Food establishments are constantly evolving and experimenting with different styles of cooking and preparing food for their customers. This may include food preparation techniques that do not comply with the Food Code.

Because of the hazards associated with certain foods and processes, retail food establishments must apply for a variance before starting any specialized processing as described in the Food Code, OAR 603-25-0030, Chapter 3-502.11.

These processes present a significant health risk if the facility is not following specific operational procedures for each batch of product.

Some examples are:
- Curing with nitrates
- Smoking food for preservation
- Vacuum-packaging cooked foods
- Acidifying foods
- Sprouting seeds or beans on site

Variances may not be approved for facilities that do not meet minimum Food Code requirements. They are for facilities that can show that the rules present an undue burden to their operation and that their proposed alternative will provide public health protection equal to or greater than the measures provided for in the current rules.