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Request For Variance

State Form 51184 (12/02)

Food Protection Program

FOOD PROTECTION PROGRAM INDIANA STATE DEPT. OF HEALTH

INDIANA STATE DEPARTMENT OF HEALTH

Telephone: 317/233-7360

FAX: 317/233-7334

1. Individual Submitting Request: Date: 01 / 12 / 2012

Name: EDISON ZHENG Telephone: (765) 631-7888 Fax: ()

Mailing Address: 1213 WESTWOOD DRIVE Email: edisonzheng1314@gmail.com

Number & Street
GOSHEN INDIANA 46526

P.O. Box City State Zip Code

2. Person/Organization Seeking Variance:

Name: IMPERIAL STAR INC DBA(KAIZEN HIBACHI GRILL,SUSHI&BAR Email: edisonzheng1314@gmail.com

Mailing Address: 2820 ELKHART ROAD

Number & Street

GOSHEN INDIANA 46526

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): _____
- Mailing Address: 2820 ELKHART ROAD, GOSHEN, INDIANA, 46526
(Number, Street, City, State, & Zip Code)
- Telephone Number: (574) 533-2568 Fax Number: ()
- Person at each retail food establishment most responsible for supervising: EDISON ZHENG

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

IN SECTION 410 IAC 7-24-187 States that potentially hazzardous food are required to have a hot holding at 135F or above, cold holding 41F or below. instead of that have the cooked seasoned sushi rice held at 135F and 41F we will acidified the white sushi rice and can be held up to 10hours at room temperature from the time the acidifcation took place. by altering the PH of the rice below 4.6 thus makes the sushi rice non-hazzardous.

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.)

Each sushi chef will be equiped and train with their own calibrated PH meters to measure each batch of sushi rice. Rice may not be used until it is checked in between 3.3 PH to 4.6 PH acidity. An backup PH meter and PH strips will always be on site in case needed. Chef will keep an hourly log of the PH level of the rice daily to verify compliance with the pH requirements of the HACCP Plans. The rice is made fresh twice daily and will be disposed of if it fails to maintain a 4.6 PH level or lower. Chef will only use the recipe as stated on our menu.

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:
PH alteration of the sushi rice is very common in the sushi industry. Proper pH level offers a safe, no hazarous sushi rice to be used in our sushis.

B) How the proposal is unique and not addressed in existing rules or law:
Because Indiana code requires a variance,before any method can be used. When pH alteration of the sushi rice is made to be kept below 4.6 pH, the rice becomes non-potentially hazarous therefore allowing it to be kept at room temperature in a proper sushi container.

C) How the proposal does not diminish the protection of public health:
When the pH level of the rice is adjusted to below pH 4.6, it becomes a non potentially hazardous food

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 pH level is below 4.6 which makes the food non-hazardous. We will always keep our rice pH level around 4.1 pH at all time.

E) How the implementation of the variance would be practical:
A pH reading will be taken upon ever new batch of rice made and additional pH log will be kept on a regular basis. The pH log can be verified by a local supervisor. A properly maintained rice will provide our customers with non-pontentially hazardous sushi daily.

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:

I will be supervising, training new or experience chef of such a standard (pH log will be maintained to verify compliance with the pH requirements of the HACCP plan, training on how to use and calibrate a pH meter and our sushi recipes) to be in compliance with the variance approval.

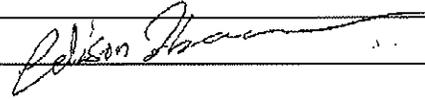
8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary)

ELKHART COUNTY HEALTH DEPARTMENT, INDIANA STATE HEALTH DEPARTMENT.

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

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10. Signature of Individual Making Request:



Printed Name, Title: Edison Zheng, OWNER