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April 15, 2020

Pinellas County Board Records
315 Court St.
Clearwater, FL 33756

Via email to bccagendacomment@mypinellasclerk.org

Re: Pinellas County Safer-At-Home Guidance dated April 9, 2020 (Version: 5) and Vitamin Discount Center retail store located at 5600 4th St N, St Petersburg, FL 33703

To the Pinellas County Commissioners:

I am writing to you to request that the Pinellas County Commissioners reconsider the above referenced Safer-At-Home Guidance with respect to Section 5.gg., *Vitamin stores (unless service is under the care of a medical provider)*.

I ask that you please consider revising the Safer-At-Home Guidance so that Section 5.gg., *Vitamin stores (unless service is under the care of a medical provider)*, is removed as a non-essential business.

Dietary supplement retail is deemed an essential business under the Food and Agriculture section (the first bullet point listed) of *The Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19* issued by the U.S. Department of Homeland Security, Cyber and Infrastructure department ("CISA"), Version 2.0 (March 28, 2020) (the "CISA Guidance"). While the CISA Guidance does not specifically mention "dietary supplements", it does make reference to "other retail ... that sells human food". The Food and Drug Administration and the State of Florida Department of Agriculture and Consumer Services both consider dietary supplements "food".

While many dietary supplements products may be purchased on the Internet, there are certain products that are more often purchased from retail brick-and-mortar stores due to cost prohibitive shipping fees. Examples include tubs of protein and fiber, among several other items. Product sold in tubs is generally larger and heavier than most other dietary supplements and therefore is more costly to ship in individual packaging. The larger the size tub, the lower

the cost per ounce for the product. The most economical purchase size is a larger tub, which is the most expensive to ship.

There is a certain segment of the population that prefers shopping in retail brick-and-mortar stores for certain items or in certain situations or perhaps because they are less comfortable with technology. For other shoppers, the timeliness of the purchase is important. Perhaps they have run out of a critical product and prefer not wait two days for it to be delivered and expedited shipping is beyond their budget. There are many reasons why it may be quite reasonable for a shopper to make his or her purchase at a brick-and-mortar retail establishment rather than online.

With respect to the definition of an essential vitamin store representing a “service ... under the care of a medical provider”, dietary supplements are available over-the-counter and do not require a prescription. Yet they are necessary for many members of our community in their effort to maintain or improve overall wellness. I myself take a fiber supplement at the recommendation of my physician after my colonoscopy procedure. My wife takes a vitamin D supplement at the recommendation of her primary care physician. While these examples are anecdotal, it is nevertheless reasonable to suggest that there are many in our community who take dietary supplements at the *recommendation* of their doctors.

Additionally, it is more important than ever for every member in our community to take all reasonable measures to maintain their health. For a variety of reasons, dietary supplementation figures into the wellness plans for a large swath of the population. It is perhaps shortsighted for our political representatives and leaders to be issuing orders that unduly limit the ability of the members of our community to maximize their health during a pandemic.

With regard to dietary supplements being available to consumers at other brick-and-mortar retail establishments that are deemed essential by the Pinellas County Commissioners, businesses like Vitamin Discount Center (“VDC”) exist to expand on the breadth, depth, and quality of dietary supplements available to the public. Most of the brands offered in VDC’s retail stores are not available at Publix or Walgreens and many of the product categories VDC offers are not available in these large-box retailer establishments.

There are many reasons why “vitamin stores” such as VDC’s should be considered essential. I ask that the Pinellas County Commissioners please consider the reasons described herein and revise the Pinellas County Safer-At-Home Guidance dated April 9, 2020 (Version: 5) to exclude vitamin stores from the list of nonessential businesses.

Please do not hesitate to contact me with any questions related to the information contained within this letter. I may be reached at (813) 542-5750, extension 228, or via email to sgagne@vdcusa.com.



Thank you for your consideration.

Healthy regards,
VITAMIN DISCOUNT CENTER, LLC

Steve Gagne
Chief Financial Officer

Bachteler, James J

From: Comments, BCC Agenda
Subject: FW: Pinellas County Safer-At-Home Guidance - Request to reconsider Section 5 gg
Attachments: Pinellas Co Commissioners - Safer-At-Home Guidance - Change Request 2020-04-15.pdf

From: Steve Gagne [mailto:sgagne@vdcusa.com]
Sent: Wednesday, April 15, 2020 7:04 PM
To: Comments, BCC Agenda <bccagendacomment@co.pinellas.fl.us>
Subject: Pinellas County Safer-At-Home Guidance - Request to reconsider Section 5 gg

To Whom It May Concern:

I submit the attached letter for consideration by the Pinellas County Board of Commissioners with respect to the Safer-At-Home Guidance. I ask that the Commissioners please consider modifying the Safer-At-Home Guidance by removing Section 5. gg. for the reasons provided in the attached letter.

I am available for questions or requests for additional information with respect to the attached letter.

Steve Gagne
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