

# BOARD OF BARBERING AND COSMETOLOGY

## HEALTH AND SAFETY RULES FOR BARBERING, COSMETOLOGY, AND ELECTROLOGY SCHOOLS AND ESTABLISHMENTS

### (RULES AND REGULATIONS OF THE BOARD OF BARBERING AND COSMETOLOGY, TITLE 16, DIVISION 9, CALIFORNIA CODE OF REGULATIONS)



#### 904. Enforcement

- (a) A copy of the board's Health and Safety Rules, as specified in Article 12 of the Rules and Regulations, shall be conspicuously posted in:
- (1) Reception areas of both schools and establishments, and
  - (2) Theory rooms of schools.
- (b) The holder or holders of an establishment license or a mobile unit license, and the person in charge of any such establishment or mobile unit, shall be responsible for implementing and maintaining the Health and Safety Rules in such establishment or mobile unit individually and jointly with all persons in or employed by or working in or on the premises of such establishment or mobile unit.
- (c) All licensed barbers, cosmetologists, aestheticians, manicurists, electrologists, instructors, or apprentices shall be held individually responsible for implementation and maintenance of the Health and Safety Rules.
- (d) All persons performing acts of a barber, cosmetologist, aesthetician, manicurist or electrologist, except students in schools, shall, upon request of an authorized representative of the board, present satisfactory proof of identification. Satisfactory proof shall be in the form of a photographic driver's license or photographic identification card issued by any state, federal, or other recognized government entity.
- (e) Failure to present valid proof of identification shall be grounds for disciplinary action.

#### 978. Minimum Equipment and Supplies

- (a) Establishments and schools shall have and maintain the following minimum equipment and supplies:
- (1) At least one covered waste receptacle for the disposal of hair.
  - (2) Closed receptacles to hold all soiled towels, gowns and sheets in public areas.
  - (3) Closed, clean cabinets to hold all clean towels.
  - (4) Containers for disinfectant solution for instruments and equipment to be disinfected.
  - (5) Each container shall contain sufficient disinfectant solution to allow for the total immersion of tools and instruments.
  - (6) If electrolysis is performed, a steam or dry heat sterilizer that meets the requirements of Section 982.
  - (b) Establishments and schools shall have disinfectant solution mixed according to manufacturer's directions, available for use at all times.
  - (c) A manufacturer-labeled container for the disinfectant used must be available at all times in the establishment or school.

#### 979. Disinfecting Non-Electrical Instruments and Equipment

- (a) Before use upon a patron, all non-electrical instruments shall be disinfected in the following manner:
- (1) Clean with soap or detergent and water.
  - (2) Then totally immerse in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity, used according to manufacturer's instructions.
  - (b) The disinfectant solutions specified in subdivision (a) shall:
    - (1) Remain covered at all times.
    - (2) Be changed at least once per week or whenever visibly cloudy or dirty.
    - (c) All instruments that have been used on a patron or soiled in any manner shall be placed in a properly labeled receptacle.
    - (d) All disinfected instruments shall be stored in a clean, covered place which is labeled as such.
    - (e) If instruments and equipment specified in this section are sterilized in accordance with the requirements outlined in Section 982, the requirements of this section will be deemed to have been met.

#### 980. Disinfecting Electrical Instruments

- (a) Clippers, vibrators, and other electrical instruments shall be disinfected prior to each use by:
- (1) First removing all foreign matter; and
  - (2) Disinfecting with an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer's instructions.
- (b) All disinfected electrical instruments, excluding curling irons and hot combs, shall be stored in a clean, covered place.

#### 980.1 Procedures for Cleaning and Disinfecting Whirlpool Footspas, and Air-Jet Basins.

- (a) As used in this section, "whirlpool footspa" or "spa" is defined as any basin using circulating water.
- (b) An air-jet basin is defined as any basin using an air jet stream system to move water.
- (c) After use upon each patron, each whirlpool footspa or air-jet basin shall be cleaned and disinfected in the following sequential manner:
- (1) All water shall be drained from the basin.
  - (2) The inside walls of the basin shall be scrubbed and cleaned of all visible residue with a clean brush and liquid soap (labeled as such on soap product) and water.
  - (3) The spa basin shall be rinsed with water.
  - (4) The spa basin shall be refilled with clean water.
  - (5) The water in the basin shall be circulated with the correct amount (read manufacturer label for mixing instructions) of the EPA-registered hospital-liquid disinfectant that is labeled as bactericide, fungicide and virucide, through the basin for at least 10 minutes.
  - (6) The spa basin must be drained, rinsed, and wiped dry with a clean paper towel.
  - (7) Record this procedure in the pedicure-cleaning log. The log shall contain the date and time of each cleaning, initials of the person who completed the procedure, and shall indicate that the cleaning was done after a client.
  - (d) At the end of each day and after the last client, each whirlpool footspa or air-jet basin shall be cleaned and disinfected in the following sequential manner:

- (1) The screen and any other removable parts shall be removed.
- (2) Scrub all visible residue from the screen, inside walls of the basin, any other removable parts, and the area behind them with a clean brush and liquid soap and water.
- (3) Reinsert the clean screen and any other removable parts.
- (4) Fill the basin with warm water and detergent (labeled as such on detergent product) and circulate the detergent through the spa system for at least 10 minutes (follow manufacturer's instructions).
- (5) Drain the detergent solution and rinse the basin.
- (6) Refill the basin with clean water and circulate the correct amount (read the label for mixing instructions) of the EPA-registered hospital liquid disinfectant which the label claims is a bactericide, fungicide, and virucide through the basin for at least 10 minutes.
- (7) Drain, rinse, wipe the basin dry with a clean paper towel and allow basin to dry completely.
- (8) Record this procedure in the pedicure-cleaning log. The log shall contain the date and time of each cleaning, initials of the person who completed the procedure, and shall indicate that the cleaning was done at the end of the day.
- (e) At least once each week, after completing the procedures provided in subsection (d) (1 through 6) each whirlpool footspa and air-jet basin shall not be drained and the following sequential procedures shall be followed:

  - (1) Do not drain the disinfectant solution. The unit shall be turned off and the disinfectant solution shall be left undisturbed in the unit for 6 to 10 hours.
  - (2) After the disinfectant solution has been sitting between 6 to 10 hours, drain and rinse the basin with clean water.
  - (3) Refill the basin with clean water and flush the system.
  - (4) Record this procedure in the pedicure-cleaning log. The log shall contain the date and time of each cleaning, initials of the person who completed the procedure, and shall indicate that the cleaning was done weekly.
  - (5) The pedicure-cleaning log shall be made available upon request by either a patron or a board representative.
  - (g) A violation of this section may result in an administrative fine and/or disciplinary action. Each footspa or air-jet basin not in compliance with this section may result in a separate violation.

#### 980.2 Procedures for Cleaning and Disinfecting Pipe-less Footspas.

- (a) As used in this section, "Pipe-Less" footspa is defined as any unit with footplates, impellers, impeller assemblies and propellers.
- (b) After use upon each patron, each Pipe-less footspa shall be cleaned and disinfected in the following sequential manner:
- (1) All water shall be drained from the spa basin.
  - (2) Remove footplate, and any other removable components according to manufacturer's instructions.
  - (3) Scrub all visible residue from the impeller, footplate, inside walls of the basin, and/or other components and the areas behind or under each with a clean brush and liquid soap (labeled as such on soap product) and water. Rinse with clean water.
  - (4) Reinsert the properly cleaned impeller, footplate, and/or other components.
  - (5) Refill the basin with clean water and circulate the correct amount (read the label for mixing instructions) of the EPA-registered hospital-liquid disinfectant which the label claims is a bactericide, fungicide, and virucide, through the basin for at least 10 minutes.
  - (6) Drain, rinse and wipe the basin dry with a clean paper towel.
  - (7) Record this procedure in the pedicure-cleaning log. The log shall contain the date and time of each cleaning, initials of the person who completed the procedure, and shall indicate that the cleaning was done after a client.
  - (c) At the end of every day and after performing the procedures provided in subsection (b) (1 through 7) and after the last client, each pipe-less footspa shall be cleaned and disinfected in the following sequential manner:
    - (1) Fill the basin with warm water and detergent (labeled as such on detergent product) and circulate the detergent through the spa system for at least 10 minutes (follow manufacturer's instructions).
    - (2) Drain the detergent solution and rinse the basin.
    - (3) Refill the basin with clean water and circulate the correct amount (read the label for mixing instructions) of the EPA-registered hospital-liquid disinfectant which the label claims is a bactericide, fungicide, and virucide, through the basin for at least 10 minutes.
    - (4) Drain, rinse and wipe dry with a clean paper towel.
    - (5) Allow the basin to dry completely.
    - (6) Record this procedure in the pedicure-cleaning log. The log shall contain the date and time of each cleaning, initials of the person who completed the procedure, and shall indicate that the cleaning was done at the end of the day.
    - (d) At least once a week, after completing the procedures provided in subsection (c) (1 through 3), and the disinfectant solution in each pipe-less footspa shall not be drained and the following sequential procedures shall be followed:
      - (1) The unit shall be turned off and the disinfectant solution shall be left in the unit undisturbed for 6 to 10 hours.
      - (2) After the disinfectant solution has been sitting between 6 to 10 hours, rinse and wipe the basin dry with a clean paper towel.
      - (3) Record this procedure in the pedicure-cleaning log. The log shall contain the date and time of each cleaning, initials of the person who completed the procedure, and shall indicate that the cleaning was done weekly.
      - (e) The pedicure-cleaning log shall be made available upon request by either a patron or a board representative.
      - (f) A violation of this section may result in an administrative fine and/or disciplinary action. Each pipe-less footspa not in compliance with this section may result in a separate violation.

#### 980.3 Procedures for Cleaning and Disinfecting Non-Whirlpool Foot Basins or Tubs.

- (a) As used in this section, "Non-Whirlpool Foot Basin" or "Tubs" are defined as any basin, tub, footbath, sink and bowl - and all non-electrical equipment that holds water for a client's feet during a pedicure service.
- (b) After use upon each patron, each Non-Whirlpool Basin or Tub shall be cleaned and disinfected in the following sequential manner:
- (1) All water shall be drained from the foot basin or tub.
  - (2) The inside surfaces of the foot basin or tub shall be scrubbed and cleaned of all visible residues with a clean brush and liquid soap (labeled as such on soap product) and water.
  - (3) The foot basin or tub shall be rinsed with clean water.
  - (4) Refill the foot basin or tub with clean water and the correct amount (read the label for mixing instructions) of the EPA-registered hospital-liquid disinfectant which the label claims is a bactericide, fungicide, and virucide. Leave the disinfecting solution in the foot basin or tub for at least 10 minutes.
  - (5) Drain, rinse and wipe the basin dry with a clean paper towel.
  - (6) Record this procedure in the pedicure-cleaning log. The log shall contain the date and time of each cleaning, initials of the person who completed the procedure, and shall indicate that the cleaning was done after a client.
  - (c) The pedicure-cleaning log shall be made available upon request by either a patron or a board representative.
  - (d) A violation of this section may result in an administrative fine and/or disciplinary action. Each non-whirlpool foot basin or tub not in compliance with this section may result in a separate violation.

#### 981. Instruments and Supplies

- (a) All instruments and supplies which come into direct contact with a patron and cannot be disinfected (for example, cotton pads, sponges, emery boards, and neck strips) shall be disposed of in a waste receptacle immediately after use.
- (b) No person working or training in an establishment or school shall be permitted to carry any instrument or supplies in or on a garment or uniform while practicing any of the acts as defined in Section 7316 of the Business and Professions Code.

#### 982. Sterilizing Electrolysis Instruments

- (a) Before use upon a patron in schools and establishments, each electrolysis needle or tweezers shall be first cleaned with detergent and water (which may include the use of ultrasonic equipment) and then be sterilized by one of the following methods:
- (1) Steam sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer's instructions.
  - (2) Dry heat sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer's instructions.
  - (b) Sterilization equipment shall be checked weekly to ensure that it is reaching the temperature required by manufacturer's instructions.

#### 983. Personal Cleanliness

- (a) The person and attire of a licensee serving a patron shall at all times be clean.
- (b) Every licensee performing services shall thoroughly wash his or her hands with soap and water or any equally effective cleansing agent immediately before serving each patron.

#### 984. Disease and Infestation

- (a) No establishment or school shall knowingly permit a person afflicted with an infection or parasitic infestation capable of being transmitted to a patron to serve patrons or train in the establishment or school.
- (b) No establishment or school shall knowingly require or permit a licensee or student to work upon a person with an infection or parasitic infestation capable of being transmitted to the licensee or student.
- (c) Infections or parasitic infestation capable of being transmitted between licensee or student and patron include, but are not limited to, the following:
- Cold, influenza or other respiratory illness accompanied by a fever, until 24 hours after resolution of the fever.
  - Streptococcal Pharyngitis ("Strep throat"), until 24 hours after treatment has been initiated, and 24 hours after resolution of fever.
  - Purulent conjunctivitis ("pink eye"), until examined by a physician and approved for return to work.
  - Pertussis ("whooping cough"), until five days of antibiotic therapy has been completed.
  - Varicella ("chicken pox"), until the sixth day after onset of rash or sooner if all lesions have dried and crusted.
  - Mumps, until nine days after onset of parotid gland swelling.
  - Tuberculosis, until a physician or local health department authority states that the individual is noninfectious.
  - Impetigo (bacterial skin infection), until 24 hours after treatment has begun.
  - Pediculosis (head lice), until the morning after first treatment.
  - Scabies ("crabs"), until after treatment has been completed.
  - (d) Blood-borne diseases, such as HIV/AIDS and hepatitis B (HBV), shall not be considered infectious or communicable diseases for the purpose of this section.
  - (e) No person working or training in an establishment or school shall massage any person upon a surface of the skin or scalp where such skin is inflamed, broken (e.g., abraded, cut) or where a skin infection or eruption is present.

#### 985. Neck Strips

- A sanitary neck strip or towel shall be used to keep the protective covering from coming in direct contact with a patron's neck.

#### 986. Neck Dusters and Brushes

- Neck dusters and all other brushes used in an establishment or school on a patron shall be maintained in a clean and sanitary condition.

#### 987. Towels

- (a) After a towel has once been used it shall be deposited in a closed receptacle and not used until properly laundered and sanitized.
- (b) Towels shall be laundered either by regular commercial laundering or by a noncommercial laundering process which includes immersion in water at least 140°F for not less than fifteen (15) minutes during the washing or rinsing operation.
- (c) All clean towels shall be stored in closed cabinets.

#### 988. Liquids, Creams, Powders and Cosmetics

- (a) All liquids, creams, and other cosmetic preparations shall be kept in clean and closed containers. Powders may be kept in clean shakers.
- (b) All bottles and containers shall be distinctly and correctly labeled to disclose their contents. All bottles and containers containing poisonous substances shall be additionally and distinctly marked as such.
- (c) When only a portion of a cosmetic preparation is to be used on a patron, it shall be removed from the container in such a way as not to contaminate the remaining portion.
- (d) Pencil cosmetics shall be sharpened before each use.

#### 989. Prohibited Hazardous Substances/Use of Products

- No establishment or school shall have on the premises cosmetic products containing hazardous substances which have been banned by the U.S. Food and Drug Administration for use in cosmetic products, including liquid methyl methacrylate monomer and methylene chloride. No product shall be used in a manner that is disapproved by the FDA.

#### 990. Headrests and Treatment Tables

- (a) The headrest of chairs shall be covered with a clean towel or paper sheet for each patron.
- (b) Shampoo trays and bowls must be cleaned with soap and water or other detergent after each shampoo, kept in good repair and in a sanitary condition at all times.
- (c) Treatment tables must be covered with a clean sheet of examination paper for each patron.

#### 991. Invasive Procedures

- (a) No licensee may perform any act which affects the structure or function of living tissue of the face or body. Any such act shall be considered an invasive procedure.
- (b) Invasive procedures include, but are not limited to, the following:
- (1) Application of electricity which contracts the muscle.
  - (2) Application of topical lotions, creams, or other substances which affect living tissue.
  - (3) Penetration of the skin by metal needles, except electrolysis needles.
  - (4) Abrasion of the skin below the non-living, epidermal layers.
  - (5) Removal of skin by means of a razor-edged instrument.

#### 992. Skin Peeling

- (a) Only the non-living, uppermost layers of facial skin, known as the epidermis, may, by any method or means, be removed, and then only for the purpose of beautification.
- (b) Skin removal techniques and practices which affect the living layers of facial skin, known as the dermis, are prohibited and constitute the practice of medicine.
- (c) Only commercially-available products for the removal of facial skin for the purpose of beautification may be used. Mixing or combining skin removal products is prohibited except as it is required by manufacturer instructions.

#### 993. Prohibited Instruments

- (a) No establishment or school shall have on the premises any razor-edged or other device or tool which is designed to remove calluses.
- (b) No establishment or school shall have on the premises any needle-like instrument which is used for the purpose of extracting skin blemishes and other similar procedures.

#### 994. Cleanliness and Repair

- (a) Establishments and schools shall keep the floors, walls, wood-work, ceilings, furniture, furnishing, and fixtures clean and in good repair.
- (b) No establishment or school shall permit an accumulation of waste or refuse.

#### 995. Building Standards

- (a) Establishments and schools shall have a system of adequate ventilation in accordance with Part 2, Section 1203, Title 24, California Code of Regulations.
- (b) A supply of hot and cold running water shall be provided in accordance with Part 5, Section 601.5.1, Title 24, California Code of Regulations.
- (c) Establishments and schools shall supply potable drinking water in accordance with Part 5, Section 601.5.3, Title 24, California Code of Regulations.
- (d) Establishments and schools shall provide hand washing facilities in accordance with Part 5, Section 601.5.2, Title 24, California Code of Regulations.
- (e) Establishments and schools shall provide public toilet rooms in accordance with Part 5, Sections 412.7, 412.8, and Table No. 4-1, Title 24, California Code of Regulations.

## MESSAGE TO THE CONSUMER

This establishment is licensed by the California State Board of Barbering and Cosmetology. The Board can address the following problems:

- Health And Safety (including unsanitary conditions and failure to disinfect instruments after each use)
- Incompetence And Negligence
- Misrepresentation Or False Advertising of Services
- Unlicensed Practice Of Barbering, Cosmetology, Or Electrology

If you would like to receive a Consumer Complaint Guide or if you have any unresolved questions regarding services provided in this establishment, please call or write the Board of Barbering and Cosmetology, P.O. Box 944226, Sacramento, CA 94244-2260

#### FOOTSPA SAFETY

The Board recommends that you don't shave or wax your legs 24 hours before receiving a pedicure. Shaving and waxing increases the risk of infection. If you have broken skin or lesions on your legs, do not get a pedicure. Also, if you have a weakened immune system (i.e. Lupus, Diabetes, etc.), you should consult with your doctor before getting a pedicure!

Web Site Address: [www.barbercosmo.ca.gov](http://www.barbercosmo.ca.gov)

Consumer Information Center Hotline 1 (800) 952-5210 Enforcement Division (916) 574-7574