



Michael R. Pence
Governor

William C. VanNess II, MD
State Health Commissioner

CERTIFIED MAIL

December 18, 2013

Marla Shirey
Shirey Farm Beef Jerky
8724 N. 5757 E.
Mooreland, IN 47360

RE: Variance Request # 562013

On June 13, 2013, this office received a request for Shirey Farm Beef Jerky to vary section 187 of 410 IAC 7-24, "Retail Food Establishment Sanitation Requirements", relating to the production of a non-potentially hazardous food from a potentially hazardous food. After review of the application and accompanying materials, there continued to be 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 July 31, 2013 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 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 January 6, 2014. If no request for review or stay of effectiveness is filed by January 6, 2014, this decision shall become final.



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

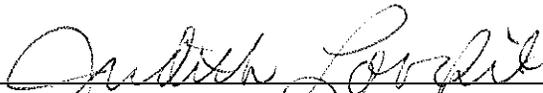
To promote and provide
essential public health services.

DATED AT INDIANAPOLIS, INDIANA THIS 18th DAY OF DECEMBER 2014.

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.

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
Henry County Health Department