

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** Ryan Kinsella  
Discount Tattoos  
"the owner"

**RE:** The personal services facility located in Calgary, Alberta and municipally described as:  
**Discount Tattoos**  
**224 7A Street NE**  
**Calgary, Alberta**  
**T2E 4E8**

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

**AND WHEREAS** such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. The tattoo service is being done in a private bedroom and is therefore not adequately separated from personal living areas.
- b. A stainless steel needle tube is being re-used without proper sterilization. There is no approved sterilizer onsite. The operator said that the needle tube is sterilized using bleach or boiling water.
- c. The needle tube that was intended to be used on a client had rust on the outside of the tube and was worn and had stains on the inside of the tube.
- d. The needle tube was not kept in a sterile package until use.
- e. The tattoo needle that was intended to be used on a client had an expiry date of 2012 and the outside of the packaging was dirty.
- f. Clip cord covers and machine bag covers are not used to prevent gross contamination of the tattoo machine and cords.
- g. Surfaces and equipment are not being disinfected with proper disinfectants.
- h. The surface of the desk used for the work surface is worn, therefore was not impervious to moisture and able to be cleaned and disinfected.
- i. The tattoo equipment is stored in a container with multiple items on the floor of the bedroom, therefore not being stored in a clean and sanitary manner.

- j. Personal items such as clothing, books, a plant, a coffee cup, and a cigarette butt were immediately surrounding the work area; therefore the work area is not clean and sanitary.
- k. A designated stainless steel sink is not provided in the room for hand washing.
- l. The facility does not have a second designated stainless steel sink for cleaning equipment.
- m. Records are not kept for every client.
- n. There are no written post care treatment instructions available for clients.
- o. There are no single use towels in the washroom for drying hands.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Personal Services Regulation, Alberta Regulation 20/2003, and the 2002 Health Standards and Guidelines for Tattooing exist in and about the above noted personal services facility, namely:

- a. The tattoo service is being done in a private bedroom and is therefore not adequately separated from personal living areas. This is in contravention of Section 5 of the Personal Services Regulation, which states: “A personal service facility must be located so that the service provision areas are separate from any sleeping, dining, bathing, washroom or food preparation areas.
- b. A stainless steel needle tube is being re-used without proper sterilization. There is no approved sterilizer onsite. The operator said that the needle tube is sterilized using bleach or boiling water. This is in contravention of Section 6(2) of the Personal Service Regulation, which states: “All reusable equipment and instruments must be cleaned, disinfected or sterilized in accordance with the standards and guidelines referred to in section 8.”
- c. The needle tube that was intended to be used on a client had rust on the outside of the tube and was worn and had stains on the inside of the tube. This is in contravention of Section 6(2) of the Personal Service Regulation, which states: “All reusable equipment and instruments must be cleaned, disinfected or sterilized in accordance with the standards and guidelines referred to in section 8.”
- d. The needle tube was not kept in a sterile package until use. This is in contravention of Section 2d of the Health Standards and Guidelines for Tattooing, which states: All instruments should remain in the sterile packages until used.
- e. The tattoo needle that was intended to be used on a client had an expiry date of 2012 and the outside of the packaging was dirty. This is in contravention of Section 6(1) of the Personal Services Regulation, which states: “All equipment and instruments used in providing a personal service must be of durable construction and maintained in good repair and in a clean and sanitary condition.
- f. Clip cord covers and machine bag covers are not used to prevent gross contamination of the tattoo machine and cords. This is in contravention of Section 2f of the Health Standards and Guidelines for Tattooing, which states: “The tattoo machine (motor frame), clip cord and spray bottles should be covered with a disposable plastic sheath.”

- g. Surfaces and equipment are not being disinfected with proper disinfectants. This is in contravention of Section 6(2) of the Personal Service Regulation, which states: “All reusable equipment and instruments must be cleaned, disinfected or sterilized in accordance with the standards and guidelines referred to in section 8.”
- h. The surface of the desk used for the work surface is worn, therefore was not impervious to moisture and able to be cleaned and disinfected. This is in contravention of Section 3(h) of the Personal Services Regulation, which states: “A personal service facility must only have work surfaces that are smooth, non-porous and easy to clean.
- i. The tattoo equipment is stored in a container with multiple items on the floor of the bedroom, therefore not being stored in a clean and sanitary manner. This is in contravention of Section 3(g) of the Personal Services Regulation which states: “A personal service facility must have adequate storage space for instruments and supplies.”
- j. Personal items such as clothing, books, a plant, a coffee cup, and a cigarette butt were immediately surrounding the work area; therefore the work area is not clean and sanitary. This is in contravention of Section 3(b) of the Personal Services Regulation, which states: “A personal service facility must be maintained in a clean and sanitary condition.”
- k. A designated stainless steel sink is not provided in the room for hand washing. This is in contravention of Section 4(1) of the Personal Services Regulation, which states: “A personal service facility in which body piercing, ear piercing, electrolysis, tattooing or aesthetic services are provided must be equipped with a sink that is
  - a) stainless steel,
  - b) supplied with soap and hot air dryers or single service towels in suitable dispensers,
  - c) not in a washroom,
  - d) only used for washing hands or cleaning equipment,
  - e) only used by the staff and clients of the personal service facility, and
  - f) in or readily accessible to the service provision area.
- l. The facility does not have a second designated stainless steel sink for cleaning equipment. This is in contravention of Section 4(2) of the Personal Service Regulation, which states: “A personal service facility in which body piercing or tattooing services are provided must be equipped with a second sink, in addition to the sink referred to in subsection (1), that is
  - a) equipped with hot and cold running water,
  - b) stainless steel,
  - c) not in a washroom,
  - d) only used for cleaning equipment, and
  - e) only used by the staff of the personal service facility.
- m. Records are not kept for every client. This is in contravention of Section 8 of the Health Standards and Guidelines for Tattooing, which states: “The operator shall maintain a daily record of names and addresses of clients, name of tattooist and store them for two years. This will assist in the tracing of infectious diseases should they occur.
- n. There are no written post care treatment instructions available for clients. This is in contravention of Section 5c of the Health Standards and Guidelines for Tattooing, which states: “The tattooist should provide the client with oral and written instructions regarding post

treatment skin care.”

- o. There are no single use towels in the washroom for drying hands. This is in contravention of Section 3(f) of the Personal Services Regulation, which states: “A personal service facility must have a washroom, with toilets and handwashing facilities in operating condition, onsite or accessible for use by personal service workers and clients.”

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately Close the above noted premises.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Develop a service provision area that is separate from any sleeping, dining, bathing, washroom or food preparation areas, and is separate from other incompatible activities.
  - b. Install a stainless steel sink, equipped with hot and cold water, soap and single-use paper towel that is in or readily accessible to the service provision area. The sink shall not be located in a washroom or used for any other incompatible activity.
  - c. Develop appropriate and ventilated areas to conduct proper re-processing of equipment.
  - d. Install a second stainless steel sink in the re-processing area that is equipped with hot and cold running water and only used for cleaning of equipment. The sink shall not be used for any other incompatible activity.
  - e. Obtain an approved sterilizer and maintain the sterilizer in accordance with its operation manual.
  - f. Perform regular biological, chemical and physical monitoring and maintain proper records to verify that sterilization of equipment is being achieved.
  - g. Obtain approved disinfectants for use on client contact surfaces and on equipment.
  - h. Obtain approved tattoo needles and needle tubes and maintain in sterile packages until use. Do not use past expiry dates.
  - i. Obtain clip cord and machine bag covers and use at all times while tattooing.
  - j. Store all equipment in a clean and sanitary manner.
  - k. Ensure that work surfaces and client contact surfaces are smooth, non-porous and easy to clean.
  - l. Equip the washroom with soap and single use towels in dispensers for hand washing.
  - m. Maintain proper client contact records including client names, contact addresses and phone numbers. Records must be kept onsite for at least two years.
  - n. Provide the client with oral and written instructions regarding post treatment skin care.
  - o. Until approval is granted to reopen, cease advertisement of the tattooing business to the public.
  - p. Provide names and contact information of the clients who have been tattooed to the undersigned Executive Health Officer by February 8, 2016.

3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Calgary, Alberta, February 2, 2016.

Confirmation of a verbal order issued to Ryan Kinsella on January 28, 2016.

Dana East, B.Sc., B.Tech, CPHI(C)  
Executive Officer  
Alberta Health Services

#### **You have the right to appeal**

**A person who**

- a) is directly affected by a decision of a Regional Health Authority, and
- b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

**Public Health Appeal Board  
c/o Central Reception  
Main Floor, Telus Plaza North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-427-2813  
Fax: 780-422-0914  
Email: [health.appealboard@gov.ab.ca](mailto:health.appealboard@gov.ab.ca)**

A Notice of Appeal form may be obtained by contracting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

#### **Health Legislation, Regulations and Standards**

*Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).*

*Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).*

**Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518, or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)**

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**AIRDRIE Regional Health Centre**

604 Main Street South  
Airdrie, AB T4B 3K7  
Phone: 403-912-8400  
Fax: 403-912-8410

**BANFF Health Unit**

303 Lynx Street  
PO Box 1266  
Banff, AB T1L 1B3  
Phone: 403-762-2990  
Fax: 403-762-5570

**CALGARY - Southport Atrium**

10101 Southport Road SW  
Calgary, AB T2W 3N2  
Phone: 403-943-2288  
Fax: 403-943-8056

**CANMORE Public Health**

#104, 800 Railway Avenue  
Canmore, AB T1W 1P1  
Phone: 403-678-5656  
Fax: 403-678-5068

**CLARESHOLM Health Unit**

5221 2<sup>nd</sup> Street W  
PO Box 1391  
Claresholm, AB T0L 0T0  
Phone: 403 625-4061  
Fax: 403-625-4062

**COCHRANE Community Health Centre**

60 Grande Boulevard  
Cochrane, AB T4C 0S4  
Phone: 403-851-6000  
Fax: 403- 851-6009

**OKOTOKS Health and Wellness Centre**

11 Cimarron Common  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
Fax: 403-995-2639

**STRATHMORE Public Health Office**

650 Westchester Road  
Strathmore, AB T1P 1H8  
Phone: 403-361-7200  
Fax: 403-361-7244

[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)