



**REQUEST FOR VARIANCE** RECEIVED  
 State Form 51184 (R/5-13)  
 Food Protection Program  
 NOV 22 2013

**INDIANA STATE DEPARTMENT OF HEALTH**  
 Telephone: 317/234-8569 FAX: 317/233-9200

**FOOD PROTECTION PROGRAM**  
 INDIANA STATE DEPT. OF HEALTH

**1. Individual Submitting Request:** Date: 11/19/2013

Name: Andrea Bursey Telephone: (704) 926-2293 Fax: (704) 926-3963

Mailing Address: 11949 Steele Creek Road Email: abursey@hisshosushi.com  
Number and Street

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

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**2. Person/Organization Seeking Variance:**

Name: Hissho Sushi Email: abursey@hisshosushi.com

Mailing Address: 11949 Steele Creek Road  
Number and Street

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

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**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):* Please see attachment
- Mailing Address: \_\_\_\_\_  
(Number, Street, City, State, and ZIP Code)
- Telephone Number: ( ) \_\_\_\_\_ Fax Number: ( ) \_\_\_\_\_
- Person at each retail food establishment most responsible for supervising: \_\_\_\_\_

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

This application is a request for a variance from 410 IAC 7-24-187 Potentially hazardous food; hot and cold holding, instead of holding cooked acidified white sushi rice at 135F or above or 41F or less, the rice will be held at room temperature for up to 8 hours from time of acidification.

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**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. Each facility is equipped with a functional pH meter and buffer solutions. All chefs must follow the Hissho Sushi sushi rice recipe. 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.

Please refer to the attachments for additional detail.

**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:

All of our sushi bars use pH and acidification as a control, but it is also common to use TPHC.

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

Allowance of acidification as a control

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 based 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:

When holding our rice at room temperature our chefs will be able to roll sushi with soft fluffy rice prepared the same day. Cold rice makes the sushi rolling process much more difficult.

**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:**

All chefs must go through SerSafe training and pH meter training to assure that they know proper procedure for cooking and holding safe sushi rice.

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

Please see attachment

**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: Andrea Bursey, Hissho Sushi, Quality Manager