



REQUEST FOR VARIANCE DEC 04 2015

State Form 51184 (R / 5-13)
Food Protection Program

INDIANA STATE DEPARTMENT OF HEALTH
Telephone: 317/234-8569 FAX: 317/233-9200

FOOD PROTECTION PROGRAM
INDIANA STATE DEPT OF HEALTH

1. Individual Submitting Request: Date: 12 / 03 / 2015

Name: matthew leeper Telephone: (812) 237-2062 Fax: (812) 237-8086

Mailing Address: 550 chestnut st. HMSU room 217 Email: matthew.leeper@sodexo.com
Number and Street

terre haute Indiana 47809
P.O. Box City State ZIP Code

2. Person/Organization Seeking Variance:

Name: matthew leeper Email: matthew.leeper@sodexo.com

Mailing Address: 550 chestnut st. HMSU room 217
Number and Street

terre haute Indiana 47809
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: _____
(Number, Street, City, State, and ZIP Code)
- Telephone Number: () _____ Fax Number: () _____
- Person at each retail food establishment most responsible for supervising: Matthew Leeper

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

Sodexo at Indiana State University requests a variance to 410-IAC 7-24-195 Reduced Oxygen Packaging criteria. Sodexo at ISU requests we be allowed to submit HACCP plans and SOP information that reflects current operating practices in USA.

(4) Sous Vide is a specialized process of ROP for ingredients that require refrigeration or frozen storage (PHF/TCS food) until the package is thoroughly heated immediately before service. The sous vide process is a pasteurization/cooking step that reduces bacterial load but is not sufficient to make the food shelf-stable. The process involves the following steps:

- (a) Preparation of the raw materials (this step may include grilling or broiling for color of some or all ingredients);
- (b) Packaging of the product immediately before cooking, application of vacuum, and sealing of the package.

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.)*

FDA Food Code 2009: Annex 6 section D

Use of ROP with some foods can markedly increase safety concerns. Unless potentially hazardous foods (time/temperature control for safety foods) are protected inherently, simply placing them in ROP without regard to microbial growth will increase the risk of foodborne illnesses. ROP processors and regulators must assure that during distribution of foods or while foods are held by retailers or consumers, refrigerated temperatures must be consistently maintained

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:
Follows FDA guidelines and procedures and does not differ.

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

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

Attached is a copy of Sodexo at ISU HACCP guidelines. Along with said guidelines Executive Chef Matthew Leeper and Executive Chef Laurence Shiner have both attended sous vide classes under Master Chef to learn about bacterial safety and proper time temperature cooking ranges.

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

Following the FDA ROP/Sous Vide regulations

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

Sodexo has multiple food safety programs and 3rd party inspectors. This property has 3 trained Executive chefs with degrees from accredited culinary school and continuing education in food safety and specialized training in

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:

Our monitoring system has multiple layers of documentation and monitoring including 3rd party inspections. Documentation is ready to be in place and training for use has already been started. Continual yearly training as well as new staff training for employees who could use the procedure is already in place.

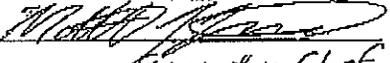
8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary.)

Indiana State Department of Health
Local Indiana County Health Departments

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: Matthew Leeper Executive Chef