



Michael R. Pence
Governor

William C. VanNess II, MD
State Health Commissioner

CERTIFIED MAIL

December 9, 2013

Cameron Snyder
The Chubby Trout
2730 B Cassopolis Street
Elkhart, IN 46514

RE: Variance Request # 602013

On August 5, 2013, this office received a request for the Chubby Trout to vary section 193 of 410 IAC 7-24, "Retail Food Establishment Sanitation Requirements," relating to the use of time instead of temperature as a public health control for certain food items. Since then, there has been a meeting involving representatives of the Chubby Trout and the Elkhart County Health Department where there was an agreement to pursue the use of the provisions in Section 193 as a time control plan through the Elkhart County Health Department instead of as a variance. Because of this, the application requesting a variance will not be further reviewed.

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 with the State Health Commissioner, 2 North Meridian Street, Indianapolis, Indiana 46204, on or before December 27, 2013. If no request for review or stay of effectiveness is filed by December 27, 2013, this decision shall become final.



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

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essential public health services.

DATED AT INDIANAPOLIS, INDIANA THIS 9th DAY OF DECEMBER 2013.

PURSUANT TO IC 16-19-3-4.3 AND IC 16-42-5-5.2, FURTHER REVIEW OF THE ABOVE MENTIONED APPLICATION IS NOT WARRANTED.

WILLIAM C.VAN NESS II, M.D.
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
Elkhart County Health Department