

## COVID-19: Policies and Protocol for Returns and Exchanges

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*As many states begin to modify stay-at-home orders to permit the reopening of non-essential retail, retailers are increasingly confronted with the question of how, if at all, they should modify their product return policies and practices. This article highlights key considerations for retailers as they answer this question, building off the current scientific understanding of how SARS-CoV-2 spreads, as well as the experiences of retailers that have remained open throughout the pandemic.*

### Preventing the Spread of the Virus

The primary impetus for modifying product return policies and practices is to ensure the health and safety of customers and employees. With that in mind, it is important to consider what we know - and don't know - about SARS-CoV-2. According to the Center for Disease Control and Prevention (CDC), the virus is thought to spread *primarily* from person-to-person through respiratory droplets produced when an infected person talks, coughs, or sneezes. These droplets can land in the mouths and noses of persons in close proximity (within about 6 feet), thereby infecting them.<sup>1</sup> Additionally, the virus can be transferred when the respiratory droplets of an infected person land on a surface or object, and another person touches the surface or object before touching their mouth, nose, or eyes. A leading study published by the New England Journal of Medicine found that the virus is viable for up to 72 hours on plastics and 24 hours on cardboard, though the amount of virus that lives decreases with the passage of time.<sup>2</sup> While the possibility of such indirect transmission exists, the scientific consensus is that direct transmission is a much more significant concern. Nonetheless, as a professor of cell biology at John Hopkins School of Medicine put it, "there cannot be an overabundance of caution. Nothing like this has ever happened before."<sup>3</sup>

### Modifying Product Return and Exchange Policies

A survey of essential retailers that have remained open throughout the pandemic reveal two common modifications to return and exchange policies: (i) temporarily suspending some or all in-store returns and exchanges, and in some cases, extending the period of time for which such products can be returned or exchanged; and (ii) making the sale of certain products final. The primary benefit of these modifications is a reduction of in-store foot traffic, which promotes social distancing and limits the possibility of customer and employee exposure to the respiratory droplets of infected persons. To a lesser extent, such policies also prevent the spread of the virus by limiting exposure to products that may temporarily be carrying the virus. Here's how some of the largest U.S. retailers have modified their return and exchange policies in response to the pandemic:

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<sup>1</sup> ["How COVID-19 Spreads."](#) Center for Disease Control and Prevention. April 13, 2020. Accessed May 4, 2020.

<sup>2</sup> ["Aerosol and Surface Stability of SARS-CoV-2 as Compared with SARS-CoV-1."](#) The New England Journal of Medicine. April 16, 2020. Accessed May 4, 2020.

<sup>3</sup> ["How Long Can the Virus that Causes COVID-19 Live on Surfaces?"](#) John Hopkins University. March 20, 2020. Accessed May 4, 2020.

General merchandise chain	Suspended all returns from March 26 to April 26, but has since resumed processing returns; customers who purchased products with a "return by date" within this period will have until June 15 to return them
General merchandise chain	Temporarily not processing in-store returns or exchanges of food, paper goods, home cleaning supplies, laundry soap, pharmacy, health and beauty and apparel; extending return period by 6 weeks for these items
Grocery chain	Temporarily suspending product returns on food products, cosmetics, and apparel
Home improvement chain	Extending return policy from 90 days to 180 days, and asking customers to refrain from returning products to stores at this time, if possible
Pharmacy chain	All non-prescription sales are final

While the experiences of essential retailers offer insight to non-essential retailers considering modifying their return and exchange policies, each retailer will need to consider its own unique circumstances. Key considerations include:

- *The volume of returns:* Is allowing returns likely to interfere with social distancing efforts and increase the possibility of direct transmission? Can returns be processed such that employees and customers comply with CDC recommendations?
- *The nature of products being returned:* Are the products being returned more or less conducive to indirect transmission (e.g., plastic bottles and containers vs. porous materials such as cardboard and fabric)?<sup>4</sup>
- *Ability to implement revised return protocol:* As discussed below, many retailers have elected to "quarantine" or clean returned products before returning them to the sales floor. Does your business have the space or materials to implement such revised protocol?
- *Communication of new policies to customers:* New signage, receipt messages, and website banners may be among the tools used by retailers to advise customers of the updated policies.

While the health and safety of customers and employees will be the driving consideration, businesses must also be cognizant of the economic impact of revising their return and exchange policies. In contrast to essential retailers, non-essential retailers are more likely to rely on in-store returns of online purchases as a means of driving traffic (and thus sales) to their brick and mortar stores. However, if a jurisdiction is imposing strict occupancy limits on retailers, temporarily suspending returns may indirectly benefit the retailer by limiting visitors to those intending to purchase, rather than return, products. In any case, changes to existing return and exchange policies should be reasonable, clearly communicated, and compliant with applicable law.

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<sup>4</sup> The New England Journal of Medicine's study did not look at the viability of the virus on fabric. However, "most virus experts believe that the cardboard research offers clues about how the virus probably behaves on fabric. The absorbent, natural fibers in the cardboard appeared to cause the virus to dry up more quickly than it does on hard surfaces. The fibers in fabric would be likely to produce a similar effect." See Parker-Pope, Tara. ["Is the Virus on My Clothes? My Shoes? My Hair? My Newspaper?"](#) New York Times. April 17, 2020. Accessed May 4, 2020.

## Protocol for Handling Returned Products

Retailers choosing to process returns and exchanges should focus foremost on managing the risks of direct transmission, which begins with requiring employees and customers to follow the CDC's social distancing guidelines. Employees handling returns and exchanges should be equipped with personal protective equipment (at a minimum, to the extent required by applicable law), such as face coverings and gloves, and trained in their proper use and disposal. Workspaces for processing returns should be cleaned thoroughly and regularly with disinfectants approved by the EPA for use against SARS-CoV-2. For more information on cleaning protocol, see [CDC Guidance on Cleaning and Disinfecting Your Facility](#).

Lacking detailed data on the risk of indirect transmission, many retailers are implementing enhanced protocol for handling returned merchandise prior to returning it to the sales floor. The emerging trend among retailers appears to be isolating or "quarantining" returned items for a prescribed period of time prior to returning them to shelves, typically 48 to 72 hours. This is likely the safest, easiest, and most inexpensive means of reducing indirect transmission of the virus. Alternatively, when feasible and/or necessary, some retailers are directly cleaning returned items with approved disinfectant. While retailers will ultimately need to implement protocol that suits their unique business needs and limitations, retailers should bear in mind that until we know more about the virus, there likely "cannot be an overabundance of caution".