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%3D164624785542

• 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:
  o State that establishment prohibits patrons/customers from returning personal multiuse containers that have not been provided by the food establishment
  o List the designated drop-off location in each food establishment
  o List the type of closed container that will be used for collection of the returnables
o Require visual inspection of each returnable to verify that it meets the requirements of 25-A DCMR 1400.1
o Reject any returnable that has visible soils
o 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”)

o 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

o Photographic evidence of manual warewashing equipment (example: three-compartment sink) since DC Health will not be verifying the presence of said equipment

o List the cleaning and sanitizing procedures the establishment will employ to prevent possible contamination of returnables to the consumer

o 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.