



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: <u>4 / 7 / 2013</u>
Name: <u>Michelle Chiang</u>	Telephone: <u>(260) 418-1201</u> Fax: <u>()</u>
Mailing Address: <u>11616 Pennet Run</u>	Email: _____
<small>Number & Street</small>	
<u>Fort Wayne</u>	<u>IN</u>
<small>P.O. Box City</small>	<small>State</small>
	<u>46845</u>
	<small>Zip Code</small>
2. Person/Organization Seeking Variance:	
Name: <u>Asakusa Japanese Restaurant</u>	Email: _____
Mailing Address: <u>6401 W Jefferson Blvd.</u>	
<small>Number & Street</small>	
<u>Fort Wayne</u>	<u>IN</u>
<small>P.O. Box City</small>	<small>State</small>
	<u>46804</u>
	<small>Zip Code</small>
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): <u>see above</u>	
• Mailing Address: _____	
<small>(Number, Street, City, State, & Zip Code)</small>	
• Telephone Number: <u>()</u> Fax Number: <u>()</u>	
• Person at each retail food establishment most responsible for supervising: <u>Michelle Chiang</u>	
4. State how the proposal varies from each rule requirement, citing relevant rule sections by number:	
<small>(Attach additional pages if necessary)</small>	
In section 410 IAC 7-24-187, it specifies that the holding temperatures for potentially hazardous food to be held at 135 F for holding warm food and 41F for holding cold food. Instead of holding the sushi rice at the above stated temperatures, we prepare our sushi rice with a special process and use acidification to alter the pH to be below 4.6 and hold the sushi rice up to 10 hours at room temperature from the time that acidification took place in order to prepare the rice in a non-hazardous food item.	
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.)	
The sushi chef is equipped and trained to use the calibrated pH meter to measure each batch of sushi rice that is prepared to ensure proper acidification to be between 3.3 pH to 4.6 pH acidity. The sushi rice is checked every 1-2 hours to ensure that the pH level stays appropriate to ensure non-hazardous food conditions to comply with the HACCP Plans. The rice is made fresh three times daily and is disposed of if it fails to maintain a 4.6 pH level or below. The sushi chef will only use the recipe as stated below.	
The sushi rice includes the following ingredients: white rice, vinegar, sugar, and salt.	
Held at room temperature for no more than 10 hours.	
Calibrated pH meter ensures that a proper pH balance is maintained below 4.6 and is monitored every 1-2 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:
In Japanese restaurants, altering the pH balance of sushi rice is very common. Having a proper pH level of the sushi rice ensures a safe, non-hazardous food item.
- B) How the proposal is unique and not addressed in existing rules or law:
The Indiana code(section 410 IAC 7-24-187) requires a variance before the method can be used. When the pH of the sushi rice is altered to be below 4.6 pH, the rice becomes non-potentially hazardous and is safe to remain at room temperature in the appropriate sushi rice containers.
- C) How the proposal does not diminish the protection of public health:
The pH level of the sushi rice is adjusted to below 4.6 pH and is therefore a non-hazardous food item.
- D) How the proposal is based on new scientific or technological principle(s):
The proposal is scientifically proven that bacteria does not grow on food when the pH level is below 4.6 pH, making the food non-hazardous. We will always keep our rice pH level below 4.6 pH at all times.
- E) How the implementation of the variance would be practical:
A pH reading will be taken upon every batch of rice that is made and the pH level will be checked every 1-2 hours by the sushi chef to ensure that our sushi price is properly maintaining the appropriate acidification level of 4.6 pH.

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 sushi chef will report to Michelle Chiang regarding the pH level of the sushi rice daily and will use the calibrated pH meter to ensure that a proper balance is maintained. The pH balance of the sushi rice will be checked every 1-2 hours to make sure that the HACCP plan is met to comply to the ISDH standards.

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

Asakusa Japanese Restaurant, Allen County Health Department, and the Indiana State Department of Health

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

10. Signature of Individual Making Request:

Printed Name, Title: Michelle Chiang, Owner

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