

REUSABLE TAKEOUT CONTAINERS: Applying for a Variance from Department of Health

If you are interested in applying for a Ditch the Disposables grant to do any of the following:

- Distribute, collect, and sanitize reusable takeout containers at your establishment, or
- contract with an existing third-party shared reusable takeout container program, or
- start a new third-party shared reusable takeout container program,

then you will need to apply for a variance from the District of Columbia Department of Health (DC Health).

NOTE:

A variance is NOT required to fill/refill customers' containers for beverages (coffee mugs, travel mugs or tumblers, etc.), as this is ALLOWED under current DC Health rules, which you can view here: <https://dchealth.dc.gov/node/214932>. A variance is required only for reusable takeout containers for prepared foods or other non-beverage items for immediate consumption.

➤ **To apply for a variance**, the online application is at:

<https://dchealth.force.com/Application/s/login/?startURL=%2FApplication%2Fs%2F%3Ft%3D1646242785542>

- We recommend using Google Chrome for optimal functionality
- Username must be in the format of an email address
- You will be required to create an account, complete the application, upload any requested support documentation, and submit payment (\$200)
- Make sure your password is at least ten (10) characters long and contains at least one of each of the following: capital letter, lower case letter, number, and special character
- DC Health's review team will review your application and respond via email; response will generally come within 30 days
- You will only be required to create an account once (you will use the same account for any business you do with the Division of Food Safety)
- If you have any questions or issues with the application, please contact haccp.plans@dc.gov

➤ **For the variance application:**

- Answer all the required fields and upload any requested documents
- When asked "State the specified provision(s) of this Code from which the variance is requested," please enter **25-A DCMR 815.1**
- When asked "Is a HACCP plan involved in this variance requested?" please answer NO and attach the additional documentation for the variance request
- The additional documentation should be a PDF file detailing the establishment's plan for the use of reusable takeout containers that includes:
 - State that establishment prohibits patrons/customers from returning personal multiuse containers that have not been provided by the food establishment
 - List the designated drop-off location in each food establishment
 - List the type of closed container that will be used for collection of the returnables

- Require visual inspection of each returnable to verify that it meets the requirements of 25-A DCMR 1400.1
- Reject any returnable that has visible soils
- List the ANSI (American National Standards Institute)-accredited certification program that certifies that the specific returnable (food equipment) is certified or classified for sanitation such as:
 - Baking Industry Sanitation Standards Committee (marked “Certified BISSC”)
 - Canadian Standards Association (marked “CSA Sanitation to NSF/ANSI”)
 - Intertek (marked “ETL Sanitation Listed”)
 - NSF International (marked “NSF”)
 - Underwriters Laboratory (marked “Classified UL EPH”)
- If using a third-party facility to clean, sanitize, and transport returnables:
 - Provide a copy of the third-party establishment’s license/permit
 - Provide a copy of the third-party establishment’s sanitation procedures for returnables
 - Provide a copy of the third-party establishment’s procedures that describe sanitary transportation practices to ensure that food transported by motor vehicles is not transported under conditions that may adulterate the food
- Photographic evidence of manual warewashing equipment (example: three-compartment sink) since DC Health will not be verifying the presence of said equipment
- List the cleaning and sanitizing procedures the establishment will employ to prevent possible contamination of returnables to the consumer
- Establish designated area in the establishment where returnables will be stored

You may contact haccp.plans@dc.gov if you have any questions about applying for a DC Health variance