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: 04/07/08

Name: Joe Hunsaker Telephone: (704 926-3976 Fax: (704-926-2201

Mailing Address: 11949 Steele Creek Rd Email: joehunsaker@hisshosushi.com
Number & Street

Charlotte NC 28273
P.O. Box City State Zip Code

2. Person/Organization Seeking Variance:

Name: Hissho Sushi Email: www.hisshosushi.com

Mailing Address: 11949 Steele Creek Rd
Number & Street

Charlotte NC 28273
P.O. Box City State Zip Code

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): Sushi Bar @ Kroger #976
- Mailing Address: 8801 US 24 West Ft. Wayne, IN 46804
  (Number, Street, City, State, & Zip Code)
- Telephone Number: (260) 434-1528 Fax Number: (____)
- Person at each retail food establishment most responsible for supervising: Jordan Cinzah

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

In section 7-24-187 Potentially hazardous food; hot and cold holding it requires food to be held above 135°F or below 41°F. By adding sushi vinegar to our rice we will change the pH to below 4.6 which will then make the rice a non potentially hazardous food and allow us to keep the rice at room temperature.

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.)

Attached

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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:
The altering of the pH of the sushi rice is common in the sushi industry.

B) How the proposal is unique and not addressed in existing rules or law:
When the pH of the rice is changed the rice becomes non potentially hazardous therefore allowing it to be keep at room temperature.

C) How the proposal does not diminish the protection of public health:
By adjusting the pH of the rice it becomes a non potentially hazardous food.

D) How the proposal is based on new scientific or technological principle(s):
The proposal is based on the scientific fact that bacteria will not grow when the pH level is below 4.6. In most cases the pH level will be below 4.1 without recipe.

E) How the implementation of the variance would be practical:
The process will be done on a daily basis with records keep by the chef and logged in for each batch of rice made. It will be verified by a local supervisor on a regular basis.

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 take pH readings of each batch of rice produced. This will be documented on a pH log which will be checked on a regular basis by the local supervisor.

8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary)
Ft. Wayne Health Department
All local or State Health Departments where variance is required.

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

For Office Use Only

10. Signature of Individual Making Request:

Printed Name, Title: Joe Hunsaker Food Safety Manager