

## State and Local Restrictions Talking Points

*While many Americans have seen empty shelves of high-demand products, much of the stock issues have been driven by the unprecedented amount of overbuying. The manufacturers of these essential goods do not have a supply shortage right now; they have plenty of essential goods ready to deploy — if state and local governments will allow it.*

In pursuit of protecting their communities, states and localities are putting in place gathering restrictions, curfews and other limitations. We respect the need for these measures and agree with their intent. However, exemptions need to be consistent for the people and processes that are necessary to public health.

Right now, essential products — the very products Americans are stocking up on to ensure they can stay in their homes and prevent the spread of COVID-19 — are not expeditiously or clearly exempted. And it is vital that a consistent system be put in place.

Consumer Brands Association research showed that most Americans are concerned about access to these essential products. More than six-in-ten (63%) Americans said they were concerned about access to food and beverage products, slightly more than those concerned about access to over-the-counter medicines (58%), personal care products (56%) or household cleaning products (54%). This concern is largely driven by stock piling and a perception that we could run out of essential products, which is not the case. Manufacturers have the supply to keep the shelves sufficiently stocked.

Americans' concerns about access are presently unfounded, provided the industry is permitted to produce and deliver goods. But subjecting manufacturing facilities to gathering restrictions could halt the production of essential products. Manufacturing facilities are not areas of "public gathering," but are heavily controlled environments that operate under strict food safety requirements, exemplify good manufacturing practices and exercise rigorous hygienic protocols.

Forcing the trucks carrying those products to abide by curfews or travel restrictions could keep them from getting to stores. In the pursuit of public health, local and state legislators, who aren't clarifying exemptions for CPG manufacturers, are unintentionally creating the conditions for the potential shortages Americans fear. Moreover, the workforce needed to keep these facilities running and products moving needs the clarity and leadership from state and local governments that ensure, when healthy, they can get to and should be working.

While many of the decisions about gathering restrictions and curfews are made at the local or state level, at the federal level, there is clear understanding of the need for exemption. The CDC's guidance on gatherings offers an exemption for necessary businesses. The White House has clearly stated that, as makers of essential products, the industry is part of the "critical infrastructure" definition: "If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule. You and your employers should follow CDC guidance to protect your health at work."

In a letter sent to federal, state and local leaders, XX trade associations joined together with a single request: consider the unintended consequences of your efforts to stop the spread of coronavirus by granting exemptions for CPG manufacturers and make clear that the truck drivers and workers can and should get to manufacturing facilities and retailers when they are healthy.

We stand together with the federal, state and local governments with the desire to meet this challenge and ensure that Americans continue to have access to safe, healthy foods and essential health products that help protect against the spread of COVID-19.