



ALABAMA BOARD OF COSMETOLOGY And Barbering

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Cosmetology and Barbering

RULE NO. & TITLE: 250-X-3-.02 (16) Products, Sanitation and Care

INTENDED ACTION: To amend this rule.

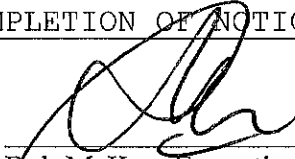
SUBSTANCE OF PROPOSED ACTION: To specify that roll on wax applicators are single use items.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may present comments in writing at any time during the thirty-five (35) day period following publication of this notice to Bob McKee, Executive Director of the Alabama Board of Cosmetology, 100 North Union St., Suite 320, Montgomery, AL 36130-1750. Comments may be presented in person or orally to the Executive Director at the above address on Friday, June 5, 2015 at 10:00 AM. Requests for comments in person must be submitted in writing in advance. Copies of proposed rule changes are available at the Executive Director's office at 334-242-1918.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: June 5, 2015

CONTACT PERSON AT AGENCY:

  
Bob McKee, Executive Director  
Alabama Board of Cosmetology  
RSA Union Building  
100 North Union St., Suite 320  
Montgomery, AL 36130-1750

**250-X-3-.02 Products Sanitation and Care.**

- (1) No licensee shall conduct services at any location which does not meet proper health, safety and sanitation requirements. Compliance with rules of this chapter does not infer compliance with other requirements of federal, state, and local laws, codes, ordinances, and regulations.
- (2) Possession or storage of any equipment, supplies or product associated with any act of barbering or cosmetology will be prima facie evidence of use.
- (3) No licensee shall use any equipment, supplies or product banned for use by the United States Food and Drug Administration or other federal, state, or local governmental agency for barbering or cosmetology purposes.
- (4) No licensee shall use styptic pencils.
- (5) No licensee shall use methyl methacrylate or any other product considered poisonous or unsafe.
- (6) No licensee shall use any drill or other equipment, supply or product for any purpose other than that for which it was intended. Only drills marked by the manufacturer "For Human Nails" are acceptable.
- (7) No licensee shall use any craft or hobby tools or modified craft or hobby tools in providing services.
- (8) No licensee shall perform any service outside the scope of the Board's regulatory authority. The Board's scope of licensure is confined to non-invasive services performed on the epidermis, specifically the stratum corneum and must not alter, cut or damage living cells.
- (9) No licensee shall use callous razors in any practice of cosmetology or manicure.
- (10) No licensee shall perform services on the skin or scalp of any person which is broken, inflamed, cut, abraded, eroded or infected.
- (11) No licensee may perform eyebrow tinting with a product which contains aniline derivative.
- (12) No licensee shall practice photo rejuvenation, permanent makeup, electrolysis, tattoo, or any other act outside the regulatory authority of the Board.
- (13) No person with an infectious or communicable disease may work in a salon licensed by the Board.
- (14) The practice of natural hairstyling is limited to cleansing, extending, locking, braiding or arranging without cutting, relaxing, removing, or applying permanent waving or chemical treatments to the natural hair.
- (15) The scope of waxing for manicurist/waxer is limited to treatment above the neck.
- (16) Roll on wax applicators shall be classed as single use items.
- ~~(17)~~ ~~(16)~~ All sanitized instruments and sanitary disposable articles must be stored in clean, closed containers free of other supplies.
- ~~(18)~~ ~~(17)~~ Cosmetics or preparations used on clients must be kept in closed containers at all times when not in use.
- ~~(19)~~ ~~(18)~~ Shop must use containers for professional products which are designed to prevent contamination of the unused portion. All creams and bulk substances must be removed from containers with spatulas or clean tools. Bulk supplies which may be contaminated by unsanitized tools or spatulas during preparation or application of single service portions must be discarded.
- ~~(20)~~ ~~(19)~~ Shop must use wet sanitizers with hospital grade or EPA approved disinfectant. A wet sanitizer is any receptacle with a proper cover large enough to completely immerse items to be sanitized which contains an approved disinfectant. A hospital grade or EPA approved disinfectant shall be defined as:
  - (a) For all combs, brushes, tools, metal implements, instruments with a cutting edge and implements which have not come into contact with blood or body fluids: a disinfectant which indicates on its label that it has been registered with the Environmental Protection Agency as a hospital grade bactericide, viricide and fungicide.
  - (b) For all combs, brushes, tools, metal implements, implements with a cutting edge and implements which have come into contact with blood or body fluids: a disinfectant which indicates on its label that it has been registered with the EPA as a hospital grade tuberculocidal.
- ~~(21)~~ ~~(20)~~ All tools, implements, supplies, linens and equipment must be safely stored. Pre-sanitized tools, implements, linens and equipment must be stored in an enclosed sanitary cabinet or covered container. After use on each patron, implements and tools and soiled linens must be deposited in a closed receptacle separate from those which are clean and pre-sanitized.
- ~~(22)~~ ~~(21)~~ All chemicals and products for patron use must be properly labeled and identified.
- ~~(23)~~ ~~(22)~~ All sanitizing products and chemicals for patron use or cleaning must be used and stored according to the manufacturer's directions and in a manner consistent with public safety and health interests. Flammable chemicals must be stored in a flame retardant cabinet or in a

well ventilated storage area away from combustible materials. Chemicals such as oxidizers, catalysts and solvents must be segregated in storage.

(24) ~~(23)~~ Chemicals requiring mixing must be mixed in a well-ventilated area at least twenty-five feet from an open flame or electrical device. Chemical saturated towels and chemical waste must be removed from work and storage areas and placed in covered containers.

(25) ~~(24)~~ Material safety data sheets (MSDS) defining product content, hazards and first aid/medical treatment should be on containers and must be available upon request for products considered dangerous to public health.

(26) ~~(25)~~ Any comb, brush, tool or implement which cannot be cleaned and sanitized is prohibited after initial use. Single-use articles and disposable supplies must be disposed of immediately after use in a covered container.

(27) ~~(26)~~ Any disposable material which has come in contact with blood or body fluids shall be disposed of in a sealed plastic bag.

(28) ~~(27)~~ All combs, brushes and implements must be sanitized before use on any patron.

(29) ~~(28)~~ No combs, brushes, tools or implements may be carried in licensee's pockets.

(30) ~~(29)~~ Pedicure vats must be cleansed and sanitized after each service to a patron.

(31) ~~(30)~~ During barber, cosmetology or esthetics services a proper sanitary cover must be placed around patron's neck to avoid direct contact with protective cape.

(32) ~~(31)~~ Shop must maintain an adequate supply of linens and products for proper hygiene.

(33) ~~(32)~~ Shop must be insect, rodent and animal free except for guide or service animals of visually handicapped or otherwise physically disabled persons. Fish in sanitary and properly maintained aquariums are permitted.

(34) ~~(33)~~ Shop must keep on premises a first aid kit which must be replenished as necessary.

**Author:** Bob McKee

**Statutory Authority:** *Code of AL 1975, § 34-7B-4(b);d(1)*

**History:** Filed Apr. 21, 2015