

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

SARA FONTAINEE
Edmonton, Alberta

BODY SHOP INK
12936 – 65th Street
Edmonton, Alberta

RE: Home-based Tattooing

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. Tattoo instruments such as reusable tattoo grips and disposable tube tips were not sterile at the point of use.
- b. There was insufficient evidence to support the chemical and biological safety of the tattoo ink.
- c. A suitable disinfectant was not present for reprocessing tattoo equipment.
- d. Antiseptic was not being prepared according to the manufacturer's labeled instructions.
- e. There were no client records being kept for tattoo services.
- f. The location had inadequate hand washing and equipment cleaning provisions.
- g. The client service area and client contact surfaces were visibly dirty.
- h. No written post-care instructions were provided to clients.
- i. Uncleanable materials, including an upholstered chair and carpeted flooring, were present in the work area.
- j. Contaminated needles were not being disposed in a safe manner.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, and the Personal Services Regulation and Health Standards and Guidelines for Tattooing there under, exist in and about the above noted premise, namely:

- a. Personal Services Regulation (AR 20/2003) Sec 6(1) and 8(a):
Tattoo instruments such as reusable tattoo grips and disposable tube tips were not sterile at the point of use, which is in contravention of the Personal Services Regulation (AR20/2003) Section 6(1) which states that 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 and Section 8(a) which states that the owner of a personal service facility and the personal service workers in a personal service facility must maintain it in compliance with the Health Standards and Guidelines for Tattooing as approved and published by the Minister and as amended by the Minister from time to time; and Section III 2(e) of the associated Health Standards and Guidelines for Tattooing which states that the tattoo needle and needle tube tip shall be maintained in a sterile condition prior to being used and shall not come into contact with any contaminated surface during use.
- b. Personal Services Regulation (AR 20/2003) Sec 6(1) and 8(a):
There was insufficient evidence to support the chemical and biological safety of the tattoo ink (Appendix Photo A), which is in contravention of the Personal Services Regulation (AR20/2003) Section 6(1) which states that 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 and Section 8(a) which states that the owner of a personal service facility and the personal service workers in a personal service facility must maintain it in compliance with the Health Standards and Guidelines for Tattooing as approved and published by the Minister and as amended by the Minister from time to time; and Section III 4(a) of the associated Health Standards and Guidelines for Tattooing which states that commercially manufactured dyes must be used.
- c. Personal Services Regulation (AR 20/2003) Sec 6(2) and 8(a):
A suitable disinfectant was not present for reprocessing tattoo equipment, which is in contravention of the Personal Services Regulation (AR20/2003) Section 6(2) which states that all reusable equipment and instruments must be cleaned, disinfected or sterilized in accordance with the standards and guidelines referred to in Section 8 and Section 8(a) which states that the owner of a personal service facility and the personal service workers in a personal service facility must maintain it in compliance with the Health Standards and Guidelines for Tattooing as approved and published by the Minister and as amended by the Minister from time to time; and Section III 11(c) of the associated Health Standards and Guidelines for Tattooing which states that the motor frame and clip cord that cannot be sterilized must be damp-wiped with an intermediate-level disinfectant after each use.
- d. Personal Services Regulation (AR 20/2003) Sec 8(a):
Antiseptic was not being prepared according to the manufacturer's labeled instructions, which is in contravention both the Personal Services Regulation (AR20/2003) Section 8(a) which states that the owner of a personal service facility and the personal service workers in a personal service facility must maintain it in compliance with the Health Standards and Guidelines for Tattooing as approved and published by the Minister and as amended by the Minister from time to time; and Section III 3(c) of the associated Health Standards and Guidelines for Tattooing which states that the skin shall be swabbed with a skin antiseptic such as 70% alcohol to clean and disinfect the skin prior to tattooing.

- e. Personal Services Regulation (AR 20/2003) Sec 8(a):
There were no records being kept for tattoo services, which is in contravention both the Personal Services Regulation (AR20/2003) Section 8(a) which states that the owner of a personal service facility and the personal service workers in a personal service facility must maintain it in compliance with the Health Standards and Guidelines for Tattooing as approved and published by the Minister and as amended by the Minister from time to time; and Section III 8 of the associated Health Standards and Guidelines for Tattooing which states that the operator shall maintain a daily record of names and addresses of clients, name of tattooist and store them for two years.
- f. Personal Services Regulation (AR 20/2003) Sec 4(1):
The location had inadequate hand washing and equipment cleaning provisions, which is in contravention of the Personal Service Regulation (AR20/2003) Section 4(1) which states that 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 stainless steel, supplied with soap and hot air dryers or single service towels in suitable dispensers, not in a washroom, only used for washing hands or cleaning equipment, and in or readily accessible to the service provision area.
- g. Personal Services Regulation (AR 20/2003) Sec 3(b):
The client service area and client contact surfaces were visibly dirty, which is in contravention of the Personal Services Regulation (AR20/2003) Section 3(b) which states that a personal service facility must be maintained in a clean and sanitary condition.
- h. Personal Services Regulation (AR 20/2003) Sec 8(a):
No written post-care instructions were provided, which is in contravention both the Personal Services Regulation (AR20/2003) Section 8(a) which states that the owner of a personal service facility and the personal service workers in a personal service facility must maintain it in compliance with the Health Standards and Guidelines for Tattooing as approved and published by the Minister and as amended by the Minister from time to time; and Section III 5(c) of the associated Health Standards and Guidelines for Tattooing which states that the tattooist should provide the client with oral and written instructions regarding post treatment skin care.
- i. Personal Services Regulation (AR 20/2003) Sec 6(1):
Uncleanable materials, including an upholstered chair and carpeted flooring, were present in the work area (Appendix Photo B), which is in contravention of the Personal Services Regulation (AR20/2003) Section 6(1) which states that 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.
- j. Personal Services Regulation (AR 20/2003) Sec 3(e) and 8(a):
Contaminated needles were not being disposed in a safe manner (Appendix Photo C), which is in contravention of the Personal Services Regulation (AR20/2003) Section 3(e) which states that a personal service facility must contain an appropriate number and type of waste disposal receptacles, including a puncture resistant container for the disposal of waste sharps if sharps are used in the facility, and Section 8(a) which states that the owner of a personal service facility and the personal service workers in

a personal service facility must maintain it in compliance with the Health Standards and Guidelines for Tattooing as approved and published by the Minister and as amended by the Minister from time to time; and Section III 6(a) of the associated Health Standards and Guidelines for Tattooing which states that all waste sharps, such as needles and razors shall be placed in a puncture resistant container with a tight fitting lid and disposed in accordance with the Regional Health Authority's requirements.

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 shall cease the provision of all personal services, including tattooing, in the above noted premise until written permission has been granted by our office to resume.
2. That until such time that written permission to resume personal services in granted to the owner by an Executive Officer of Alberta Health Services, the above noted owner, Sara Fontaine, shall not practice tattooing in the province of Alberta.

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 Edmonton, Alberta, on April 8, 2013

This VERBAL CLOSURE ORDER was issued to the artist at 17:00 hours on April 5, 2013.

_____ Original Signed _____

Jason MacDonald: B.Sc, B.EH, CPHI(C)
Executive Officer / Environmental Health Officer
Environmental Public Health - Alberta Health Services
Suite 700, HSBC Building, 10055 – 106th Street
Edmonton, Alberta T5J 2Y2
tel: 780-735-1800 fax: 780-735-1801

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.

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.

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

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

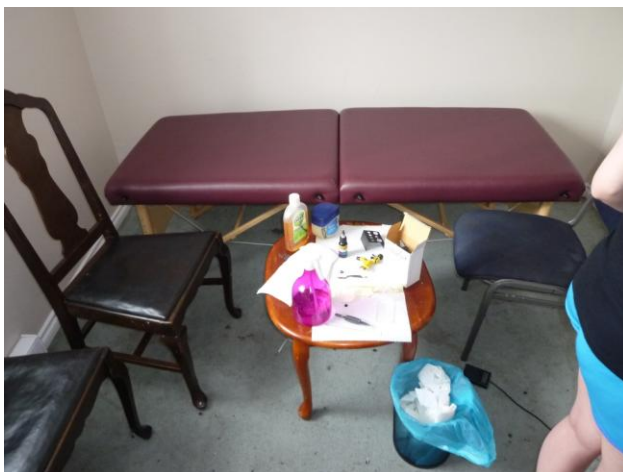
may appeal the decision within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board at (780) 427-2813. You are advised that all orders remain in effect pending such an appeal



Appendix Photo A:

Tattoo ink did not appear to be from an approved source and the labels did not give satisfactory information as to the quality and specific type of ingredients which can create undue chemical or biological hazards.



Appendix Photo B:

Uncleanable materials, including an upholstered chair and carpeted flooring, were present in the work area and visibly dirty meaning that client contact surfaces and environmental surfaces were not being cleaned and disinfected.



Appendix Photo C:
Contaminated tattoo needles were not being disposed of in a puncture resistant container with a tight fitting lid creating a potential for accidental needle stick exposure.