



Michael R. Pence
Governor

Jerome M. Adams, MD, MPH
State Health Commissioner

CERTIFIED MAIL #7009-2820-0003-8637-9509

November 20, 2015

Jason Hornberger, Owner
Horny Toad Tavern, LLC
803 West 10th Street
Indianapolis, IN 46202

RE: Variance Request # 882015

Order to Approve a Variance

You are hereby notified that based on the recommendation of the Indiana State Department of Health (ISDH) Food Protection Program, and as authorized by Indiana Code (IC) 16-19-3-4.3 and IC 16-42-5-5.2, the State Health Commissioner hereby orders that a variance be approved to Jason Hornberger, Owner, Horny Toad Tavern, LLC.

On June 26, 2015, this office received a request from you representing Horny Toad Tavern, LLC to vary section 187 of 410 IAC 7-24, "Retail Food Establishment Sanitation Requirements," relating to the acidification of sushi rice. This request was followed by an ISDH letter on September 9, 2015 and a subsequent company response on October 7, 2015, which included the revised materials attached at the end of this approval letter.

This **VARIANCE APPROVAL** is based on the following criteria:

- The following may be utilized by Sushi Boss as either "production & selling" sites or "selling only" sites. These sites are located at:

Sushi Boss Restaurant
803 W. 10th Street
Indianapolis, IN 46202

IU Health - Methodist
1701 N. Senate Ave.
Indianapolis, IN 46202

IU Health - North
11700 N. Meridian St.
Carmel, IN 46032

IU Health - Riley
705 Riley Hospital Drive
Indianapolis, IN 46202

IU Health-University
550 University Blvd.
Indianapolis, IN 46202

University of Indianapolis Dining
1400 E. Hanna Ave.
Indianapolis, IN 46227



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Gateway Café
950 N. Meridian St.
Indianapolis, IN 46204

Carmel High School
520 E. Main St.
Indianapolis, IN 46202

- Cooked white sushi rice shall be prepared according to the process described in the variance application, including a resulting pH of 4.1 or less as a critical control point (CCP).
- All sushi rice preparation employees must be trained on the SSOP's, pH verification/recording procedures, and as stated in the Sushi Boss manual, response letter, and revised application received on October 7, 2015 (Attached).
- A company inspector will have managerial oversight of the production facility and will act to verify that the procedures herein established are being performed. Records demonstrating the occurrence of this function will be retained at, or be available from, the production site for up to two years.
- The ISDH Food Protection Program shall be notified of any substantive changes in the production process that may affect the conditions and criteria in this variance.
- According to section 153 of 410 IAC 7-24, a retail food establishment may not serve raw or undercooked food of animal origin to persons who are considered a "highly susceptible population." **Horny Toad Tavern, LLC is not given authorization to serve products containing raw or undercooked food of animal origin to persons who are considered a "highly susceptible population."**

The response letter of October 7, 2015 to ISDH states your method for assuring this will not occur to be, "Sushi Boss will not serve raw or undercooked food of animal origin to persons who are considered a "highly susceptible population." The letter further states, "As a control method to serve staff and medical professionals who desire to consume traditional sushi, raw or undercooked food of animal origin, the following requirements will be enforced:

- all raw items will be labeled RED color
- boxes with Red color label band will require employee or staff badge upon purchase
- Sushi Boss Daily Operation Procedures checklist will include a box for appropriate labeling."

Managerial enforcement as stated above shall include training and verifying that point-of-sale employees consistently conduct this procedure.

In addition to this procedure, products containing fish ingredients served raw or undercooked shall meet the requirements stated in sections 162 and 163 of 410 IAC 7-24, regarding parasite destruction and the records showing that parasite destruction has been accomplished.

In addition to the above stated procedure, products containing raw or undercooked food of animal origin shall include labeling to provide a consumer advisory in accordance with 410 IAC 7-24, section 196.

- The controls for meeting the conditions of this approval shall be assessed by ISDH and/or the affected local health department periodically. In addition, ISDH and/or the affected local health department may collect independent samples, analyzed for pH based on the submitted recipe and/or procedure.
- The facility person-in-charge shall allow random surveillance sampling by the regulatory authority of the sushi rice for testing at any time to verify that the procedure in the variance application is being followed.

- Log sheets recording pH measurements of sushi rice shall be retained (as either paper or electronic files) for a period of at least two years from the date of production and shall be made available to the regulatory authority during inspections.
- A copy of this approval letter and the submitted application must be kept onsite in the above named preparation establishment at all times and readily available for review by state and/or local health department personnel.
- A Certified Food Handler, as specified in 410 IAC 7-22, shall be provided at all times during sushi preparation for production locations to properly oversee all food safety requirements.
- This variance does not extend to locations not listed above. There shall be no other food establishments in Indiana conducting this process by this company unless explicitly approved by the ISDH Food Protection Program. The company must request and receive approval from ISDH Food Protection Program at least thirty (30) days prior to adding new Indiana locations to this variance.
- Horny Toad Tavern, LLC shall comply in all aspects of the 410 IAC 7-24, as determined by the ISDH and/or local health department, except as stated above. Any change to the management or structure of the operation could invalidate this Variance Order.
- This Variance Order is limited to Horny Toad Tavern, LLC and the current scope of the existing operations as indicated in submitted materials. This Variance Order is not transferable to a new owner.
- This Variance Order is conditioned upon continuance of corporate inspections which will verify HACCP compliance and generate signed records indicating the occurrence of such reviews during monthly inspections.
- This Variance Order is limited to being in compliance with all other applicable state and local regulations.
- Any provisions not adhered to may result in the revocation of this order.
- Some of the submitted materials may be considered confidential or proprietary for Horny Toad Tavern, LLC. It is a condition of this approval that Horny Toad Tavern, LLC agrees to allow copying and transmittal of submitted materials to Indiana food regulatory authorities for regulatory purposes.

If you wish to request an administrative review or stay of effectiveness of this decision pursuant to Ind. Code §40-21.5-3-7(a), you must petition for such review in writing. The petition must state facts demonstrating that:

- a. you are a person to whom the decision is specifically directed;
- b. you are aggrieved or adversely affected by the decision; or,
- c. you are entitled to review under any law.

Your request for review or stay of effectiveness must be filed in writing and addressed to:

Indiana State Department of Health
Attn: Court Administrator
Office of Legal Affairs
2 North Meridian Street, Section 3H
Indianapolis, Indiana 46204

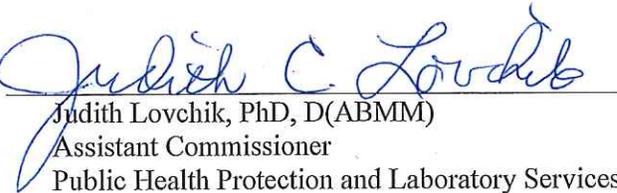
on or before December 20, 2015. If no request for review or stay of effectiveness is filed by December 20, 2015, this decision shall become final.

DATED AT INDIANAPOLIS, INDIANA THIS 20th DAY OF NOVEMBER 2015.

PURSUANT TO IC 16-19-3-4.3 AND IC 16-42-5-5.2, I HEREBY APPROVE A VARIANCE OF FOOD PROTECTION RULES AS STATED ABOVE.

JEROME M. ADAMS, MD, MPH
STATE HEALTH COMMISSIONER

By:


Judith Lovchik, PhD, D(ABMM)
Assistant Commissioner
Public Health Protection and Laboratory Services Commission

cc: ISDH Executive Board
ISDH Food Protection Staff
ISDH Office of Legal Affairs
Hamilton County Health Department
Marion County Health Department
ISDH Acute Care Program



Michael R. Pence
Governor

Jerome M. Adams, MD, MPH
State Health Commissioner

CERTIFIED MAIL #7002-2410-0000-1700-6440

September 3, 2015

Jason Hornberger, Owner
Horny Toad Tavern, LLC
6529 Lillians Ct.
Indianapolis, IN 46237

RECEIVED

OCT 07 2015

FOOD PROTECTION PROGRAM
INDIANA STATE DEPT OF HEALTH

RE: Request for More Information – Variance Request # 882015

On June 26, 2015, this office received a request from you representing Horny Toad Tavern, LLC to vary section 187 of 410 IAC 7-24, "Retail Food Establishment Sanitation Requirements", relating to the acidification of sushi rice. After review of the application, there are questions and additional pieces of information that are needed to fully understand and complete the review to make a final determination on the request. We are offering this opportunity for you to provide this information before a final decision is made. If a response is not received for the requested information, the variance request will not be given further consideration. It is requested the information be provided within thirty-five (35) days of the date at the top of this letter.

Please address the following items:

- Question #4 of the application section of the variance request states that the acidified white rice will be held at room temperature for up to 24 hours after acidification. To assure that the added acid has not been excessively buffered by the rice, can another pH measurement routinely take place of the acidified rice if it is to be saved beyond 12 hours?
see page 14 of manual
- The records mentioned under application question #7 must be retained so the regulatory authority can verify compliance with the variance. Is there agreement that this period should be at least two years? The records could be retained as paper or electronic files.
see page 22 of manual
- Typically in a HACCP (Hazard Analysis, Critical Control Point) Plan, there is a verification step to assure that the HACCP Plan is being operated as intended. The submitted plan does not indicate who will do this verification, and on what form a verification record will be created. Can a verification process be added, including a specification of who will be responsible for verification and how the verification will be recorded?
see page 26 of manual
- In order to oversee all food safety requirements and the requirements of this variance, do you agree to provide a Certified Food Handler, as specified in 410 IAC 7-22, during all periods of sushi preparation for each location?

see page 17 of manual



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- The third page of the variance request lists 8 locations. Can there be identified which of these locations will be preparation facilities and which will be selling-only sites?
see 4th page of variance request
- On the 4th page of the variance request there is a discussion of the method for assuring raw or undercooked food of animal origin are not served to persons considered to be a "highly susceptible population". There is no direct mention of a consumer advisory as specified in 410 IAC 7-24-196. Could there be provided a sushi label with an example of a consumer advisory that will be used when raw food of animal origin is an ingredient in a product?
see 4th page of variance request
- The "Flow of Food" charts on pages 6 and 17 of the Sushi Boss Manual exclude steps such as: the freezing of salmon and other uncooked seafood for parasite destruction required under 410 IAC 7-24-162; thawing of seafood items; the ultimate disposition of products, either by sale to a consumer or discarding of unsold product. Can a complete flow chart be developed to show all steps and paths of ingredients from receiving to disposition?
see page 7 of manual
- The importance of parasite destruction is explained on page 14 of the Sushi Boss Manual; however, there is not a clear description of the products which will have a parasite destruction procedure completed at the preparation site. Can these items be listed along with the procedure to be used to assure this parasite destruction occurs?
see page 15 of manual
- Sushi Boss Manual page # 20 says that salmon must be frozen throughout to a temperature of -4F for 168 hours (7 days). To insure adequate parasite destruction, 168 hours is the amount of time the fish must be held at -4F. Cool down time has not been calculated into this procedure and chart. Can the procedure and chart be modified to accommodate the amount of hours necessary to cool seafood requiring parasite destruction and then be held at -4F for 168 hours?
see page 21 of manual
- Sushi Boss Manual page # 20 indicates salmon will not be frozen for parasite destruction prior to receipt and will be frozen on-site. Page #11 of the manual indicates some unspecified seafood species will be frozen prior to receipt. Can there be provided a specific list of seafood items which will be frozen for parasite destruction while on-site?
*see page 15 * Salmon is the only seafood we will destruct parasites by Freezing*
- On Sushi Boss Manual page # 24, there is no mention of the necessary temperature for the solutions being used for pH meter calibration. Can this be provided?
see page 25

If you have any questions, please contact Dan Miller of our staff at 317-439-9662 or at dmiller@isdh.in.gov.

Sincerely,

Krista Click
 Krista Click, Director
 Food Protection Program
 Indiana State Department of Health
 AC 317/234-8570

1. IU Health – North
11700 N. Meridian St
Carmel, IN 46032
2. IU Health –Methodist
1701 N senate Ave
Indianapolis, IN 46202
3. IU Health – University
550 University Blvd.
Indianapolis, IN 46202
4. IU Health – Riley
705 Riley Hospital Dr.
Indianapolis, IN 46202
5. Gateway Café
950 N Meridian St
Indianapolis, IN 46204
6. University of Indianapolis Dining
1400 E Hanna Ave
Indianapolis, IN 4627
7. Carmel High School
520 E Main St
Carmel, IN 46032
8. Sushi Boss
803 W 10th St
Indianapolis, IN 46202

Sushi Boss will not prepare any products at any other facility. All listed locations will be selling-only sites.

Sushi Boss will not serve raw or undercooked food of animal origin to persons who are considered a "highly susceptible population." According to section 153 of 410 IAC 7-24 As a control method to serve staff and medical professionals who desire to consume traditional sushi, raw or undercooked food of animal origin the following requirements will be enforced:

- All raw items will be labeled RED color
- All boxes with RED color label will require employee or staff badge upon purchase
- Sushi Boss Daily Operations Procedures checklist will include a box for appropriate labeling.
- Below is an example of the RED label



In addition to this Sushi Boss all products containing fish ingredients served raw or undercooked shall meet all requirements stated in sections 162 and 163 of 410 IAC 7-24, regarding parasite destruction and the records showing that parasite destruction has been accomplished. (see attached Salmon Log)

All sushi rice preparation employees will be trained on the SSOP's, pH verification procedures, and the sushi rice HACCP plan as stated.

Daily pH logs sheets with all recorded sushi rice information, shall be retained for a period of at least two years from the date of production and will be made available to any regulatory authority during inspections

HACCP plan will be kept onsite in each preparation establishment at all times and readily available for review by state and/or local health department personnel



REQUEST FOR VARIANCE

State Form 51184 (R / 5-13)
Food Protection Program

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

1. Individual Submitting Request:		Date: <u>06 / 23 / 2015</u>	
Name: <u>Jason Hornberger</u>		Telephone: <u>(317) 513-2985</u> Fax: <u>(317) 667-9009</u>	
Mailing Address: <u>6529 Lillians Ct</u>		Email: <u>jason@sushibossindy.com</u>	
<small>Number and Street</small>			
<u>Indianapolis</u>	<u>IN</u>	<u>46237</u>	
<small>P.O. Box</small>	<small>City</small>	<small>State</small>	<small>ZIP Code</small>
2. Person/Organization Seeking Variance:			
Name: <u>Horny Toad Tavern LLC</u>		Email: <u>jason@sushibossindy.com</u>	
Mailing Address: <u>803 W 10th Street</u>			
<small>Number and Street</small>			
<u>Indianapolis</u>		<u>IN</u>	<u>46202</u>
<small>P.O. Box</small>	<small>City</small>	<small>State</small>	<small>ZIP Code</small>
3. Food Establishment(s) for Which Variance is Sought			
<i>Include the following information for each food establishment: (List here or attach additional pages if necessary.)</i>			
• Physical Location <i>(if different than mailing address):</i> <u>See Attached</u>			
• Mailing Address: <u>803 W 10th Street, Indianapolis, IN 46202</u>			
<small>(Number, Street, City, State, and ZIP Code)</small>			
• Telephone Number: <u>(317) 955-2677</u>		Fax Number: <u>(317) 667-9009</u>	
• Person at each retail food establishment most responsible for supervising: <u>Jason Hornberger</u>			
4. State how the proposal varies from each rule requirement, citing relevant rule sections by number:			
<i>(Attach additional pages if necessary.)</i>			
Section 187 of 410 IAC 7-24 "Retail Food Establishment Sanitation Requirements" relating to the production of sushi rice as a non-potentially hazardous food (non-TCS: non-time/temperature controlled for safety food) from a potentially hazardous food (TCS: Time/Temperature Controlled for Safety Food) by a process of acidification. The method of holding food colder than 41F or hotter than 136F is altered by acidifying rice at a pH level 4.1 and below. Sushi Boss is requesting to render a once potentially hazardous product non-potentially hazardous. The product is then safe to hold at room temperature for up to 24hours. After rice is held for 12hours at room temperature, the rice will be routinely pH measured every hour to assure that the added acid has not been excessively buffered by the rice.			
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.)			
Every batch of sushi rice cooked in the morning is measured by calibrated digital pH meter to ensure acidity level is below 4.1pH. Critical analysis and studies show acidified sushi rice with pH value of 4.1 or less and holding at room temperature is safe and the acidity control the growth of bacteria. Sushi rice pH level is logged on every batch cooked and maintains at non-hazardous food condition. Sushi Boss chefs use a specific acidification recipe to ensure the rice is properly rendered non-potentially hazardous. This process is addressed in the HACC Plan and SSOP. Please see attached.			

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:
It is industry practice to roll sushi using room temperature sushi rice. Most if not all mitigate risk by ensuring proper pH level, below critical limit, as a control method.
- B) How the proposal is unique and not addressed in existing rules or law:
Existing law requires holding outside of 41f and 135F and a variance for any method of altering process. By holding sushi rice between 3.3 to 4.1 pH, it becomes safe to remain at room temperature. At this range Bacillus cereus can not survive.
- C) How the proposal does not diminish the protection of public health:
Sushi Boss's HACCP plan explains properly seasoned rice will have a pH level 4.1 or less and is safe to hold at room temperature.
- D) How the proposal is based on new scientific or technological principle(s):
Bacillus cereus can not grow at a pH of 3.6-4.1, below critical limit; hence avoiding pH danger zone:4.6-7.5
- E) How the implementation of the variance would be practical:
The quality of product and service will greatly be enhanced and consistent by implementing the variance. Logging of every batch of sushi rice, taking corrective action when necessary, will maintain the acidity level of sushi rice.

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:

Sushi Boss chefs are required to test the pH of each batch of rice immediately following acidification. pH must be 3.6-4.1, if levels are found above 4.1 chef must re-acidify and retest. The pH level is then recorded in a logbook. The log book records date, time, and pH values of every batch of sushi rice made. These records will be retained for two years and will be readably available so that regulatory authority can verify compliance with the variance.

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

Marion County Health Department, Hamilton County Health Department and Indiana State Department of Health

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: Jason Hornberger Owner

Sushi Boss

◊ FRESH ◊ CUSTOM ◊ SUSHI ◊

YOU
DESIGN
WE
ROLL

SSOP/HACCP

Sanitation Standard Operating Procedure/Hazard Analysis Critical Control Points

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1. EMPLOYEE HEALTH

Grooming

- Arrive at work clean- clean hair, teeth brushed, and bathed with deodorant daily.
- Maintain short, clean and polish free fingernails. Artificial nails are not permitted.
- False eyelashes are not permitted

Attire

- Wear clean uniform with clean sleeves.
- Wear socks and clean non-skid, closed-toed and closed-backs work shoes that are made of leather or similar impermeable material. Shoes should be comfortable for standing and working on floors that can be slippery.

Hair Restraints and Jewelry

- Wear the Sushi Boss hat that completely covers hair.
- Keep beards and mustaches neat and trimmed. Beard restraints are required in any food production or service areas.
- Jewelry is not permitted.
 - Only a plain wedding band is permitted.
 - No necklaces, bracelets, or dangling jewelry are permitted.
 - No earrings or piercing that can be removed are permitted.
 - No watches.

Smoking , Eating, Drinking, and Gum-Chewing

- No smoking or chewing tobacco may occur inside Sushi Boss locations.
- Eat and drink in designated break areas only.
- A closed beverage container may be used in production areas provided it is stored in an area clearly reserved to store the drinking cups. This area must be labeled and completely separated from food preparation areas, surfaces and supplies
- Chewing gum or eating candy is prohibited.

Breaks and Meals

- Take breaks and meals in a designated area away from production and service areas.
- Wash hands before returning to work.

Personal Items

- Must be stored completely separate from food and food contact surfaces. Ideally they should be stored in lockers.
- If an employee must refrigerate medication while working, s/he must place it inside a covered, leak proof container that is clearly labeled. In the refrigerator, store the container away from food product and food contact surfaces.

Tasting Method

- Place a small amount of food into a separate container.
- Step away from exposed food and food contact surfaces.
- Use a spoon to taste the food. Remove the used spoon and container to appropriate location (i.e., the dish room)
- Never reuse a spoon that has already been used for tasting

Hand washing

- Wash hands (including under the fingernails) and forearms vigorously and thoroughly with soap and warm water (water temperature should be at least 100degrees F) for a period of 20 seconds
- Wash hands using soap from a soap dispenser. Lather at least 10 seconds.
- Wash between fingers thoroughly.
- Rinse thoroughly under warm running water for 5-10 seconds
- Use designated sinks for handwashing purposes. Do not use food preparation, utility and dishwashing sinks for handwashing.
- Dry hands with single use towels or a mechanical hot dryer.
- Turn off faucets using a paper towel in order to prevent recontamination of clean hands if food pedals are not available.
- Use paper towel to open door when exiting the restroom.
- Wash hands:
 - When entering the facility before work begins.
 - Immediately before preparing food or handling equipment.
 - As often as necessary during food preparation when contamination occurs.
 - In the restroom after toilet use, and when you return to your work station.
 - When switching between working with raw foods and working with ready-to-eat or cooked foods.
 - After touching face, nose, hair, or any other body part, and after sneezing or coughing.
 - After cleaning prep tables or any cleaning duty.
 - After touching door knobs or handles.
 - Between each task performed and before wearing disposable gloves.
 - After smoking, eating, or drinking.
 - Any other time an unsanitary task has been performed- i.e. taking out garbage, sweeping, handling cleaning chemicals, wiping tables, picking up a dropped food item, etc.
- Follow FDA recommendations when using hand sanitizers. These recommendations are as follows:
 - Use hand sanitizers only after hands have been properly washed and dried.
 - Use only hand sanitizers that comply with the current food codes.
 - Use hand sanitizers in the manner specified by the manufacturer.

Glove Use

- Prior to putting on gloves and when gloves are changed, wash hands thoroughly.
- Change gloves when:
 - Beginning each new task
 - They become soiled or torn.
 - They are in continual use for one hour.
 - Cover cuts and sores on hands, including fingernails, with clean bandages. If hands are bandaged, clean gloves or finger cots (protective coverings) should be worn at all times to protect the bandage and to prevent it from falling into food.

Illness

- Report any flu-like symptoms, diarrhea, and/or vomiting to Sushi Boss management. Employees with these symptoms will be sent home with the exception of symptoms from a noninfectious condition (i.e. anxiety).
- Instances of "The Big 5": norovirus, hepatitis A, salmonella typhi, shigella, or shiga toxin-producing Escherichia coli, must be reported to Sushi Boss management.
- Chefs diagnosed with an infection from norovirus, hepatitis A, salmonella typhi, shigella, or shiga toxin-producing Escherichia coli will be excluded from the sushi bar and a medical release is necessary for the chef to return to work.

Sneezing/coughing

- Step away from food and food contact surfaces.
- Cover your mouth. The preferred method to cover your mouth is to extend the arm so that the inner-fold of the elbow-area covers the lips allowing your hands to not be contaminated.
- Promptly dispose of tissues used to cough/blow nose.
- Wash hands before returning to work.

Cuts, Burns, and Abrasions

- Immediately treat and bandage any cut, abrasion, or burn that has broken the skin.
- Cover a lesion containing pus with a bandage.
- When hands are bandaged, cover bandages with an impermeable cover such as gloves and finger cots.
- Chefs with infected wounds will be excluded from the sushi bar.

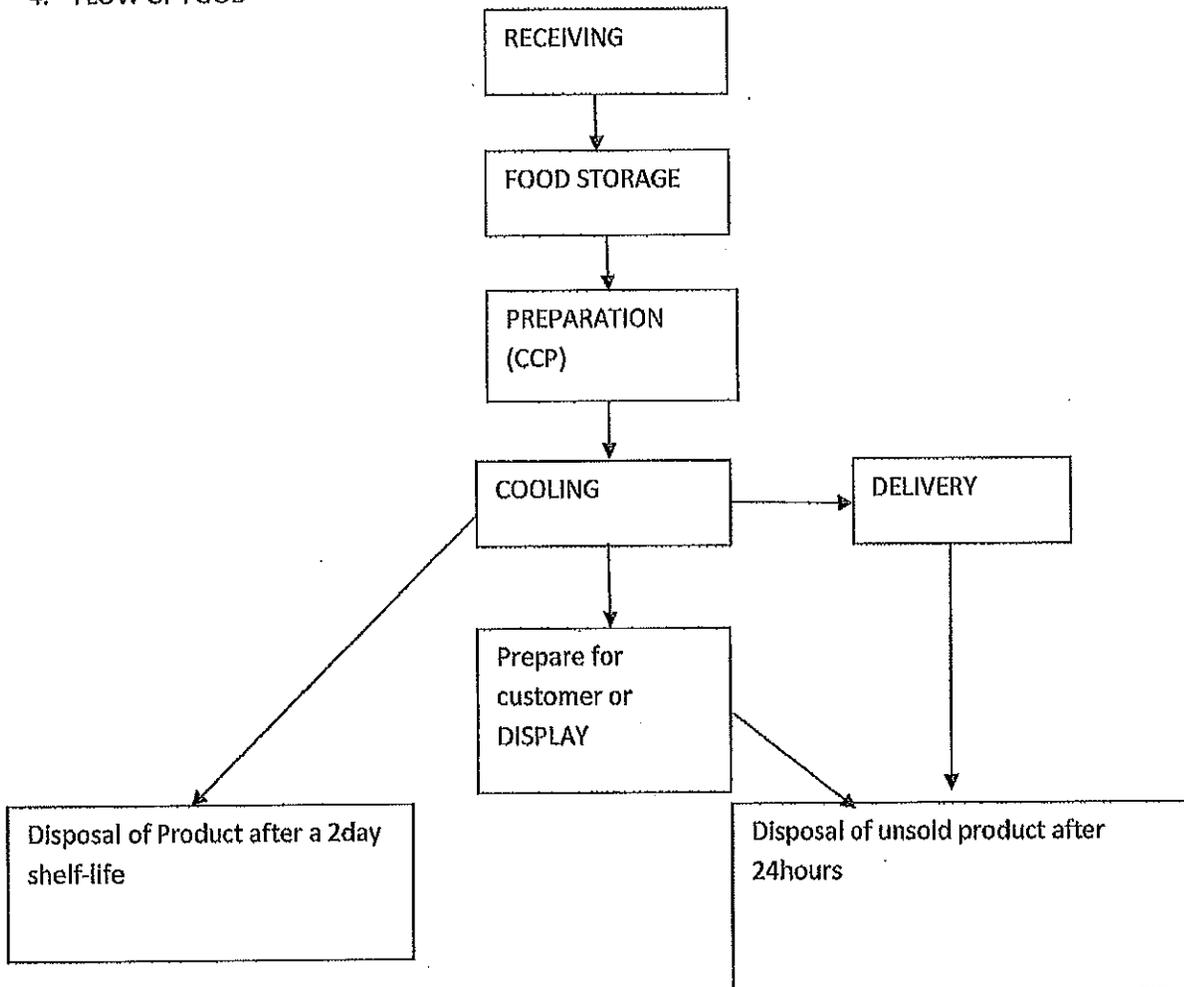
2. CLEANING AND SANITIZING

- Wash, rinse and sanitize food contact surfaces of sinks, tables, equipment, utensils, thermometers, carts and equipment:
 - After each use.
 - Any time you begin working with another type of fish, vegetable or pre-cooked food.
 - If in constant use, clean and sanitize at four-hour intervals.
 - Anytime there is an interruption during a task and the tools and items may have been contaminated.
 - Any time contamination occurs or is suspected.
- Wash, rinse and sanitize food contact surfaces of sinks, tables, equipment, utensils, thermometers, carts and equipments using eht following procedure:
 - Wash surface with soap solution.
 - Rinse surface with clean water.
 - Sanitize surface using a sanitizing solution mixed at a concentration specified on the manufacturer's label.
 - Place wet items in a manner to allow air drying.
 - Store clean food containers in an inverted position.
 - In between uses, keep towel inside the sanitizing solution.

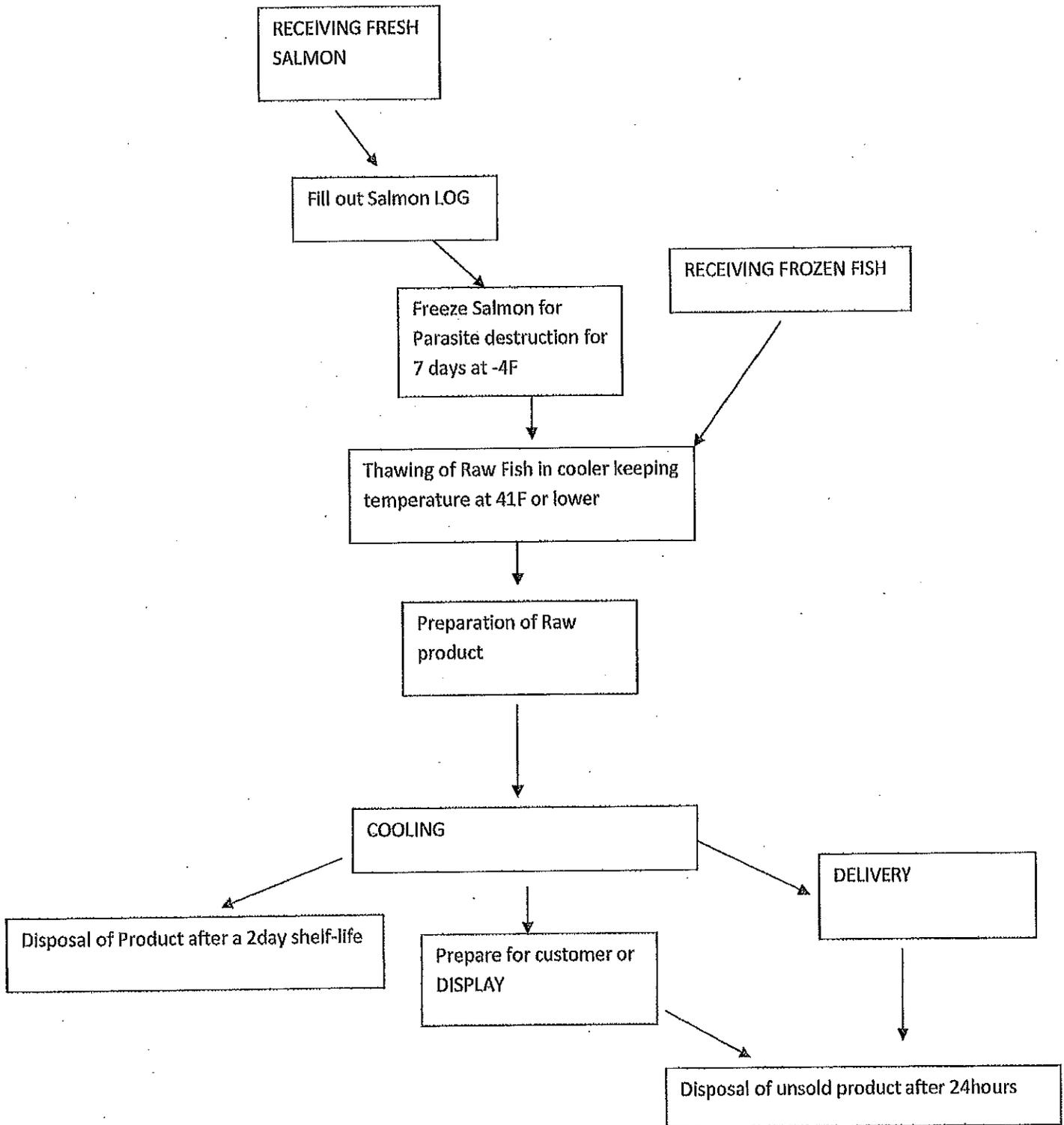
3. PEST CONTROL

- Pest control is performed by a licensed pest control operator who is hired by:
 - Sushi Boss and all associated records should be appended to the back of this SSOP manual.

4. FLOW OF FOOD



5. FLOW OF RAW FOOD



- RECEIVING

All foods are obtained from Sushi Boss and/or a source approved by Sushi Boss.

Sushi boss and its approved seafood suppliers provide fish, shellfish, crustaceans, eggs (roe) and surimi that come from sources operation under a HACCP plan. Letters Indication compliance with parasite destruction requirements are updated annually and are kept at the sushi bar at all times.

All potentially hazardous foods are delivered at or below 41 degrees F or solidly frozen. A calibrated thermometer is used to monitor the internal and/or surface temperature of the incoming foods before acceptance.

Chefs inspect all incoming products for product condition, temperature as necessary, integrity of packaging, and proper label information.

- FOOD STORAGE

All food is protected from contamination and stored in a manner to reduce or prevent bacterial growth that could promote spoilage or potential food safety problems. Food storage includes items that are held at room temperature or in refrigeration or freezers. These items may require further preparation or they could be ready-to-eat as raw or previously cooked foods.

The storage unit (s) are clean and orderly.

- Products are contained and/or covered for protection.
- Containers or sushi products or ingredients that are removed from the original (identified) packages are relabeled, marked for identification and dated.
- Ready-to-eat items and items ready-for-display are segregated from products that require further handling and processing.
- Products not stacked without adequate support and means to prevent any leakage between products.
- Dripping is prevented in or on packaged products due to condensation, cooler pan leaks or other wet sources.
- Products are stored above the floor (approx 6 inches) and away from walls and the ceiling.
- Storage includes containers, shelves, supports, pallets or other materials that do not absorb water and can be easily cleaned.
- The schedule for product rotation follows the "first-in, first-out" rule (FIFO).

Display counters are not storage units and cannot be used to store raw ingredients. Display counters for sushi are maintained at or below 41 degrees F.

Refrigeration unit(s) are operating to assure the food can be maintained at or below 41 degrees F.

Frozen storage unit(s) are operating to assure the frozen foods are solidly frozen and maintained at or below 0 degrees F. All unacceptable temperature abused, off-color, off-odor, off-condition, out-of-date or otherwise suspect product are discarded. Frozen products are thawed under refrigeration at or below 41 degrees F. Thawing must also be done in a manner that prevents cross contamination with the other refrigerated foods. If more rapid thawing is necessary, unpackaged products can be placed in clean flowing water no warmer than 70 degrees F only until thawing is complete. Once the unpackaged product is thawed and before exceeding 41 degrees, the product is processed or returned to proper refrigerated storage. Thawing cannot be conducted in standing water, at room temperature or in running water warmer than 70 degrees F or at room temperature.

- Preparation:

Standard Operating Procedures for basic sanitation and food safety are used and documented daily on opening, shift change and closing check lists.

Bamboo and plastic mats are lined with plastic film and rewrapped within 4 hours of continuous use and between contact with different sushi products. All mats are cleaned and sanitized daily.

The prep schedule is arranged to prevent the exposure of potentially hazardous foods for more than 4 hours outside refrigeration.

Fruits and vegetables are washed before cutting for use. Also, all cutting surface is cleaned and sanitized to avoid cross-contamination before proceeding with further processing of sushi.

Special care is taken in preparation of the sushi rice to prevent potential bacterial growth while assuring the rice and still be formed into ball and rolls. Contact with gloved hands is minimized to prevent cross-contamination of ready-to-eat product. Heat during the cooking of rice can activate certain bacterial spores that can grow and release toxins unless the rice is preserved or refrigerated. Refrigerated rice is more difficult to form sushi. For the reason, sushi rice should be carefully protected during handling without refrigeration.

Proper acidification of cooked rice of cooked rice with Sushi Boss's sushi seasoning helps preserve the rice for temporary handling at temperatures above 41 degrees F, but the acid level, measured by pH, should be carefully monitored for each batch.

The rice is acidified when it is warm to assure better mixing and penetration of the acid solution. The production time and final acid level (pH) is recorded for each batch of sushi rice. Acidified rice has an initial measureable, targeted pH of 4.1 and should be thoroughly mixed to assure the rice does not exceed an equilibrium pH of 4.1. Properly acidified rice should not be considered a potentially hazardous food.

- **COOLING**

Excessive time for the cooling of potentially hazardous foods has been consistently identified as one of the factors contributing to food borne illness. Foods that are held at improper temperatures provide an excellent environment for the growth of disease causing microorganisms (spore-formers).

For all foods:

- Display units cannot be used to cool sushi or other foods.
- Make sure there is adequate air circulation around containers.
- Do not cover until food is cooled, then cover.
- Do not overload the capacity of refrigeration units/freezers.
- Use a clean and calibrated thermometer to check the temperature at the center of the food. Make sure that it reaches 41 degrees F within 4 hours.
- Food not cooled to 41 degrees F will be thrown away.

- **DISPLAY**

Display involves holding the finished products in temperature control units for a specified duration and condition for public sale. Originally, preparation of sushi was for immediate consumption. Retail preparation and display introduces more prolonged holding that is controlled and monitored to assure product safety before consumption.

- The display unit(s) maintain the sushi products at or below 41 degrees F.
- Packaged product is labeled and has a shelf life of one day (24 hours) before discarding.

- **DELIVERY**

Deliveries are only for select locations and the product is held in ice chests with non-toxic ice blankets during transit. The ice chests are set up with an alternating layer of product followed by and ice blanket to keep the product cold.

- The product is delivered to the location at or below 41 degrees F.
- Packaged product is labeled and has a shelf life of one day (24 hours) before discarding.

6. PREPARATION OF SUSHI RICE

A. Verify rice cooker pot is clean and in good repair.

i. Rice cooker is clean and in good condition

- Dirty or damaged equipment can harbor bacteria and lead to food borne illness

B. Add 7 lbs of rice to pot



i. Place pot on scale

ii. Add 7 lbs of rice to pot from clean undamaged container

- Weight is used instead of volume for a more accurate recipe

C. Wash rice three times.



i. Visually inspect rice for physical contaminants

ii. Agitate with clean gloved hands

iii. Partially fill pot each time

iv. Agitate with clean gloved hands

v. Drain water

- To visually inspect rice and remove any debris that may be present

D. Add 8 lbs of water *Take into account the water adding during the washing process



i. Place pot on scale

ii. Add 8 lbs from a potable water source taking into account the water added during the washing process

iii. The total weight of rice and water is 15 lbs

- Weight is used instead of volume for a more accurate recipe

E. Cook rice for approximately 45 minutes



F.

i. Depress button to begin cooking



ii. Do not lift lid during cooking process

iii. When rice is cooked the "keep warm" light will be on

• **Cooking helps kill any bacteria that may be present in the rice**

G. Verify rice container is clean and in good repair



i. Rice container is clean and in good condition

• **Dirty or damaged equipment can harbor bacteria and lead to food borne illness**

H. Place cooked rice in container

i. Use rice paddle to empty rice cooker

ii. Layer of rice in container cannot be greater than 2 inches in depth

• **Placing rice in a larger container speeds the cooling process and makes it easier to mix the sushi seasoning into the rice.**

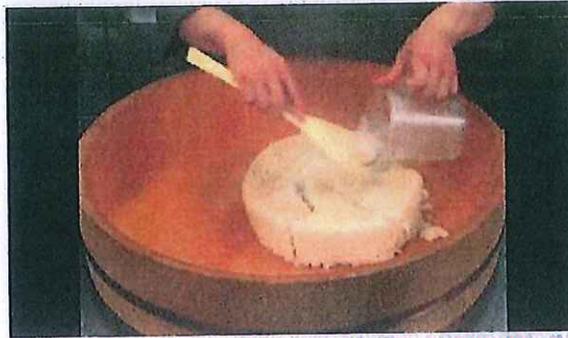
I. Add 32 oz Sushi Boss sushi seasoning (2.5% acidity)



J.

i. Measure 32 oz sushi seasoning

ii. Pour seasoning evenly across rice



- 32 oz of seasoning is added to acidify the rice and add flavor. More seasoning may be added if target pH (<4.1) is not reached.

K. Mix rice with seasoning

- Mix rice with rice paddle
- Make sure all rice is evenly coated in seasoning

- Evenly coating rice with seasoning ensures that all rice reaches the appropriate pH (<4.1)



L. Pour approximately 2 oz distilled water into container. This will be repeated 2 additional times

- Pour distilled water into one of two identical containers

- Distilled water is used to avoid pH fluctuations associated with local water supplies.

M. Take five small rice samples from different areas of the container and place into the other identical containers



- Take five small samples, each corner and the center of the rice container
- As you take the samples place them into the other identical containers
- Five samples are taken from different areas to make up a representative sample for a more accurate pH reading.

N. Mix two parts distilled water with one part rice



i. Mix distilled water and rice into slurry with chop sticks or other clean utensil



- Two parts of distilled water and one part rice are mixed together in order to get a liquid so we can test the pH

O. Pour resulting liquid into a container

i. Pour liquid into the container that was used to dispense distilled water
ii. Use chop sticks or other utensil that was used for mixing to hold rice back so that only liquid is poured

- Liquid is separated from the rice so that the pH probe gets a more accurate reading and does not become contaminated with rice

P. Place a pH meter, that is in calibration, into the liquid

i. Turn on pH meter
ii. Place calibrated pH meter into liquid
iii. Record reading once the stability icon is displayed at the top left of the display
iv. Verify reading is between pH <4.1
v. If reading is above the required range add more sushi seasoning and repeat steps 10-14. Record the reading in the corrective action portion of the sushi rice pH log

- *****CRITICAL CONTROL POINT*****

- A pH of 4.1 or below is used to control bacteria and must be strictly followed or someone may become sick from our product

Q. Sushi rice is ready for the next step

i. pH must be <4.1 before proceeding to the next step
ii. Layer of rice in container cannot be greater than 2 inches in depth

- pH was verified and now rice can process to the next step

R. pH measurements will take place every hour after the rice has been kept at room temperature for 12hrs. This will ensure that the added acid has not been excessively buffered by the rice.

Brown Rice Typically this rice is not acidified since the harder surface coating on the brown rice is difficult to penetrate with typical acid solutions. In the non-acidified condition, cooked rice is considered a potentially hazardous food that must be maintained at a temperature greater than 135°F (57.2°C) or at or below 41°F (5°C). For cooling, this potentially hazardous food should be cooled within 2 hours from 135°F (57.2°C) to 70°F (21°C); and within 4 hours from 70°F (21°C) to 41°F (5°C) or below. The cooked brown rice should be chilled immediately after preparation to reduce the chance of foodborne illness.

7. FOOD SAFETY HAZARDS

Salmon is the only product that Sushi Boss receives that will require parasite destruction at the preparation site. (See attached Salmon Log for procedure)

Sushi becomes unsafe when it is contaminated by harmful substances or microorganisms. There are three main types of food safety hazards.

- Biological: bacteria, viruses, parasites and fungi.
- Chemical: pesticides, cleaning supplies or toxics that get into food.
- Physical: foreign matter like hair, dirt, bandages, metal staples, or broken glass, etc. that gets into food.

Sushi can also become unsafe through cross-contamination; the transfer of harmful substances or microorganisms from one source to another. An example would be when raw fish is stored above a ready to eat product and fluid drips from the fish onto the other product.

Your product can also become contaminated when you do not do a good job of cleaning and sanitizing food contact areas. These are food contact surfaces such as cutting boards. These surfaces must be cleaned (free of visible soil) and sanitized (free of harmful levels of contamination), when changing from raw to cooked items, after using seafood, or every 4 hours or when needed.

The following information and list of fish species with potential seafood safety hazards is based on FDA's "Fish & Fisheries Products Hazards & Controls Guidance" The retail processing of sushi must assure the use of proper controls to prevent, eliminate or reduce these potential hazards.

Fish: The list of potential fish hazards includes live parasites, elevated histamine, the natural toxin, ciguatera, and no hazard listed. The listing is by common names of certain related fish species. Retailers should consult the FDA Hazards Guide for the specific fish species in question. Species listed with concerns for live parasites would require freezing either by the supplier or retailer prior to serving a raw ready-to-eat food.* For tuna, the concern for parasites is distinguished by species. The larger tuna (yellowfin, bluefin, blackfin, bigeye, and alba-core) do not present a significant parasite problem that would require freezing prior to use in sushi.

Crustaceans(Shellfish):

Crab, Lobster and Shrimp - typically supplied as previously cooked items that are subject to bacterial cross-contamination after cooking. These items can include surimi based products such as imitation crab meat made from fish. Retailers should question the processing procedures, post-processing conditions, and sanitation records prior to selecting a supplier.

Mollusk(Shellfish): Clams, Oyster and Mussels - must be harvested from approved waters and handled by certified dealers that maintain harvest tags on shellstock or labels on the shucked products to identify the product harvest locations and dates. Retailers must check for the tags or label information on all deliveries of shellstock or shucked meats (meat removed from the shell).

The shellstock tags must be stored in their retail establishment for 90 days. Abalone is included in this group but does not require tags.

Conch, Whelks, Octopus, Squid and Urchin - typically supplied as raw shucked meat (meat removed from the shell) that is subject to bacterial contamination during processing. Harvest tags are not required but suppliers should assure harvest from safe sites. Retailers should determine the processing and sanitation conditions.

Biological

Hazard: Parasites

Problem: Consumption of certain raw seafood that may contain 'live' parasites that are naturally found in certain fish and could infect consumers.

Controls: Freezing or cooking of the fish or seafood product before consumption. According to the FDA's Food Code, seafood is properly cooked when it reaches an internal temperature of 145°F (63°C) for 15 seconds. Freezing to kill potential parasites requires frozen storage at -4°F (-20°C) or below for 7 days (total time), or freezing at -31°F (-35°C) or below until solid and stored at -31°F or below for 15 hours, or freezing at -31°F or below until solid and stored at -4°F (-20°C) or below for 24 hours.

Hazards: Bacterial and Viral Pathogens

Problem: Certain bacteria, i.e., *Salmonella*, *Listeria* and *Vibrio* spp. and certain viruses, i.e., Hepatitis A, noroviruses and others, can contaminate and, in the case of bacteria, grow on ready-to-eat sushi products due to previous handling of the ingredients.

Controls: Ensure that ingredients come from approved sources, monitor condition of incoming products, maintain and monitor proper temperatures and time in storage and preparation; properly acidify the sushi rice, practice proper hygiene, and monitor SOP's for sanitation.

Chemical

Hazard: Histamines

Problem: Certain fish are prone to develop an elevated histamine content, the result of bacterial degradation of histidine, if they are thermally abused after harvest and during further handling. They can cause temporary illnesses in some people following consumption of the raw or cooked fish.

Controls: Proper handling time and temperatures that provide immediate and proper refrigeration or freezing of the fish as evident in a supplier's HACCP program, and continuing refrigeration or frozen storage until consumed. Retailers should examine each fish or fish portions carefully for signs of thermal abuse or initial decomposition. Questionable fish and fish with a temperature in excess of 41°F should be rejected.

Hazard: Ciguatera

Problem: A natural toxin that can accumulate through the normal food chain of certain fish that can cause illness in some consumers when the fish is eaten raw or cooked.

Controls: Do not use certain fish species when harvested from known or designated areas that are problematic for ciguatera. The original producer or supplier's HACCP program should monitor to prevent harvest and use of such fish. Potential problems cannot be detected by sensory judgments of the raw or cooked fish.

8. HACCP PLAN

HACCP TEAM MEMBERS

Jason Hornberger, Chris O'Connell , Jeff Crews and Logan Sotelo

Every location will have a Certified Food Handler during all periods of Sushi Preparation

HACCP plan: Prepare and Distribute Sushi Process

- Product Description
 - Describe Product: Raw and/or cooked seafood, with or without raw vegetables, with or without sauces, with acidified rice, with or without nori or soy paper(wrapper)
 - Describe Packaging: Plastic tray and lid with sticker label
 - Shelf Life at what temperature: 24hr shelf life at <41F
 - Product Characteristics: Short shelf life; fresh, raw and/or cooked ingredients
 - Labeling Instructions: 1. Identify specific seafood present. 2. Indicate that the product does or does not contain raw seafood. 3. Include perishable food statement to instruct consumer handling and storage (i.e., "PERISHABLE KEEP REFRIGERATED. BEST IF CONSUMED ON DAY OF PURCHASE"). 4. Lot and/or date code the product. 5. Name, address, phone number of Sushi Boss
 - Distribution controls: Directly to general public in refrigerated display case or non-refrigerated vehicles with coolers and non-toxic "ice" blankets
- Intended Use
 - Product use: Consume Raw
 - Intended Consumer: General Public
 - Method Sold: Retail- Made to order or out of a display case in covered plastic trays
 - Consumer Expectatons: Fresh raw and/or cooked ingredients with acidified rice

Critical Control Point Step	Significant Hazard	Critical Limits for Each Control Measure	Monitoring				Corrective Action	Verification	Record Keeping
			Where	How	Who	When			
Preparation (SUSHI RICE)	Bacillus cereus	Acidified rice pH<4.1	Sushi Boss	pH Meter	Sushi Chef	Immediately after acidification, every 4hrs if rice remains	Re-acidify rice, check rice acidification recipe	Record review Monthly, weekly Calibration of pH meter	pH Log

Product Labels

All sushi product sold through display in a retail setting must be in compliance with Indiana food code requirements and contain information pursuant to the requirement of 21 CFR 101. The label must identify specific seafood present and whether or not it is raw.

Sushi Boss's Label Information

1. Identify specific seafood present as well as all other ingredients.
2. Indicate that the product does or does not contain raw seafood.
3. Name, address, phone number of Sushi Boss.

Sushi Boss will not serve raw or undercooked food of animal origin to persons who are considered a "highly susceptible population." According to section 153 of 410 IAC 7-24 As a control method to serve staff and medical professionals who desire to consume traditional sushi, raw or undercooked food of animal origin the following requirements will be enforced:

- All raw items will be labeled RED color
- All boxes with RED color label will require employee or staff badge upon purchase
- Sushi Boss Daily Operations Procedures checklist will include a box for appropriate labeling.
- Below is an example of the RED label



9. LOGS

All Logs will be kept for two years

Daily SOP check list

PRODUCT	TEMP	MON	TUES	WED	THURS	FRI	SAT	SUN
PROTEIN		6/22	6/23	6/24	6/25	6/26	6/27	6/28
CHICKEN	>140							
SHORT RIB	>140							
SHRIMP TEMPURA	>140							
TUNA	<41							
SPICY TUNA	<41							
SALMON	<41							
SMOKED SALMON	<41							
SPICY SALMON	<41							
YELLOW TAIL	<41							
CRAB MIX	<41							
CRABSTICK	<41							
TOFU	<41							
	<41							
PRODUCE								
CUCUMBERS	<41							
GREEN ONIONS	<41							
ASPARAGUS	<41							
CARROT	<41							
CREAM CHEESE	<41							
AVOCADO	<41							
MIXED PEPPERS	<41							
JALAPENOS	<41							
MANGO	<41							
MANDARIN ORANGES	<41							
STRAWBERRIES	<41							

PRODUCT	TEMP	MON	TUES	WED	THURS	FRI	SAT	SUN
PROTEIN								
TOPPING STATION								
GINGER DRESSING	<41							
SESAME DRESSING	<41							
SPICY MAYO	<41							
WASABI MAYO	<41							
SWEET CHILI	<41							
SIRACHA	<41							
MASAGO	<41							
CRAB MIX	<41							
TOFU	<41							
GREEN ONION	<41							
EEL SAUCE	<41							
YAKISOBA	<41							
SOUPS								
MISO	>140							
CLEAR ONION	>140							
WATER POT	>140							
WATER POT	>140							
SALAD/ BACK PREP								
LETTUCE	<41							
CARROTS	<41							
DAKON	<41							
SEAWEED	<41							
CALAMRI	<41							
EDAMAME	<41							
EDAMAME SAUCE	<41							
FRUIT	<41							
GINGER DRESSING	<41							
SESAME DRESSING	<41							
LEMONS	<41							
TOMATOES	<41							
CUCUMBERS	<41							

Salmon Receiving Log

LOG #1 – SALMON FREEZING LOG MUST FREEZE (7) DAYS AT -4F

DATE RECEIVED MM/DD/YY	TIME RECEIVED	DATE FROZEN	TIME SALMON TEMP -4F	TEMP OF FREEZER	DATE AVAILABLE AFTER SALMON IS -4F for 7 days	TIME AVAILABLE AFTER SALMON IS -4F for 7 Days	OPERATOR INITIALS	NOTES
/ /		/ /			/ /			
/ /		/ /			/ /			
/ /		/ /			/ /			
/ /		/ /			/ /			
/ /		/ /			/ /			

Manager on duty that checks in salmon must clearly mark on Salmon container the date of freezing
 Salmon must be cooled down for 12 hours to assure the temperature is -4F

This Log must be kept for 2 years beyond the service or sale of Salmon

All Salmon must be frozen throughout to a temperature of: -4 F for 168 hours (seven days)

Sushi Rice Log

LOG #1 – RICE ACIDIFICATION LOG							
DATE MM/DD/YY	TIME ACIDIFIED	BATCH NUMBER	TEMPERATURE OF SAMPLE @ pH MEASUREMENT	**pH #1	**pH #2	OPERATOR INITIALS	***CORRECTIVE ACTION
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							

Use either 24-hour time or an AM or PM after each time entry.

**Take two (2) separate samples from each batch of rice and record the pH reading.

Use the appropriate sampling procedure. Wait for 30 minutes after acidification to test pH.

If the pH level falls higher than the allowed 4.1 reading, but not higher than 4.6, you must perform a corrective action and re-acidify the rice (corrective action: add an additional 4 oz. sushi vinegar). Record the re-acidification on the line directly below the original pH test.

***Temperature of the sample cannot be above the limits established for proper operation of the pH meter.

Keep the pH log sheet at the sushi bar at all times for at least 2 years.

Delivery Log

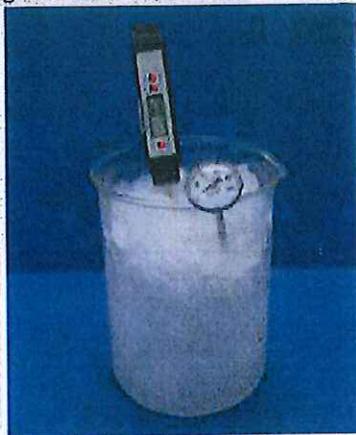
LOG #1 - Delivery Log							
DATE	Loading Time	Loading Temp <41F	Adequacy OF ICE	Delivered Time	Delivered Temp	Delivered to Signature	Corrective Action
/ /			<input type="checkbox"/>				
/ /			<input type="checkbox"/>				
/ /			<input type="checkbox"/>				
/ /			<input type="checkbox"/>				
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/ /			<input type="checkbox"/>				

10. THERMOMETER CALIBRATION

Dial thermometer calibration

- You will need a 50/50 mix of ice and water.
- Place your thermometer into the ice water
- Take the reading once the dial/reading stays put.
- If it reads 32 degrees F it is calibrated.
- If it doesn't read 32 degrees F, adjust the hex nut under the dial to get a 32 degree F reading.
- Make note on the temperature log every time you calibrate, because calibration is a corrective action.

ThermoWorks Digital Probe Calibration



- You will need a 50/50 mix of ice and water.
- Place your thermometer into the ice water
- Take the reading once the dial/reading stays put.
- If it reads 32 degrees F it is calibrated.
- If it doesn't read 32 degrees F, remove the Phillips head screw on the front panel.
- Place a suitable flat head screw driver onto the screw hold and adjust the potentiometer to displace 32 degrees F.
- Make note on the temperature log every time you calibrate, because calibration is a corrective action.

11. PH meter Calibration



- The temperature for the solutions being used for pH meter calibration should be 21C(70F)
- Take the temperature of the solutions to assure the proper calibration temperature is 21C(70F)
- Calibration must be done once a week or anytime the meter is dropped or mishandled.
- Pour pH 7 buffer solution into one 2 oz cup and label.
- Pour pH 4 buffer solution into another 2 oz cup and label.
- Press and hold the mode button on pH meter until "CAL" is displayed on the bottom of the screen.
- Dip the meter into the 2 oz cup of pH 7 buffer solution.
- Hold meter in solution until the screen displays "4.0".
- Rinse the electrode with distilled water to eliminate any cross-contamination.
- Dip the meter into the 2 oz cup of pH 4 buffer solution.
- Hold meter until the screen flashes "OK". The meter will then automatically return to normal measurement mode after one second.
- Rinse the electrode and return to the protective cover with a few drops of pH 7 solution on the small sponge side.
- Your pH meter is now calibrated and ready for use.

12. Verification

- Verification will be kept with a weekly log.
- This will be done by the owner(s) or managing partners
- Will verify and initial that all charts, logs and procedures are being fulfilled
- Corrective measures will be taken if the charts, logs and procedures are not done correctly
 - 1st violation -Write up for manager that was on duty with written warning
 - 2nd violation - write up manager with the last written warning
 - 3rd Violation –Suspension or termination

HACCP Verification Log							
	Salmon Receiving Log	Daily Check List Log	Sushi Rice Log	Delivery Log	Review Product Labeling	Owners INITIALS	NOTES
Date							
/ /							
/ /							
/ /							
/ /							