

ORDER OF AN EXECUTIVE OFFICER

To: Victor Proctor

RE: Piercing operations conducted by Victor Proctor in Coleman, Alberta

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. The Owner did not grant access to the area where instrument processing, cleaning, and sterilization was said to occur for inspection.
- b. Sterilization equipment is not a suitable sterilizer for the purposes of sterilizing body piercing equipment.
- c. The sterilizer is not adequately monitored to ensure the efficacy of the sterilization process.
- d. A sterilizer manual, or operating instructions, is not available for review by Alberta Health Services.
- e. Jewelry for fresh piercings is not sterilized prior to use at all times.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

- a. The Owner obstructed and hindered an Executive Officer in the execution of his duties which is in contravention of the Revised Statutes of Alberta 2000 Chapter P-37 section 71.
- b. All instruments and equipment requiring sterilization are not adequately cleaned and sterilized for each client, which is in contravention of the Health Standards and Guidelines for Body and Ear Piercing, June 2002, section 11(a) and therefore is also in contravention of Alberta Regulation 20/2003 section 6(2).
- c. Sterilization devices are not adequately tested at least once every month or every 10 cycles to monitor the effectiveness of sterilization which is in contravention of the Health Standards and Guidelines for Body and Ear Piercing, June 2002, section 11(c).
- d. A manual for the sterilizer is not available and the equipment is not used according to the manufacturer's instruction which is in contravention of Alberta Regulation 20/2003 section 6(3).

- e. Jewelry for fresh piercings is not always sterilized prior to use which is in contravention of the Health Standards and Guidelines for Body and Ear Piercing, June 2002, section 2(g).

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

1. That the Owner immediately cease all operations related to body piercing in any location within Alberta.
2. That the Owner is prohibited from conducting any tattooing or any other Personal Service, anywhere in the Province of Alberta, unless the facility where the tattooing or other Personal Service occurs has been inspected and approved by a Public Health Inspector with Alberta Health Services and the facility must be maintained, at all times, in accordance with the Personal Services Regulation and the Health Standards and Guidelines for Tattooing.
3. That until such time as the work referred to below is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed

The following work shall be completed before piercing operations may commence.

- a. All instrument processing must occur in a site readily available for inspection by Alberta Health Services.
- b. Sterilization equipment must be suitable for the purposes of sterilizing body piercing equipment.
- c. The sterilizer must be adequately monitored and tested.
- d. A manual, or operating instructions, for the sterilizer must be available for review by Alberta Health Services.
- e. Jewelry for fresh piercings must be sterilized before use.

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. Please contact this office to arrange an approval inspection.

DATED at **Municipality of Crowsnest Pass**, Alberta, **August 3, 2011**

Wade Goin, B.Sc., BEH(AD), CPHI(C)
Executive Officer
Environmental Health Officer

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 (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

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.

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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

Confirmation of an oral order issued to **Victor Proctor**, at about **3:00 pm July 19, 2011**.