Indiana State
Department of Health
An Equal Opportunity Employer

Mitchell E. Daniels, Jr.
Governor

Gregory N. Larkin, M.D., F.A.A.F.P.
State Health Commissioner

CERTIFIED MAIL

October 16, 2012

Ms. Susan Dong
Mr. Hibachi
4402 E. 3rd Street
Bloomington, IN 47401

Dear Ms. Dong,

The variance application received on September 24, 2012 has been reviewed and found to be incomplete. All sections of the application must be completed in their entirety. In addition, supporting documents such as "standard operating procedures" and any results from laboratory testing must be provided to document your procedure is safe and can be implemented correctly. I recommend you also review the enclosed document for tips on submitting a proper application. The existing application will be held open for 30 days from the date of this letter allowing you time to resubmit the required information. If nothing is received after that time your application will be recommended for denial. If you have any questions, please feel free to contact this office.

Sincerely,

A. Scott Gilliam, MBA, CP-FS, Director
Food Protection Program
317/351-7190

cc: Sylvia Garrison, Monroe County Health Department
Hank Wolfe, ISDH

Application Form

This form can now be completed electronically printed out and mailed with an origina

RECEIVED
SEP 24 2012
FOOD PROTECTION PROGRAM
INDIANA STATE DEPT. OF HEALTH

Link to State Form in Electronic Format

Request For Variance
State Form 51184 (12/02)
Food Protection Program

INDIANA STATE DEPARTMENT OF HEALTH
Telephone: 317/233-7360 FAX: 317/233-7334

1. Individual Submitting Request: Date: 8/26/12

Name: SuSan DONG Telephone: (812) 339-6228 Fax: (812) 339-6322
Mailing Address: 4400 E 3rd St (Number & Street) Email: SuSandong@hotmail.com
P.O. Box City: Bloomington State: IN Zip Code: 47401

2. Person/Organization Seeking Variance:

Name: Mr. Hibachi Email: SuSandong@hotmail.com
Mailing Address: 4400 E 3rd St (Number & Street)
P.O. Box City: Bloomington State: IN Zip Code: 47401

3. Food Establishment(s) for Which Variance is Sought
Include the following information for each food establishment: (List here or attach additional pages if necessary)

- Physical Location (if different than mailing address):
- Mailing Address: (Number, Street, City, State & Zip Code)
- Telephone Number: ( ) Fax Number: ( )
- Person at each retail food establishment most responsible for supervising:

4. State how the proposal varies from each rule requirement, citing relevant rule sections by number:
(Attach additional pages if necessary)

The application is a request for a variance from 410IAC-7-20-187 potentially hazardous food. hot and cold holding. instead of holding cooked acidified white sushi rice at 135F or 41F for less. the rice will be held at room temperature for up to 10 hours from time of acidification.

5. Explain how the potential public health hazards and/or nuisances will be alternatively addressed by the proposal. Include supporting studies, Hazard Analysis Critical Control Point (HACCP) Plan(s), standard sanitation operating procedures, and/or any other evidence: (Attach additional pages, if necessary.)

Chefs are required to measure the pH of each batch of white sushi rice prepared using a calibrated pH meter. the rice may not be used to roll sushi until the pH of the rice has been verified (critical limit is 3.30~4.10). All chefs must follow Mr. Hibachi sushi rice recips. Chefs are trained on pH meter calibration, how and when to take the pH corrective action if critical limits are not met;

and the completion and maintenance of logs. Backup test strips may only be used for 3days (at most) if PH meter malfunctions sushi rolled with raw fish will be placed over the ice tray and will be placed every two hours.

6. List how the proposal demonstrates the following (if applicable to the request):

A) How the proposal differs from what is common and usual in similar industry situations:

Mr. Hibachi is currently using pH as a method of control.

B) How the proposal is unique and not addressed in existing rules or law:

Indiana food code requires that a variance approval for any method to be used in lieu of time and temperature.

C) How the proposal does not diminish the protection of public health:

Rice is no longer be potentially hazardous at a pH below 4.6

D) How the proposal is based on new scientific or technological principle(s):

The proposal is not base on any new scientific or technological principle. the pH of each batch of rice is measured using a calibrated pH meter. rice is no longer potentially hazardous at pH below 4.6.

E) How the implementation of the variance would be practical:

our chefs will be able to roll sushi with soft flufly rice prepared the same day which results to a fresher produce.

7. Explain how the person/organization seeking the variance will assure that all provisions of a granted variance will be enacted at each food establishment for which a variance has been granted:

The restaurant manager checks at least once a month ensure that compliance is maintained. chefs that are found to be not in compliance will be retrained or terminated.

8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary)

9. Attach copies of any related variances, waivers or opinions issued by other governmental agencies.

10. Signature of Individual Making Request: _____

Printed Name, Title: Mr. Hibachi manger Sidan Deng

For Office Use Only

432012