



Michael R. Pence
Governor

Jerome M. Adams, MD, MPH
State Health Commissioner

CERTIFIED MAIL #7009-2820-0003-8637-9615

February 4, 2016

Danny Salgado
299 W. Main Street
Greenwood, IN 46142

RE: Request for More Information – Variance Request # 872015

On June 29, 2015, the Food Protection office of the Indiana State Department of Health (ISDH) received a request from you representing a retail food establishment to vary section 195 of 410 IAC 7-24, "Retail Food Establishment Sanitation Requirements", relating to reduced oxygen packaging ("sous vide") of food. After review of the application, there were questions and additional pieces of information that were needed to fully understand and complete the review to make a final determination on the request. A letter was sent on September 11, 2015 offering an opportunity for you to provide this information before a final decision could be made. As of this date, no response to the letter has been received; therefore, it is necessary for this variance request to be denied.

If you wish to request an administrative review or stay of effectiveness of this decision pursuant to Indiana 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**



2 North Meridian Street • Indianapolis, IN 46204
317.233.1325 tdd 317.233.5577
www.statehealth.in.gov

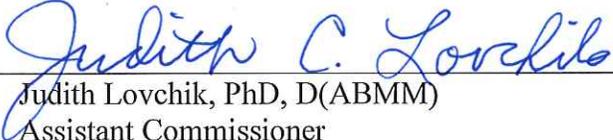
To promote and provide
essential public health services.

on or before March 7, 2016. If no request for review or stay of effectiveness is filed by March 7, 2016, this decision shall become final.

DATED AT INDIANAPOLIS, INDIANA THIS 4th DAY OF FEBRUARY 2016.

PURSUANT TO IC 16-19-3-4.3 AND IC 16-42-5-5.2, I HEREBY DENY 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
Johnson County Health Department