



September 25, 2020

**Submitted Electronically**

Ms. Princy Doss  
Director of Policy, Planning and Public Information  
Virginia Department of Labor and Industry  
600 E. Main Street, Suite 207  
Richmond, VA 23219  
princy.doss@doli.virginia.gov

Mr. Jay Withrow, Director  
Division of Legal Support, VPP, ORA, OPPPI, and OWP  
Virginia Department of Labor and Industry  
600 E. Main Street, Suite 207  
Richmond, VA 23219  
jay.withrow@doli.virginia.gov

RE: Intent to Adopt a Permanent Standard for Infectious Disease Prevention: SARS-CoV-2 Virus That Causes COVID-19, 16VAC25-220

Dear Ms. Doss and Mr. Withrow:

The Virginia Farm Bureau Federation (VFBF) appreciates the opportunity to comment on the proposed Permanent Standard for COVID for Infectious Disease Prevention: SARS-CoV-2 Virus That Causes COVID-19, 16VAC25-220.

The health and safety of our 35,000 farm family members continues to be our top priority during the ongoing pandemic. We understand and support the need for clear and consistent workplace health protection protocols, however, we remain concerned about the impact many of the provisions of the emergency temporary standards have on the agriculture industry, and farm families, and encourage you to oppose making them a permanent standard.

Virginia's farmers and agriculture industry have worked together, and have worked with national affiliates to develop best practices and address the COVID-19 pandemic head on and in a manner that protects our farm families, employees, and consumers of our products. DOLI's proposed permanent standard has been presented in a way that gives us great concern over its feasibility and legality.

Guidance issued by OSHA, CDC, and VDH has been well-considered and provides Virginia farm employers with the flexibility to adapt to evolving knowledge regarding the transmission of the novel coronavirus and effective means and methods to slow or prevent transmission. The industry has already invested millions of dollars and implemented unprecedented safety measures to protect the workforce and maintain the food supply. The different sectors of our industry have followed guidelines from the CDC, U.S. Department of Labor, and the Virginia Department of Agriculture and Consumer Services (VDACS).

In addition to the proposed permanent standard, we oppose any amendment to expand the scope to cover other infectious diseases. The standard, as drafted, contains specific mitigation practices and protocol to the novel coronavirus, as it exists today. Many of those mitigation practices would not prevent the spread of other infectious diseases, let alone the ever-evolving pandemic we are currently grappling with. This is a product of the hasty, and unscientific manner in which the Emergency Temporary Standard was adopted, and reflects the lack of adequate time for public input. We urge the Board not to make the same mistake with a regulation designed to last long into the future, beyond this current pandemic, and Administration.

VFBB appreciates the opportunity to file these comments. It is our hope that the board will oppose extending these standards on a permanent basis, and trust the Board will prevent an environment of overenforcement and not penalize farm operations that have given a good faith effort in following these complicated rules that continue to change on a frequent basis.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Pryor', written in a cursive style.

Wayne Pryor  
President & CEO  
Virginia Farm Bureau