

VARIANCE RENEWAL GUIDANCE DOCUMENT

WHAT IS A VARIANCE?

A Variance is defined in Title 25- A of the District of Columbia Municipal Regulations (DCMR), also known as the Food Code Regulations, as a written document the Department of Health issues which authorizes a modification or waiver of one (1) or more requirements of the Food Code Regulations if, in the Department's opinion, a health hazard or nuisance will not result from the modification or waiver.

VARIANCE RENEWAL (§ 4107):

- Variances may be renewed if there have been *no changes* made to the originally approved variance. Any changes made will require a new variance submission.
- A request for the renewal must be submitted to the Department of Health in writing at least thirty (30) calendar days before its expiration date.
- The Department of Health will renew a variance if the food establishment continues to satisfy the criteria or the conditions set forth and demonstrates compliance with the alternative measures.
- A variance will not be renewed if there has been a change in the conditions upon which the variance was granted or the licensee failed to comply with the approved variance.

HOW TO APPLY FOR A VARIANCE RENEWAL:

- The applicant must submit the following information (§ 4103):
 - A written request on the establishment's official letter head of the establishment's intent to renew their variance
 - The specified provision(s) (codes) of the Food Code Regulations from which the variance is requested;
 - The reasons why the requirements of the provision(s) cannot be met;
 - Alternative measures that will be taken to ensure a comparable degree of protection to public health, safety, and the environment if a variance is granted;
 - Information on whether a Hazard Analysis Critical Control Points (HACCP) Plan is involved with the request, and information regarding the plan*;
 - The length of time for which the variance is requested; and
 - A statement that the party applying for the variance will agree to comply with the terms of any variance, if one is granted
 - A copy of the establishment's previously approved variance letter
 - A copy of the establishment's previously approved HACCP plan (if applicable)
 - A copy of the establishment's renewed Basic Business License (BBL) issued by the Department of Consumer and Regulatory Affairs*

**Please note: Variances are valid for the license period on the Basic Business License unless otherwise stated on the variance approval letter.*

HOW TO SUBMIT YOUR VARIANCE RENEWAL:

- Email - You may submit your written variance renewal request via email to Haccp.Plans@dc.gov with all required documentation.
- In person - You may also submit your request by hand delivering your written request to DC Health's Processing Center, located on the first floor.

Please Note: There is no fee for a Variance renewal, however, if changes have been made to the originally approved variance request, a new variance submission with appropriate fee will be required.

All written requests for variance renewal will be reviewed within 30 days. An incomplete submission, or a written request that is not on the establishment's official letterhead may delay review and process of renewals.