

# COVID-19 UPDATE



## COVID-19 SURGE IN CENTRAL VALLEY CASES OVER THE WEEKEND

### California COVID-19 By The Numbers

June 30, 2020

Numbers as of June 29, 2020

#### CALIFORNIA COVID-19 SPREAD

**222,917 (+6,367)**

Total Cases

#### Ages of Confirmed Cases

- 0-17: 17,739
- 18-49: 127,082
- 50-64: 46,486
- 65+: 31,379
- Unknown/Missing: 231

#### Gender of Confirmed Cases

- Female: 109,850
- Male: 112,043
- Unknown/Missing: 1,024

**5,980 (+44)**

Fatalities

#### Hospitalizations

Confirmed COVID-19  
**5,077/1,528**  
Hospitalized/in ICU

Suspected COVID-19  
**1,389/223**  
Hospitalized/in ICU

For county-level  
hospital data:  
[bit.ly/hospitalsca](https://bit.ly/hospitalsca)

Your actions **save lives.**

For county-level data:  
[data.chhs.ca.gov](https://data.chhs.ca.gov)  
[covid19.ca.gov](https://covid19.ca.gov)



Over the past week, surges in COVID-19 cases were seen across California, specifically in Los Angeles, Fresno, San Joaquin, Kings, Kern, Imperial and Tulare counties. Fresno County added 197 cases of COVID-19 Tuesday bringing the total in the county to 5,008 according to an update from the Department of Public Health. Another death has also been reported as the number of people who have succumbed to the virus stands at 73. Health officials say 56 people have recovered from COVID-19 bringing the recovery count to 1,222.

Tulare County's spike in COVID-19 case is continuing. Public health officials report there are now 4,156 cases, an increase of 451 new infections since Friday. Additionally, another four people died due to complications from the virus. There are now 126 deaths reported in Tulare County. In Kings County, health officials say the number of coronavirus cases in the county is up by 44, bringing the total to in the county to 2,394. Of those, 1,138 are associated with state-operated correctional facilities. According to the Kings County Department of Public Health, the number of recoveries in the county is up 74 to a new total of 1,492. The Kern County Health Department reported 107 new COVID-19 cases Tuesday, raising the county total to 4,655. Two more people died from COVID-related causes in the past 24 hours, raising the death toll to 70. Finally, San Joaquin County has been struggling with an uptick in virus cases for some time. Their online coronavirus dashboard shows that nearly 45% of their 3,093 cases happened within the past two weeks.

## **PUBLIC NUISANCE RELATED TO COVID-19**

Various workplaces have been the target of litigation from impacted employees alleging unsafe working conditions due to inadequate COVID-19 prevention measures. In recent months, several notable court cases from various jurisdictions, including California, have addressed the issue of whether various workplace conditions constitute a public nuisance.

These cases underline the importance of following the CalOSHA COVID-19 guidance, as well as CDC guidance and state/local government orders.

### **Milan, MO: Rural Community Workers Alliance v. Smithfield Foods, Inc. ("Smithfield")**

Workers sued Smithfield for public nuisance, alleging they had inadequate COVID-19 prevention measures in place at a meat-packing facility in Milan, Missouri. On May 5, 2020, the Western District of Missouri granted the defendant's motion to dismiss, finding that the Occupational Safety and Health Administration ("OSHA") was a more appropriate institution to oversee Smithfield's operations, enforce any relevant COVID-19 orders or penalize Smithfield upon discovering any violations to those orders. In addition, the court held that even if the judicial intervention was appropriate, the plaintiffs failed to show an immediate threat of irreparable harm because they only demonstrated a potential contraction of the virus, as opposed to an actual injury. No employee at the Smithfield location had been diagnosed with the virus and management implemented various health and safety measures to prevent exposure to the virus.

### **Alameda, CA: Hernandez v. VES McDonald's**

On June 16, 2020, workers at a McDonald's restaurant in Oakland filed a class action suit against the restaurant owners and management. The plaintiffs sued for public nuisance abatement and were granted a temporary restraining order requiring the restaurant to remain closed until the defendants show compliance with all COVID-19 health orders. Plaintiffs include three employees of the McDonald's restaurant, who contracted the virus while working, and unknowingly spread the virus to family members and friends. Plaintiffs allege this initial contraction of the virus has led to a small outbreak resulting in at least 25 cases of COVID-19 tied to this McDonald's location, thus causing a public nuisance.

### **Chicago, IL: Massey v. McDonald's Corp.**

Most recently, on June 24, 2020, the circuit court of Cook County, Illinois partially granted the plaintiffs' request for preliminary injunction in a public nuisance suit to compel the management at a McDonald's restaurant in Chicago to enforce necessary COVID-19 prevention measures. This case also presents a potential for a virus outbreak with two positive cases of COVID-19 for workers at the restaurant. The order outlines the various virus prevention measures that were not enforced by the defendant, including providing an adequate supply of hand sanitizer and accommodating for and enforcing social distancing.

# **JOINT STATEMENT FROM USDA AND FDA ON FOOD EXPORT RESTRICTIONS PERTAINING TO COVID-19**

Today, U.S. Secretary of Agriculture Sonny Perdue and FDA Commissioner Stephen M. Hahn, M.D., issued the following statement regarding food export restrictions pertaining to COVID-19:

“The United States understands the concerns of consumers here domestically and around the world who want to know that producers, processors and regulators are taking every necessary precaution to prioritize food safety especially during these challenging times. However, efforts by some countries to restrict global food exports related to COVID-19 transmission are not consistent with the known science of transmission.”

“There is no evidence that people can contract COVID-19 from food or from food packaging. The U.S. food safety system, overseen by our agencies, is the global leader in ensuring the safety of our food products, including product for export.”

Background: The U.S. Centers for Disease Control and Prevention (CDC), in conjunction with the U.S. Occupational Safety and Health Administration (OSHA), has issued guidance for manufacturing facilities, including food facilities, specific to controlling the spread of COVID-19 between workers. But the COVID-19 guidelines from CDC and OSHA are separate and distinct from the food safety requirements that all U.S. facilities must follow to ensure food safety. The FDA, an agency within the U.S. Department of Health and Human Services, protects the public health by assuring the safety, effectiveness, and security of human and veterinary drugs, vaccines and other biological products for human use, and medical devices. The agency also is responsible for the safety and security of our nation's food supply, cosmetics, dietary supplements, products that give off electronic radiation, and for regulating tobacco products.