



State of New Jersey

DEPARTMENT OF AGRICULTURE
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DOUGLAS H. FISHER
Secretary

May 13, 2021

Governor Phil Murphy signed Executive Order No. 239 on Wednesday night, May 12, moving forward with the COVID-19 restriction easing announced last week. The easing includes the complete removal of the outdoor gathering limits; an increased indoor gathering limit; the complete removal of all percentage-based capacity limits for indoor businesses, outdoor businesses, and houses of worship; and an increased indoor large venue capacity. Additionally, the prohibition on indoor interstate youth sports competitions is being lifted.

The changes will take effect on Wednesday, May 19.

New Jersey Department of Agriculture Secretary Douglas Fisher is bringing the following measures to the attention of the agricultural community:

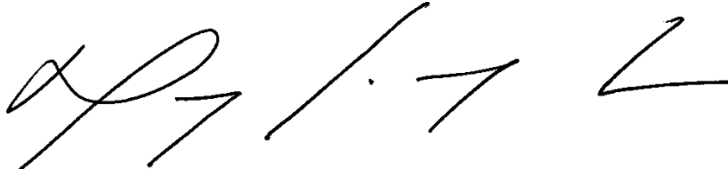
- **Complete removal of outdoor gathering limit** – Attendees at outdoor gatherings will still be required to remain six feet apart from other groups and existing requirements regarding mask wearing will remain in place.
- **Indoor gathering limit** – The limit for indoor gatherings in private residences will be raised to 50 persons, up from 25 persons. Commercial gatherings and gatherings organized and operated by an overseeing entity (e.g., conferences, expositions, meetings of fraternal organizations, job trainings, events hosted by senior centers) in public spaces will be subject to the 250-person indoor gathering limit that applies to indoor catered events, as long as all attendees can remain six feet apart.
- **Complete removal of all percentage capacity limits for indoor and outdoor businesses, and houses of worship** – The following businesses will no longer be subject to any percentage-based capacity restriction but will instead be guided by the rule regarding six feet of distance between persons or groups of persons. This would include:
 - Indoor dining – Currently, indoor dining is limited to 50 percent capacity. This change will remove the 50 percent limitation but maintain the six feet of required distance between tables, except that tables will still be permitted to be closer than six feet where restaurants use partitions that comply with DOH requirements. Additionally, the prohibition on tables of more than 8 persons will be lifted. As a reminder, outdoor dining has never been bound to a capacity percentage.
 - Retail businesses, which are currently at 50 percent indoor capacity.
 - Indoor amusement and recreation businesses and outdoor amusement and water parks, which are currently limited to 50 percent capacity.

- Indoor large venue capacity – The capacity limit for indoor large venues will increase from 20 percent to 30 percent and the definition of a large venue would shift from those with 2,500 fixed seats to those with 1,000 fixed seats. The requirement that individuals or groups of individuals that purchase tickets together remain six feet apart will remain in place.

The full text of Executive Order No. 239 can be read here:

<https://nj.gov/infobank/eo/056murphy/pdf/EO-239.pdf>

Sincerely,

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

Douglas Fisher