



REQUEST FOR VARIANCE

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

RECEIVED

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

JUN 30 2016

1. Individual Submitting Request **FOOD PROTECTION PROGRAM** **INDIANA STATE DEPT OF HEALTH** Date: 6 / 30 / 2016

Name: Rose G Ryan Telephone: (317) 777-3807 Fax: ()

Mailing Address: 224 East Canal Email: thevoodootruck@gmail.com
Number and Street

Peru IN 46970
P.O. Box City State ZIP Code

2. Person/Organization Seeking Variance:

Name: The Voodoo Truck LLC d/b/a Voodoo Public House Email: thevoodootruck@gmail.com

Mailing Address: 112 South Broadway
Number and Street

Peru IN 46970
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: thevoodootruck@gmail.com
(Number, Street, City, State, and ZIP Code)
- Telephone Number: (765) 3272519 Fax Number: ()
- Person at each retail food establishment most responsible for supervising: Rose G Ryan

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

410 IAC 7-24-186 and 187 This specifies the holding tempertaure for potentially hazardous food are 135 or higher for holding hot food and 40 or less for holding cold food. Instead of holding the sushi rice at the above stated temperatures, we prepare our sushi rice with a special process and use acidification to alter the pH to be below 4.6 and hold the sushi rice for up to 10 hours at room temperature, from the time that acidification took place in order to prepare the rice as a non-hazardous food item.

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.)*

The chef is trained to use the calibrated pH meter to measure each batch of sushi rice that is prepared. This is done to ensure that the pH level stays approtiate to guarantee that non-hazardous food conditions to comply with HACCP plans. The sushi rice is made fresh daily and is disposed of if it fails to maintain a 4.6 pH level or below. The sushi rice includes only white rice, rice vinegar, and sugar and is held at room temperature for no more than 10 hours. Calibrated pH meter ensures that a proper pH balance is maintained below 4.6 and is monitored every 1 to 2 hours.

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:
Altering the pH balance of sushi rice is very common. Having a proper pH level of sushi ensures a safe non-hazardous food item.

B) How the proposal is unique and not addressed in existing rules or law:
The Indiana code 410 IAC 7-24-187 requires a variance before the method can be used when the pH of the sushi rice is altered to 4.6 or below, the rice becomes non-potentially hazardous and is safe to remain at room temperature in appropriate containers.

C) How the proposal does not diminish the protection of public health:
The pH level is adjusted to below 4.6 pH and is there for a non-hazardous food item.

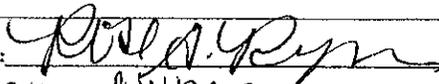
D) How the proposal is based on new scientific or technological principle(s):
The proposal is scientifically proven that bacteria does not grow on food when the pH level is below 4.6 making the food non-hazardous.

E) How the implementation of the variance would be practical:
A pH reading will be taken on every batch of rice and will be checked every 1 to 2 hours to ensure that the sushi rice is properly obtaining the pH level of 4.6.

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 owner/person seeking the variance is also executive chef and will be preparing sushi rice and measuring pH levels.

8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary.)
Voodoo Public House, Miami County Health Department and Indian State Department of Health.

9. Attach copies of any related variances, waivers or opinions issued by other governmental agencies.

10. Signature of Individual Making Request: 
Printed Name, Title: Rose Ryan, Owner

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