

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

TO:

**Steve Robert Smale
Edmonton, Alberta**

**Areol M E Leason
Edmonton, Alberta**

**Steve Tazz Devilman
Edmonton, Alberta**

**RE: Tazzman Home-Based and Mobile Tattoos
301, 10724 – 105th Street
Edmonton, Alberta**

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted personal service facility 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. Tattoo needles and tubes were contaminated with ink and blood and not sterile at the point of use.
- b. Tattoo needles were suspected to have been reused for multiple client services.
- c. Visibly contaminated tattoo equipment was stored with other supplies.
- d. Critical instruments were not sterile at the point of use and sterile packaging was compromised.
- e. Tattoo needles were not being discarded in a safe and appropriate manner.
- f. Single-use tattoo equipment was not being discarded after each client service.
- g. Tattoo equipment and supplies were visibly dirty.
- h. There was neither a suitable surface disinfectant nor a sterilizer present for surface or device reprocessing.
- i. Products used in the provision of tattooing were contaminated.
- j. The general sanitation of the premise was poor.
- k. The areas where tattoos are given are not separated in a satisfactory manner from living and dining provisions.

- l. There was no client contact information available for the reported 13 years of tattoo services.
- m. The owner was committing and maintaining a nuisance in the public facility.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, the Personal Services Regulation (Alberta Regulation 20/2003) and the associated Health Standards and Guidelines there under, exist in and about the above noted premise, namely:

- a. Personal Services Regulation (AR 20/2003) Sec 8(a):
Tattoo needles and tubes were contaminated with ink and blood and not sterile at the point of use, which is in contravention both the Personal Services Regulation (AR20/2003) Section 8(a) which states that the owner of a 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 of the associated Health Standards and Guidelines for Tattooing which states every precaution must be taken to prevent contamination of the equipment and to follow infection control practices during the procedure.
- b. Personal Services Regulation (AR 20/2003) Sec 6(1) and 8(a):
Tattoo needles were suspected to have been reused for multiple client services, 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(b) of the associated Health Standards and Guidelines for Tattooing which states that a new sterilized needle set shall be used for every new client.
- c. Personal Services Regulation (AR 20/2003) Sec 8(a):
Visibly contaminated tattoo equipment was stored with other supplies, which is in contravention both the Personal Services Regulation (AR20/2003) Section 8(a) which states that the owner of a 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 of the associated Health Standards and Guidelines for Tattooing which states every precaution must be taken to prevent contamination of the equipment and to follow infection control practices during the procedure.
- d. Personal Services Regulation (AR 20/2003) Sec 6(1) and 8(a):
Critical instruments were not sterile at the point of use and sterile packaging was compromised, 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.
- e. Personal Services Regulation (AR 20/2003) Sec 3(e) and 8(a):
Tattoo needles were not being discarded in a safe and appropriate manner, 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.
- f. Personal Services Regulation (AR 20/2003) Sec 6(1):
Single-use tattoo equipment was not being discarded after each client service, 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.
- g. Personal Services Regulation (AR 20/2003) Sec 6(1):
Tattoo equipment and supplies were visibly dirty, 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.
- h. Personal Services Regulation (AR 20/2003) Sec 6(2) and 8(a):
There was neither a suitable surface disinfectant nor a sterilizer present for surface or device reprocessing, 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 of the associated Health Standards and Guidelines for Tattooing.

- i. Personal Services Regulation (AR 20/2003) Sec 6(1):
Products used in the provision of tattooing were contaminated, 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(b):
The general sanitation of the premise was poor, 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.
- k. Personal Services Regulation (AR 20/2003) Sec 3(b) and 5:
The areas where tattoos are given are not separated in a satisfactory manner from living and dining provisions, which is in contravention of the Personal Service Regulation (AR20/2003) Section 3(b) which states that a personal service facility must be maintained in a clean and sanitary condition, and Section 5 which states that 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.
- l. Personal Services Regulation (AR 20/2003) Sec 8(a):
There was no client contact information available for the reported 13 years of 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.
- m. Nuisance and General Sanitation Regulation (AR243/2003):
The owner was creating and maintaining a nuisance in the public facility, which is in contravention of Part 1, Section 2(1) of the Nuisance and General Sanitation Regulation (AR 243/2003).

AND WHEREAS, by virtue of the foregoing, the above noted personal service setting is 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 is granted by an Executive Officer of Alberta Health Services, the above noted owners, Steve Robert Smale and Areol Leason, shall not practice tattooing in the province of Alberta.

3. That by March 24, 2014, the owner(s) shall submit of the names and contact information for all tattoo clients from the last two years (March 21, 2012 through to March 21, 2014).

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 March 24, 2014

This VERBAL CLOSURE ORDER was issued to the owner at approximately 14:00 hours on March 21, 2014.

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

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**

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.

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 at 780-427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html