furniture, fixtures, and equipment,

⁵ bit.ly/BIDAPartners

⁶ <https://doh.gov.ph/vaccines>

⁷ Micro, small, and medium enterprises (MSMEs) needing assistance with onboarding to e-commerce and other digital platforms may contact the nearest DTI Regional/Provincial Office/Negosyo Center.

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including those inside the kitchen, food preparation, dining areas, and restrooms must be properly and regularly sanitized (e.g. after every use for tables and chairs).

9. Designate a health and safety officer who, at all times, will be physically present in the establishment to ensure that the MPHS outlined herein and government-imposed limitations on venue/seating capacity are strictly followed.

4.2. Additional Protocols

- A. All designated smoking areas (DSAs) shall comply with the specifications indicated in Executive Order No. 26, Series of 2017.
- B. The limits on maximum servings of alcoholic beverages shall remain subject to the corresponding local government guidelines.

III. OTHER PROVISIONS

Section 5. Compliance with Other Issuances. Food Establishments, Restaurants, fast food businesses and dine-in services shall comply with other relevant IATF, DTI, DOT, DOH, and DOLE issuances on health and safety standards, as well as rules and regulations imposed by the LGU having jurisdiction over the establishment. In case of any consistency, the resolutions of the IATF shall prevail.

Section 6. Compliance Monitoring and Penalties. DOT and DTI shall continue its strict compliance monitoring of the establishments through its post-audit mechanism. Inspection by DOLE, DOH, and the LGU's Health Office, as applicable, may also be conducted at any time.

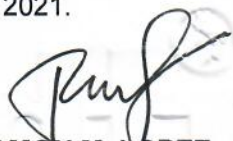
Food Establishments that fail to comply with the mandatory requirements will be given a warning and shall be endorsed to the LGU health office. After the warning, the Food Establishments found in the next visit as non-compliant with the health and safety standards may be temporarily closed down in accordance with LGU rules and regulations to correct their deficiencies. Reopening shall be allowed only upon compliance of the prescribed health and safety standards.

Section 7. Repealing and Separability Clause. Provisions of other relevant Memorandum Circulars that are inconsistent with this Circular are hereby superseded or amended accordingly.

If for any reason, any part or provision of this Circular be declared invalid, any part or provision not affected thereby, shall remain in full force and effect.

Section 8. Effectivity. This Circular shall take effect immediately upon publication in a newspaper of general circulation or the Official Gazette and upon filing with the University of the Philippines – Office of the National Administrative Register (UP-ONAR). This Circular shall remain effective until otherwise superseded, amended, or repealed accordingly.

28 September 2021.




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