

**REQUEST FOR VARIANCE**

State Form 51184 (R / 5-13)

Food Protection Program

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AUG 05 2013

**INDIANA STATE DEPARTMENT OF HEALTH**  
Telephone: 317/234-8569 FAX: 317/233-9200**FOOD PROTECTION PROGRAM  
INDIANA STATE DEPT. OF HEALTH**

<b>1. Individual Submitting Request:</b>		Date: <u>07 / 25 / 2013</u>	
Name: <u>Cameron Snyder</u>		Telephone: <u>(574) 264-5700</u>	Fax: <u>574 830-1011</u>
Mailing Address: <u>51166 maplewood dr</u>		Email: <u>cam@chubbytrout.com</u>	
<small>Number and Street</small>			
<u>Elkhart</u>	<u>IN</u>	<u>46514</u>	
<small>P.O. Box</small>	<small>City</small>	<small>State</small>	<small>ZIP Code</small>
<b>2. Person/Organization Seeking Variance:</b>			
Name: <u>The Chubby Trout</u>		Email: _____	
Mailing Address: <u>2730 B cassopolis st.</u>			
<small>Number and Street</small>			
<u>Elkhart</u>		<u>IN</u>	<u>46514</u>
<small>P.O. Box</small>	<small>City</small>	<small>State</small>	<small>ZIP Code</small>
<b>3. Food Establishment(s) for Which Variance is Sought</b>			
Include the following information for each food establishment: <i>(List here or attach additional pages if necessary.)</i>			
• Physical Location <i>(If different than mailing address):</i> <u>see above</u>			
• Mailing Address: _____ <small>(Number, Street, City, State, and ZIP Code)</small>			
• Telephone Number: ( ) _____		Fax Number: ( ) _____	
• Person at each retail food establishment most responsible for supervising: <u>Cameron Snyder</u>			
<b>4. State how the proposal varies from each rule requirement, citing relevant rule sections by number:</b> <i>(Attach additional pages if necessary.)</i>			
<p>In section 410IAC 7-24-187, it states that holding temperatures for potentially hazardous foods to be held at 135F for warm food and 41F for cold. Rather than enlisting either one of those options we prepare our rice using a vinegar blend that we buy already prepared. This is to alter the pH of our rice so that its between 3.3pH and 4.6pH. After doing this we are able to hold rice for up to 4 hours at room temperatures.</p>			
<b>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:</b> <i>(Attach additional pages, if necessary.)</i>			
<p>The sushi chef has been trained to use the calibrated pH meter to measure each batch of rice so that its pH is between 3.3pH and 4.6pH acidity. Its is then checked every hour for 4 hours to maintain the pH between 3.3pH and 4.6pH this is to insure we comply with HACCP Plans. We make our rice two times a day since we start doing sushi at 5pm. After the 4 hours or it dose not meet the correct ph the rice is the disposed of. The sushi rice ingredients are as follows: white rice, vinegar, sugar, salt.</p> <p>Held at room temperature for no more then 4 hours and is tested using a calibrated pH meter to maintain a pH of 4.6 or below, and checked every hour.</p>			

**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:

We dealing with sushi rice its common practice to use vinegar to alter the pH of the rice so that it becomes safe and a non-hazardous food item.

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

Indiana code (section 410 IAC7-24-187) requires a variance before the method can be practiced. When the pH of the sushi rice is altered to be below 4.6pH, the rice becomes a non-potentially hazardous food and is safe to remain at room temperature in the appropriate sushi rice containers.

C) How the proposal does not diminish the protection of public health:

The pH of the rice is adjusted to between 3.3ph and 4.6pH and is therefore a non-hazardous food item.

D) How the proposal is based on new scientific or technological principle(s):

It is scientifically proven that bacteria cannot grow when the pH is 4.6 or lower making it a non-hazardous food item. We will always keep our rice below 4.6pH for no more the 4 hours.

E) How the implementation of the variance would be practical:

The pH reading will be taken on all batches of rice made then checked every hour by the sushi chef then documented in the pH log.

**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 give the pH log to Cameron Snyder at the end of every night, and will use the calibrated pH meter to ensure the proper balance is maintained. The sushi rice will be tested every hour for four hours to make sure that the HACCP plan is met to comply to the ISDH standards.

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

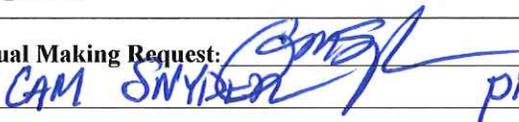
The Chubby Trout , Elkhart County Health Department, and the Indiana State Department of Health

**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:

  
CAM SNYDER PRES