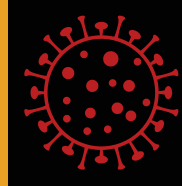




Republic of Kenya
Ministry of Industrialization,
Trade and Enterprise Development



Second Edition
20th November 2020

GUIDELINES FOR BUSINESS OPERATIONS DURING COVID- 19

ALCOHOLIC BEVERAGES SECTOR





**MINISTRY OF INDUSTRIALIZATION TRADE
AND ENTERPRISE DEVELOPMENT**

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2nd Edition

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Foreword by the Cabinet Secretary

At the onset of the coronavirus pandemic in Kenya, businesses went down to 30-50 % capacity causing deep misery to livelihoods. The headwinds that have resulted from the coronavirus pandemic means that adjustments and realignments were inevitable. When we released the 1st edition of the guidelines in June 2020, the objective was to provide protocols for the safe reopening of the economy. Business leaders pride themselves on their ability to pivot and course-correct in times of crisis and economic turmoil.



Owing to uncertainty about the COVID-19 disease, to thrive in the Next Normal, companies need to make fundamental changes in every line of business. Engaging employees at every level of the organization is key to change the odds in their favour and alter the way businesses operate. The projections of the length of time the disease will be with us behoves us to work in different ways in order to be fruitful in the face of this pandemic.

As we release the 2nd (second) edition of these guidelines, this November, some welcome news about large COVID-19-vaccine trials having efficacy rates of about 90 per cent has also been released. Nevertheless, the widespread use of the vaccine is still far from being a reality in our region. Therefore, we are still responsible for applying measures to contain the spread and effects of COVID-19 in our midst.

Successful businesses have been able to respond to the Covid-19 crisis more robustly by institutionalizing the basic containment measures and the protocols. Additionally, they have to create conviction in employees to implement the protocols within their context by communicating to them what was going to be different. Employees may well be the stakeholders that need the most attention as they will become the allies every business needs to transition to the next normal in the COVID-19 context.

We encourage more businesses to make the switch to new ways of doing things given the increasing infections in the country and no one knows how long this pandemic will be with us.

In this edition, we have added the protocols for businesses involved in the sale of alcoholic beverages. Our message remains the same, that an abundance of caution is applied in the business to preserve livelihoods while business managers exercise utmost responsibility. My Ministry appreciates that these are challenging times and that the situation we live in is difficult. Making progress demands that we ensure that we take the simplest and most effective way to deal with the disease. I, therefore, encourage our businesses, in whichever sector to be on the forefront in this fight.

It is not the time to give up, and we need to join our Health response teams in fighting this war. Our best bet is prevention and all of us together as the first line of defence must make our best efforts to contain the spread of the disease and accelerate out of this crisis and sustain ourselves for the years ahead.

BETTY C. MAINA, CBS

CABINET SECRETARY

Acknowledgement

The global community is today amid unprecedented health and socio-economic crisis wrought on it by the Covid-19 pandemic. Measures that have been prescribed to deal with the health aspects have equally had devastating impacts on diverse sectors of national economies globally.

Across the entire globe, there is an emerging consensus that Covid-19 is perhaps going to stay with us for an indeterminate future. It is on that understanding that the Government has developed and put out these guidelines to provide a framework for our diverse economic activities and business managers as they prepare to fully re-open their enterprises and business to lessen the economic burden impacted by COVID-19 on our livelihoods.

The guidelines result from the invaluable contribution of various business member associations, stakeholders, departments, and individuals to whom we owe gratitude. Special thanks are extended to Patricia Aruwa from State Departments for Industrialization and Michael Mandu, from the State Department for Trade & Enterprise Development, the co-heads of the Business Emergency Response Centre Situation Room, for their tireless effort that enabled this document to be produced to serve the businesses selling alcoholic beverages. The team from McKinsey Consulting led by Chania Frost; Gideon Apiyo, Jared Mayieka, and Michael Ndung'u from the Ministry prepared the initial drafts. It is also very vital to mention Dr. Anthony Wainaina Deputy Director of Public Health, Leonard Kimtai, Allan Barasa, and Brenda Obura from the Division of Food Safety, Ministry of Health for their invaluable guidance and insights including the final edits of this document.

Further, we would like to acknowledge the vital role played by the COVID-19 National Multi-Agency Command Centre (NMACC) for their support in developing these guidelines. We also acknowledge the various business member organizations (BMOs) and other individuals whose inputs made this document even better. Specific thanks are here extended to Zack Munyi of Alcoholic Beverages Association of Kenya (ABAK), Uyi Edokpolo, Pubs, Entertainment and Restaurants Association of Kenya (PERAK), Boniface Gachoka of Bar Hotels Liquor Traders Association of Kenya (BAHLITA) among others for their commitment to ensuring that these guidelines were negotiated to facilitate the safe reopening of businesses trading in alcoholic beverages.

As we continue to support businesses in these uncertain times, the Ministry extends our appreciation to Business Membership Organisations (BMOs) in Kenya who continue to work closely with the government.

Guidelines for Business Operations during COVID- 19

Introduction

COVID- 19 being a very new disease is still not very well understood. Major modes of transmission of COVID- 19 are through respiratory droplets and contact from an infected person. Droplets from an infected person, when inhaled by a healthy individual, have high chances of developing COVID- 19 diseases. Close contact with an infected person or touching surfaces and items contaminated with the coronavirus then touching may also spread the disease.

The Ministry of Industrialization, Trade and Enterprise Development (MoITED) Situation Room has produced these guidelines to offer direction to players in the sector trading with alcoholic beverages on how to minimize the risk of infection with Corona Virus leading to COVID- 19 disease. These guidelines are meant to help businesses operate safely during COVID- 19 pandemic and reduce the rate of COVID- 19 spread across different workspaces.

Measures proposed herein will entail ensuring:

- i. Designation of staff or teams responsible for in-facility enforcement of compliance with the guidelines (committee or single staff depending on the establishment)
- ii. Social distancing amongst members of staff and as well as customers/ clients; maintain a physical distance of at least 1.5 meters
- iii. Regular hand-washing using running water and soap. This is a sure way of minimizing many other communicable diseases besides COVID- 19. In the absence of handwashing facilities, use alcohol-based hand sanitizers. The use of gloves does not replace hand washing.
- iv. Disinfection of surfaces such as tables, chairs, counters, tools, and other equipment regularly.
- v. Donning of masks whenever in public places including workplaces.
- vi. No handshaking/hugging as a means of exchanging greetings
- vii. Proper management of waste arising Personal Protective Equipment (PPE) such as used masks and gloves

These guidelines provide the framework against which business entities/ will develop SOPs to suit their business premises to ensure compliance with these measures to cut the transmission and prevent the spread of coronavirus.

The guidelines may need to review and update from time to time as new evidence emerges about COVID- 19.

Responsibility

Business owners/managers are expected to adhere to these guidelines and put measures in place to ensure that every worker and client comply.

The SOPs will be implemented together with and in addition to the various Coronavirus containment measure pronounced by the Ministry of Health from time to time.

The responsibility of implementing and ensuring compliance rests with the business owner(s). The name and contact of the responsible person shall be deposited with the local Public Health/MoH representative and the nearest local security agency for prompt action.

In case businesses have any questions or feedback regarding SOPs related to their spaces they should contact the MoITED situation room through our 24-hour hotline on **+254 110 922 066** and email **advisorycentre@trade.go.ke**.

Purpose

The purpose of this Standard Operating Procedure is to guide the sale of alcohol and to reduce the spread of the COVID-19 pandemic.

Principles of the Protocols

The principles underlying these protocols include;

1. Protecting peoples' lives and livelihoods
2. Gaining investor and visitor confidence in the country;
3. Adoption of technologies in the sector to support government efforts to combat the spread of Covid-19;
4. Restructuring the operations of our members to conform to the new normal;
5. Enhance collaborations between the public and private sectors to effectively implement compliance with the prescribed health, safety, and hygiene best practices for the tourism industry.

Objectives

1. To reduce the transmission of COVID-19 at alcohol sale points
2. To adhere to health protocols on prevention of the spread of COVID-19 as recommended by the Ministry of Health. These are to be implemented by Restaurants, Eateries, Pubs, Entertainment joints, Supermarkets, and Wine & Spirit shops.
3. Facilitate a strong and sustainable restart in the sector.
4. Restore confidence of the public partakers in the alcohol selling establishments through the implementation of the health and safety protocols to reduce transmission risks in the distribution network up to the consumer.
5. Elucidate implementation approach of the health and safety protocols to facilitate their adequate implementation in allied sectors.
6. Strengthen the Public-Private Partnership for sustainability post-COVID-19.
7. Develop and implement a framework that preserves the safety of consumers in alcohol selling establishments.

1.0. Standard Operating Procedures for Sale of Alcoholic Drinks

1.1. General Hygiene measures

- a. Sale of alcohol shall be governed by the Rules on COVID-19 issued under the Public Health Act Cap 242 and supplemented by the provisions of the Alcoholic Drinks Control Act 2010 and the respective County Governments Alcohol drinks control legislations.
- b. The Counter should be shielded with a Perspex glass to ensure the protection of the client and seller. No partakers shall be allowed to sit around the bar counter while consuming any alcoholic drink.
- c. All alcohol drink retailers shall provide a complete hand washing station (with running water, soap, and hygienic hand drying facility) and/or sanitizer at the entrance of the establishment for use by the customers
- d. Alcoholic drink retailers shall ensure that all equipment used in handling and/or dispensing alcoholic drinks are disinfected using recommended disinfectants.
- e. Encourage cashless transactions such as mobile money transfers to reduce the handling of hard currency
- f. Clean common area surfaces regularly with soap or alcohol-based disinfectants
- g. Carry out appropriate disinfection of the premises at the close of business
- h. Provide appropriate signage guiding on the maximum seating capacity per table and observation of the 1.5-meter distancing rule.
- i. Display signage at the entrance of the alcohol selling establishment, indicating the maximum number of partakers allowed into the establishment at any given time
- j. Discourage any physical activity that facilitates physical contact between partakers in an alcohol selling establishment.
- k. Alcohol consumption shall be restricted to the designated areas within the establishment
- l. Outlets to maintain a daily attendance register for all members of staff
- m. Encourage employees to self-monitor for symptoms of Covid-19. Where the employees exhibit any symptoms of Covid-19, the employer will encourage the employee to stay home, practice hygiene measures, and quarantine as prescribed by MOH

- n. Promptly facilitate the testing of staff to confirm any suspected case of COVID-19. Ensure that suspect or positive Covid-19 cases are handled humanely, without any form of stigmatization, and in conformity to the approved patient medical confidentiality procedures.
- o. Any Alcoholic drink retailers found in breach of COVID-19 Rules issued under Public Health Act Cap 242 shall take personal responsibility and consequent enforcement action.
- p. Appoint a point person to deal with employee, suppliers & customer Question & Answer daily or as required by the employees.

1.2. Specific Operations Guidelines

- a. All Alcoholic drink retailers shall have a valid liquor / alcoholic license
- b. All Alcoholic drink retailers will register with an alcohol trade or membership association registered and recognized by the Government of Kenya.
- c. The alcohol sector associations and their operators will put in place mechanisms for evaluating and monitoring the levels of compliance with the provisions of the alcohol sector protocols and guidelines aimed at preventing the spread of COVID-19. Service Tables and Chairs to be disinfected after every customer use
- d. Condiments shall not be provided to customers in shared containers
- e. Restrict the number of partakers allowed in an establishment once the premise is full (appropriate signage should be placed in access areas to guide on the maximum partakers allowed)
- f. Ensure that the establishment is well ventilated and follow the protocols set out by MoH
- g. Designate a waste disposal bin with a yellow liner for disposal of used Personal Protective Equipment (PPE)
- h. Every establishment shall set aside a suitable - Covid19 holding/emergency room for any suspected staff case and report to relevant authorities.

1.3. Social Distancing Guidelines

- a. Close dance floors during this time
- b. Stagger shifts and rotate staff members to reduce the number of employees in the establishment at any one time when in operation.
- c. Arrange transport for staff, where possible, to reduce public transport use; arrange transport and relevant documentation for any staff leaving after curfew hours; adhere to gazetted transport restrictions and guidelines

- d. Use e-commerce platforms as much as possible and take advantage of the no-contact delivery options, minimizing contact between customers and couriers
- e. Designate spacious waiting and collection areas for couriers and customers

1.4. Cleaning, disinfection, and protective gear guidelines

- a. Follow MoH guidelines for employees on wearing masks in public places (kitchen staff to wear Perspex shields); issue hand sanitizers to employees wherever possible; safely dispose of masks and other PPE used by employees as per MoH recommendations
- b. Staff working in the bar area should demonstrate effective hygiene and sanitation awareness at their respective workstations. Staff should be able to communicate (verbally and in print) and enforce (with the help of government) MoH guidelines on Covid-19 hygiene and sanitation rules.
- c. Employers shall ensure employees acquire knowledge on social distancing, personal hygiene, and protection measures to limit their risk of contracting COVID-19 both within and outside of the workplace
- d. Keep doors open wherever possible, or use swing doors, to minimize contact of door handles;
- e. Clean and disinfect all restroom surfaces including floors, sinks, and toilet bowls, as necessary

1.5. Screening protocol

- a. Measure and record the temperature of employees daily using thermometers before and after their shifts wherever possible
- b. Measure the temperature of all partakers upon entry into the establishment.
- c. Develop company protocols for employees demonstrating symptoms; refer to MoH guidelines

1.6. Roles and Responsibilities

a. Restaurants, Eateries, Pubs, Entertainment joints, Supermarkets, and Wine & Spirit shops Owners

- i. Ensure that the above SOPs are implemented and observed
- ii. Comply with the SOPs in their operation and ensure full implementation of the Ministry of Health guidelines on containment of COVID-19 pandemic
- iii. Conduct continuous training on hygiene & sanitation, social distancing, screening, and contact tracing protocols for all alcohol selling establishments

- iv. Report any case of breach of COVID-19 protocols to relevant enforcement authorities and the associations or risk losing the license to operate
- v. Ensure that all communication material on COVID-19 is updated
- vi. Owners must belong to industry or sector alcoholic trade associations for accountability and traceability

b. Law enforcement agencies

- i. Shall ensure full enforcement of the Rules on COVID-19 issued under Public Health Act Cap 242 and supplemented by the provisions of Alcohol Drinks Control Act 2010 and the respective County Governments Alcohol Drinks Control legislations
- ii. Conduct regular checks at alcoholic outlets and establishments to ensure compliance

c. County Governments

- i. County Public Health Officers to conduct checks at outlets and establishments to ensure compliance
- ii. Issue Food hygiene and alcoholic operation licenses which are compliant with these SOPs
- iii. Enact specific licenses for alcoholic outlets set up to reduce the high level of illicit trade

d. County Public Health Officer

- i. Receive COVID-19 permit application submitted by the public using Form D
- ii. Inspect alcoholic premises to verify compliance with the provisions under Form E
- iii. Issue permits to operate alcohol retail establishment during the COVID-19 pandemic using Form F

e. Sub-County Liquor Licencing Committee (SLLC)

- i. Carry out regular monitoring to ensure COVID-19 rules are followed as provided under Form E of the protocol
- ii. Revoke the license immediately in cases of any contravention.
- iii. To support traceability and enforcement of COVID-19 rules SLLC shall include a member of a registered alcohol trade or bar owner association

f. Alcohol Trade and Bar Associations

- i. Assist the Government in ensuring the MoH guidelines & protocols are strictly followed by the members
- ii. Maintain an up-to-date register of its members for compliance and peer accountability purposes
- iii. Train their members by liaising with the Public Health Officers on COVID-19
- iv. Support alcohol retailing establishments install physical assets to ensure the minimum spread of COVID-19 such as automatic and/or foot-peddled hand washing station, sanitizing dispensers, etc
- v. Members to collaborate with alcohol distributors to ensure no product is sold to outlets flouting set COVID-19 guidelines
- vi. Support responsible alcohol consumption campaigns to promote adherence to COVID-19 rules and regulations
- vii. Provide sustained support on COVID-19 risk communication and community engagement
- viii. Maintain a communication channel for ease of communication between the association and the Government
- ix. Establish the “Bar Kumi” initiative for close monitoring within defined jurisdictions.
- x. Ensure that members keep the database updated for traceability Partner with the Government to Combat illicit trade in the sector

g) Bar Managers / Owners Responsibility

- i. Must Belong to an alcoholic trade/sector membership association,
- ii. Designate one person as a COVID-19 Point of Contact for every shift to be responsible for responding to COVID-19 concerns
- iii. Request partakers who refuse to maintain covid-19 rules to leave the establishment
- iv. Ensure that Protocol and Guidelines are strictly followed within the premises
- v. Strictly prohibit the use of restaurant/bar counters and cordon off from the partakers
- vi. Protect employees with a higher risk for severe illness from COVID-19 (modified job responsibilities) in the establishments
- vii. Immediately report any case of COVID-19 among employees, while maintaining the confidentiality

- viii. Restrict the number of partakers allowed in the establishment once the premise is full (appropriate signage placed in accessible areas to guide on the maximum number of partakers allowed)
- ix. Ensure the establishment adheres to set curfew timelines and restrictions
- x. Develop and implement a staff code of conduct
- xi. Review and align their Standard Operating Procedures for all service delivery areas of the facilities to take into account health, safety, and hygiene measures arising from lessons learned in tackling the Covid-19 pandemic.
- xii. Review internal quality audit tools and standardization procedures for suppliers of good and food items to reflect new safety measures to be adopted by alcohol selling establishments in combating the spread of the virus.
- xiii. Collaborate with relevant associations and regulatory and enforcement agencies (SLLC and CPHO) on the implementation of the health and safety protocols.

h) COVID-19 Liaison Officer

Every establishment shall appoint and adequately train a COVID-19 Liaison Officer. The liaison officer shall;

1. Be the point of contact with the MOH, SLLC, and other sector players.
2. Keep abreast of the emerging health, safety, and hygiene information and preventative measures related to COVID-19

SCHEDULE

FORM D

APPLICATION FOR A PERMIT TO OPERATE ALCOHOL RETAIL ESTABLISHMENT DURING THE COVID-19 PANDEMIC

To the County Director, Public Health

I hereby apply for a permit to operate an alcohol retail establishment during the COVID-19 pandemic

Name of applicant.....

Applicant's National Identity Number.....

Applicant's PIN Number

Applicant' telephone Number.....

Name of person, firm, or company to be issued with permit.....

.....

...Branch of the Business Owner of the Premises

..... Plot No L.R.

No..... Physical Address Telephone/

Cellphone number.....

Email address.....

Date.....

.....

.....

Name and Signature of applicant

FORM E

INSPECTION CHECKLIST FOR THE OPERATION OF ALCOHOL RETAIL ESTABLISHMENT DURING THE COVID-19 PANDEMIC

Name of the Business.....

Name of Owner/ Proprietor:

Owner's / Proprietor's National Identity Number.....

Owner's / Proprietor's Telephone Number

Business Registration Number

Plot No.....L.R. No:

Physical Address.....

Telephone/Cellphone number.....

Email address.....

Date: Time:

No. of Personnel Male Female

No. of Service Attendants:

Alcohol retail establishments operating during COVID-19 Pandemic MUST observe the following TICK (√) APPROPRIATELY

NO.	CONDITION	PROVIDED	NOT PROVIDED	REMARKS
PREMISES				
1	Person(s) assigned at the entrance points to carry out screening of employees and customers			
2	Functional wall-mounted and a contact-free thermometer at both employee and customer entry areas			
3	Visibly mounted notice on screening of employees and clients;			
4	Visibly mounted notice on the promotion of hand hygiene and physical distancing			

NO.	CONDITION	PROVIDED	NOT PROVIDED	REMARKS
PREMISES				
5	Visibly mounted notice on denial of entry of suspected COVID-19 Cases			
6	Notice indicating mandatory donning of face masks			
7	Plexiglas barriers at tills and counters			
8	Partakers shall observe maintain at least 1.5 meters distance between themselves			
9	Floor markings to guide the physical distancing within the premise			
10	Adequate ventilation and lighting			
11	Water supply points in the premises			
12	Physical distancing within the premises			
13	Duty roster indicating the number of staff on the premises.			
14	Proof of contactless payment systems			
15	Disinfectants, cleaning equipment and detergent			
16	Visible notices for staff promoting hand hygiene and physical distancing			
17	Availability of Instructions and training on how to prevent the spread of COVID-19 for all employees			
18	Hand wash facility at the point of entry and exit of the premises, complete with: <ul style="list-style-type: none"> • clean running water, • hygienically operated taps, • detergent/soap, • or alcohol-based sanitizer 			
19	Hand wash facilities within the premises, complete with: <ul style="list-style-type: none"> • clean running water, • hygienically operated taps, • detergent/soap • or alcohol-based sanitizer and 			

NO.	CONDITION	PROVIDED	NOT PROVIDED	REMARKS
PREMISES				
20	Availability and evidence of implementation of Standard Operating Procedures (SOPs) for cleaning			
21	Availability and evidence of implementation of Standard Operating Procedures (SOPs) for disinfection			
22	Standard Operating Procedures (SOPs) for reporting illness			
23	Trained cleaners assigned for cleaning and disinfection duty roster			
24	Proof of personnel tested and certified to be COVID-19 Negative by a Government certified laboratory.			
25	Adequate Personal Protective Equipment			
WASTE MANAGEMENT				
26	Scheduled waste management procedures			
27	Color-coded waste receptacles: Black for general wastes; Red for hazardous wastes			

Comments:

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.....

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.....

.....

Inspected By:

Designation:

Signature:

Official Stamp

FORM F

PERMIT TO OPERATE ALCOHOL RETAIL ESTABLISHMENT DURING THE COVID-19 PANDEMIC

Serial No.....

A permit is hereby granted to

(Owner/proprietor) Name of business

to sell alcoholic drink at

Plot No.....L.R.No.....

Situated at.....

Nature of business.....

Branch of business

1. This permit is valid for one (1) year with effect from the date of issue.
2. This permit is not transferable to any other person or premise.
3. The County Director of Public Health has the authority to revoke this permit in the event of contravention of the Public Health Act.

.....
.....
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Name and signature of issuing officer Official stamp of the office

Made on the, 2020.

MUTAHI KAGWE,

Cabinet Secretary for Health

Contacts

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If you have fever and/or cough you should stay at home regardless of your travel or contact history.

If you have returned from an area that is subject to travel restrictions due to COVID-19 you should restrict your movement for 14 days.



Stop

shaking hands or hugging when saying hello or greeting other people



Distance

yourself at least 1.5 metres away from other people, especially those who might be unwell



Wash

your hands well and often to avoid contamination



Cover

your mouth and nose with a tissue or sleeve when coughing or sneezing and discard used tissue



Avoid

touching eyes, nose, or mouth with unwashed hands



Clean

and disinfect frequently touched objects and surfaces