

**Revision 2020**  
**NAUGATUCK VALLEY HEALTH DISTRICT**  
**BODY CARE CODE**

**SECTION A. DEFINITIONS**

For the purpose of these regulations:

(1) **“Authorized Agent”** means the person designated by the Director of Health to act for him or her in the performance of his duties.

(2) **“Barber”** means a person licensed pursuant to Chapter 386 of the General Statutes of the State of Connecticut.

(3) **“Barbering”** means the following-described practices, when performed upon the head, face, scalp or neck for cosmetic purposes only and are recognized as practicing the occupation of barber, including, but not limited to:

- (a) The cutting, trimming or shaving, of the hair or beard;
- (b) Singeing, shampooing, dyeing or styling of the hair;
- (c) The application of cosmetic preparations, hair tonics, antiseptics, powders, oils, clays, creams or lotions;
- (d) Giving facial and scalp massage or the application of oils, creams, lotions or other preparations either by hand or mechanical appliances; or
- (e) Styling or cutting hairpieces and wigs.

Statutory Reference: Connecticut General Statutes Section 20-234.

(4) **“Barbershop”** means any establishment engaged in the practice of barbering for the public.

(5) **“Body Care Establishment”** means an establishment offering client services in the areas including, but not limited to, barbering, hairdressing, cosmetology, skin care, skin treatment, nail care, massage, facials and tanning for a fee, charge or hire.

(6) **“Critical Violation”** means a violation that poses a substantial risk to the consumer or interferes with the safe operation of the establishment. Critical violations are described in Appendix I of this Code.

(7) **“Director of Health”** means the Director of Health of the Naugatuck Valley Health District or his/her duly authorized representative.

(8) **“Disinfectant”** means an Environmental Protection Agency (EPA) registered product with demonstrated bactericidal, virucidal and fungicidal activity when used in accordance with manufacturer’s instruction.

(9) **“Esthetician”** means any person who, for compensation, engages in the art of massaging, cleaning, stimulating, manipulating, exercising or beautifying the head, face or neck with the use of hands, appliances, cosmetic preparations, antiseptics, tonics, lotions, creams, powders, oils or

clay. The term includes the use of compounds or procedures including, but not limited to, makeup, eyelashes, depilatories, waxes, sanding and tweezing, whether performed by manual, mechanical, chemical or electrical means and instruments, but does not include the practice of hypertrichology, as defined in section 20-267 of the general statutes. ~~There is no licensure or certification required for esthetician in the state of Connecticut~~ **Estheticians must be licensed in pursuant with Public Act 2019-117 Sections 192 and 199.**

**(10) "Eyelash technician"** means a person, who for compensation performs individual eyelash extensions, eyelash lifts or perms and eyelash color tints. **Technician must be licensed in pursuant with Public Act 2019-117 Sections 193 and 199.**

**(10) "Fee Schedule"** means the Permit and associated fees specified in the Annual Fiscal Year Budget adopted by the Board of Directors of the Naugatuck Valley Health District in accordance with the provisions of the Connecticut General Statutes.

**(11) "Hairdresser/Cosmetician"** means a person licensed pursuant to Chapter 387 of the Connecticut General Statutes.

**(12) "Hairdressing and Cosmetology"** means those practices when performed upon the head, face, scalp, neck, ankles, feet, nails and hands that are for cosmetic purposes only, including, but not limited to:

- (a) Dressing, arranging, curling, waving, weaving, cutting, singeing, bleaching, and coloring of the hair;
- (b) Massaging, cleansing, exercising, stimulating or manipulating, with the hands or mechanical appliances the scalp, face, neck, head, ankles, feet, hands or nails;
- (c) Application of cosmetic preparations, antiseptics, tonics, lotions, wax, creams powders, oils or clays to the scalp, face or neck;
- (d) Manicuring fingernails of the hand; or
- (e) Trimming, filing or painting healthy toenails for cosmetic purposes only, excluding cutting nail beds, corns and calluses or other medical treatment involving the foot or ankle, of any person for compensation.

**(13) "Hairdressing or Cosmetology Shop/Salon"** means any establishment engaged in the practice of hairdressing, cosmetology, or barbering for the public.

**(14) "Massage Establishment"** means the premises of the Body Care Facility that is used and approved to give massage.

**(15) "Massage Therapist"** means a person who has been licensed to practice massage therapy under the provisions of sections 20-206a to 20-206f, inclusive of the Connecticut General Statutes.

**(16) "Massage Therapy"** means the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and nonspecific stretching. Massage therapy may include the use of oil, ice, hot and cold packs, tub, shower, steam, dry heat, or cabinet baths, for

the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental condition.

Massage therapy does not encompass (1) diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, (2) any service or procedure for which a license to practice medicine, chiropractic, naturopathy, physical therapy, or podiatry is required by law, or (3) Thai yoga practiced by a person who is registered as a yoga teacher with the Yoga Alliance Registry and has completed two hundred hours of training in Thai yoga.

(17) **“Mobile Work Station/Mobile Salons”** means a modular space which can be used for multiple purposes through the use of mobile equipment.

(18) **“Nail Salon”** means an establishment engaged in the practices described in Section A (12)(d & e) of this Code and in the definition of “Nail Technician” below.

(19) **“Nail Technician”** means a person who, for compensation, cuts, shapes, polishes or enhances the appearance of the nails of the hands or feet, including, but not limited to, the application and removal of sculptured or artificial nails. **Nail technicians must be licensed in pursuant with Public Act 2019-117 Sections 194 and 199.**

~~While there is no licensure or certification required for nail technicians in the state of Connecticut, each nail technician shall work under the supervision of a licensed hairdresser/cosmetician or a Qualified Nail Technician as defined in this Code.~~

(20) **“Owner”** means a person who owns a Body Care Establishment and is responsible for upholding the regulations of this chapter in all areas of the establishment, including rented and leased work areas and work stations.

(21) **“Operator”** means a person who owns, leases, or manages a Body Care Establishment or any licensed person performing barbering, hairdressing, cosmetology or manicuring.

(22) **“Person”** means an individual, firm, partnership, company, corporation, trustee, association or any public or private entity.

~~(23) **“Person in Charge”** means the individual present in a Body Care Establishment that is the apparent supervisor of the Body Care Establishment at the time of inspection. If no individual claims to be a supervisor, then any employee present is deemed to be the person in charge for the purposes of this Code.~~

~~(24) **“Qualified Nail Technician”** means the owner, operator or a nail technician working in a supervisory position who is knowledgeable in safe work practices demonstrated by having attended and successfully completed a course of training sponsored by the Naugatuck Valley Health District or other training acceptable to the Director of Health. The Qualified Nail Technician shall be responsible for training other nail technicians under his or her supervision and for maintaining records of such training.~~

~~**Replacement of Qualified Nail Technician.** Whenever the Qualified Nail Technician terminates employment, is terminated or is transferred, the person owning, operating or managing the nail salon shall notify the local health department in writing. A replacement Qualified Nail Technician shall be employed within sixty (60) days from the date of termination or transfer of the qualified nail technician.~~

(25) **“Sanitary Conditions”** means safe and clean shop/salon conditions that prevent the spread of communicable diseases and protect the public health and welfare.

(26) **“Sanitize”** means effective antibacterial treatment by a process that provides sufficient concentration of chemicals for enough time to reduce the bacteria count including pathogens to a safe level on equipment.

(27) **“Tanning Device”** means any equipment used for tanning the skin that emits ultraviolet radiation, including but not limited to, a tanning booth, tanning bed or sunlamp which includes high pressure tanning lamps. Tanning devices are any accompanying equipment, including, but not limited to, protective eyewear, timers, and handrails.

(28) **“Tanning Salon/Facility”** means a room or booth that houses equipment or beds used for tanning human skin by the use of fluorescent sunlamps using ultraviolet or other artificial radiation.

(29) **“Temporary Permit”** means a permit issued to conduct a public demonstration, a fund-raising event or a public convention for a period not to exceed fourteen (14) days.

(30) **“Working Area”** means a separate room with more than one work station, or a private room set aside to serve one customer at a time.

(31) **“Work Station”** means a chair, countertop and floor space set aside for the purpose of serving a customer, including floor space for the operator to stand while serving the customer.

## **SECTION B. PURPOSE**

The purpose of this Code and its standards is to regulate sanitary conditions at Body Care Establishments in a way that will:

1. Protect and promote public health, safety, and welfare.
2. Prevent the spread of disease including, but not limited to, viral, bacterial, and fungal infections.

## **SECTION C. ESTABLISHMENT REQUIREMENTS**

- (1) Plan Review and Submission

- (a) When a Body Care Establishment is constructed or remodeled, plans drawn in a minimum ¼ inch scale and specifications for construction must be submitted along with the plan review fee, as listed in the Fee Schedule, to the Director of Health for approval.
- (b) The plans shall include but are not limited to: description and location of work areas and equipment, sinks, counters, storage areas, toilet facilities, fixtures, and waiting areas.
- (c) Manufacturers' specification sheets shall be included in the plan submission for all equipment, floors, walls and ceilings.
- (d) All plans must be approved by the Director of Health prior to construction of the Body Care Establishment.

## **SECTION D. PERMITS**

- (1) No person shall maintain or operate a Body Care Establishment without having a valid permit issued by the Director of Health. Only a person who complies with the requirements of this Code shall be entitled to receive or retain such a permit.
- (2) Any person who knowingly or willfully owns, operates or maintains a Body Care Establishment in the Naugatuck Valley Health District without a valid current permit issued by the Director of Health shall be fined in accordance with the fee schedule. Such fine shall be in addition to the regular permit fee and/or any other fees or penalties. Each day of operation in violation of this Code after receipt of notice shall be considered a separate offense. In addition, said violation shall be considered sufficient grounds for the denial of a pending license or subsequent license application by said violator or any partner, shareholder, director, officer, trustee or other fiduciary of said violator until corrected.
- (3) Every Body Care Establishment must comply with local Planning and Zoning regulations, **Building and Fire Codes and obtain a police department permit, if applicable, and all other applicable Codes** before being issued a permit.
- (4) Application for a permit shall be made on forms furnished by the Director of Health, wherein the applicant shall state his/her full name(s) and address(s), and whether such applicant is an individual, firm or association, including but not limited to, any partnership, limited partnership, limited liability partnership, limited liability company, corporation, trust or estate, and if not an individual, the name(s) of the partners, members, officers, or if applicable, the duly authorized representative thereof, including but not limited to, a fiduciary, trustee, or receiver, together with their addresses, establishment name, the address of the place of business, and such other pertinent information as the Director of Health may require and affix his or her signature to the application. All permits are valid for one (1) year and are renewable on or before September 30 of each year. Applications for a permit made between April 1 and July 31 of the year shall be charged a partial year fee, which shall be one-half of the regular fee. Permits issued on or after August 1st shall expire on September 30<sup>th</sup> of the following year.

(5) Every applicant for a permit to operate a Body Care Establishment shall pay an annual permit fee as listed in the fee schedule determined by the Naugatuck Valley Health District Board of Directors. Any applicant whose check is returned unpaid to the Naugatuck Valley Health District shall be required to pay a returned check fee as specified in the fee schedule.

(6) No permit shall be issued or renewed until a completed application has been submitted, the permit fee has been paid and the applicant's Body Care Establishment meets the requirements set forth in this Code and all other applicable state and local regulations. Any person who does not make application for the renewal of his/her body care cosmetology permit before the expiration date of such permit shall be required to pay a late fee as stated in fee schedule for each day beyond the expiration date of his/her permit in addition to the regular permit fee.

(7) Permits shall be valid until the expiration date indicated on the permit unless suspended or revoked by the Director of Health, or until such time as the facility changes owners, closes, or goes out-of-business.

(8) Permits shall not be transferable from person to person or from location to location. Any planned change in ownership of a facility must be reported promptly to the Naugatuck Valley Health District and such changes must be approved by the Naugatuck Valley Health District prior to the issuance of an operating license.

(9) Permit(s) must be displayed in a prominent location within the establishment where patrons can observe it.

(10) A temporary permit to operate Body Care Establishment may be granted for a period not to exceed fourteen (14) calendar days. A temporary permit would be required for conducting a public demonstration, a fund-raising event or a public convention.

## **SECTION E. ANNUAL INSPECTIONS**

(1) The Director of Health shall promulgate such rules and procedures as are necessary to ensure compliance with this Code.

(2) At least once a year, the Director of Health, or his/her authorized agent, shall inspect each Body Care Establishment and shall make as many additional inspections as are necessary for the enforcement of this Code and the Public Health Code of the State of Connecticut.

(3) The Director of Health, or his/her authorized agent, after proper identification, shall be permitted to enter, during normal operating hours, any portion of any Body Care Establishment for the purpose of making inspections to determine compliance with this Code and the Public Health Code of the State of Connecticut.

(4) In the event that the Director of Health finds unsanitary conditions in the operation of a Body Care Establishment, or if a **critical** violation is found, the Director of Health shall, after issuing an order to correct the violations, make a re-inspection of the establishment. The permit holder shall be required to pay to the Director of Health a re-inspection fee as listed in the fee schedule. If corrective action is not made in the allotted time, the permit may be revoked or suspended.

Re-inspection fees are due and payable immediately upon their assessment. No Body Care permit shall be renewed unless all re-inspection fees have been paid in full.

## **SECTION F. PERMIT SUSPENSION**

(1) Failure to comply with the provisions of this Code and applicable state regulations shall be grounds for revocation or suspension of any permit issued under the provisions of this Code.

(2) The Director of Health may suspend, without warning, prior notice or hearing, any permit to operate a Body Care Establishment if,

(a) The owner, operator or person in charge has interfered with the performance of the Director of Health's duties.

(b) The operation constitutes an imminent hazard to public health including, but not limited to, any one of the following:

(i) There is an ongoing outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to consumers.

(ii) There is an absence of potable water, supplied under pressure, in a quantity which, in the opinion of the Director of Health, is capable of meeting the needs of the facility.

(iii) There is a sewage backup into the facility.

(iv) An unlicensed individual is performing procedures requiring licensure by the Connecticut General Statutes or the Public Health Code.

~~(v) An establishment is found to have nail technicians working without also having a Qualified Nail Technician or a licensed hairdresser/cosmetician on the premises.~~

(3) Suspension shall be effective immediately upon delivery of the written order to the permit holder or person in charge of the facility by the Director of Health. When a permit is suspended, all Body Care operations shall cease immediately and shall not resume until written approval to resume has been issued by the Director of Health. The Director of Health, or his/her authorized agent, shall remove a suspended permit from the premises.

(4) When a permit is to be suspended, the holder of a permit, or the person in charge, shall be notified in writing of the suspension, and an opportunity for a hearing will be provided if a written request for hearing is filed with the Director of Health by the holder of the permit within two (2) business days. If no written request for a hearing is filed within two (2) business days, the suspension is sustained. The Director of Health may end the suspension at any time by giving written notice to the permit holder if reasons for suspension no longer exist.

(5) Upon receiving a request for a hearing, the Director of Health shall schedule a hearing not later than ten (10) business days from the date of actual receipt of the request to afford the owner

the opportunity to present evidence and argument on all facts or issues involved to examine the merits of such suspension.

(6) The Director of Health shall examine the merits of such suspension and render a decision in writing to vacate, modify, or affirm such suspension within ten (10) business days of the date of the hearing held under this section.

(7) The permit holder who is aggrieved by such action of the Director of Health may, within forty-eight (48) hours after the making of such decision, appeal to the Commissioner of Public Health.

## **SECTION G. PERMIT REVOCATION/FAILURE TO RENEW**

(1) The Director of Health, after providing opportunity for hearing, may revoke or refuse to renew the permit of any person for serious or repeated violations of any of the provisions of this Code, or for interference with the Director of Health in the performance of his or her official duties or for cases where the permit to operate has been obtained through nondisclosure, misrepresentation or intentional misstatement of a material fact.

(2) Prior to revocation or failure to renew, the Director of Health shall notify the permit holder, or person in charge at the facility, of the specific reason(s) for such revocation or non-renewal, and that permit shall be revoked or not renewed at the end of ten (10) calendar days following service of such notice, unless a written request for hearing is filed with the Director of Health by the holder of the permit, or the person in charge of the facility, within two (2) business days of such notice. If no request for a hearing is filed within two (2) business days of such notice, the revocation or non-renewal becomes final. The Director of Health shall remove a revoked permit from the premises.

(3) If a written request for a hearing is filed with the Director of Health by the permit holder, or the person in charge of the facility, within two (2) business days following the service of such notice, the Director of Health shall thereupon schedule a hearing not later than five (5) business days from the date of the actual receipt of the request to afford the owner the opportunity to present evidence and argument on all facts or issues involved.

(4) The Director of Health shall examine the merits of such revocation and render a decision in writing to vacate, modify, or affirm such revocation within ten (10) business days of the date of the hearing held under this section.

(5) The permit holder, or person in charge, who is aggrieved by such action of the Director of Health may, within forty-eight (48) hours after the making of such decision, appeal to the Commissioner of Health.

## **SECTION H. PERMIT REINSTATEMENT**

### **(1) Suspension**



Whenever a permit has been suspended, the holder of the suspended permit may make written request for permit reinstatement. Within ten (10) business days following receipt of a written request, including a statement signed by the applicant that, in his or her opinion, the conditions causing the suspension have been corrected, the Director of Health, or his or her authorized agent, shall make a re-inspection. If the Director of Health determines that the applicant has complied with the requirements of this Code and the State Public Health Code, the permit shall be reinstated and returned to the permit holder.

## **(2) Revocation/Failure to Renew**

After a period of sixty (60) calendar days from the date of revocation or refusal to renew, a written application may be made for the issuance of a new permit. This application will be treated as a new application. All appropriate procedures and inspections will be required.

## **SECTION I. HEARINGS**

The Director of Health shall designate a time and place to conduct the hearings provided for in this Code. The Director of Health shall summarize the proceedings of such hearings and provide sufficient copies. The Director of Health shall make a final finding based upon the complete hearing record, and shall sustain, modify or rescind any notice or order considered in the hearing. The Director of Health shall furnish a written report of the hearing decision to the permit holder within ten (10) business days of the hearing date. A request for a hearing shall not stay any revocation, suspension or denial of a permit until such time as a hearing has been held and a decision rendered thereon.

## **SECTION J. SERVICE OF NOTICES**

A notice or order provided for in this Code is properly served when it is delivered to the permit holder, or person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A completed and signed inspection report shall constitute a written notice.

## SECTION K. BODY CARE TECHNICAL STANDARDS

### (1) General Cleanliness

Each body care establishment shall be maintained to provide a safe and sanitary environment. All supplied facilities shall be kept clean, sanitary and in good repair.

### (2) License/Training Requirements

- (a) Hair Salons/Barbershops shall employ individuals who hold a current license from State of Connecticut.
- ~~(b) Nail Salons shall employ a licensed Hairdresser/Cosmetician or a Qualified Nail Technician (QNT) who is required to train all staff members.~~ **Nail Salons shall employ individuals who hold a current License from State of Connecticut.**
- (c) Massage Establishments shall employ individuals who hold a current license from State of Connecticut.
- ~~(d) Shampooing of the hair, braiding hair, waxing, eyebrow arching, and facials can be performed by an unlicensed individual.~~ **Estheticians and Eyelash Technicians shall hold a current License form State of Connecticut.**

### (3) Disinfection of Reusable Equipment/Implements

- (a) After each use on a client, all electrical and non-electrical instruments shall be thoroughly cleaned to remove foreign matter, treated with an approved disinfectant and stored in a protected manner until their next use.
- (b) Disinfectants shall be changed in accordance with the manufacturer's instructions to ensure complete disinfection. No sediment from the item being disinfected shall be allowed to remain in the bottom of the disinfection container.
- (c) Disinfectants include, but are not limited to:
  1. Quaternary ammonium compounds 1:16 dilution x 10min. (e.g., Barbicide)
  2. Alcohol (3 minutes) 70% ethyl alcohol or 99% isopropyl 20-30 minutes
  3. Lubricant sanitizer (10 second contact time, 10 minute drain time) Recommended for electric clippers
  4. Disinfectant spray (see manufacturer's instructions)
  5. Bleach (see manufacturer's instructions) 1:10 dilution x 10 min. or ¼ cup per gal. of water
  6. Lysol, compound cresol solution, phenolic compound (5% solution for 3 minutes or 2% solution for 10 minutes)
  7. Anti-microbial additive (see manufacturer's instructions)
  - ~~8. Autoclave (see manufacturer's instructions). All equipment to be sterilized shall be cleaned in the ultrasonic cleaner according to the manufacturer's recommendations, then packaged in individual peel packs, arranged in the autoclave in accordance with the manufacturer's recommendations and then sterilized for twenty (20) minutes at fifteen point nine (15.9) minimum pounds pressure at a minimum temperature of two hundred fifty (250) degrees Fahrenheit. A temperature sensitive autoclave tape shall~~

~~be included in every load that is placed in the autoclave. This tape shall indicate that the requirements of this section have been attained before use of the equipment sterilized. A test using a biological monitoring system that is processed through a licensed laboratory shall be conducted every three (3) months according to manufacturer guidelines to insure the sterility of the autoclave. The Naugatuck Valley Health District must be notified within forty-eight (48) hours of receipt of test that indicates non-sterile conditions.~~

#### **(4) Disinfection of Foot Spas and Waterbaths**

After each client, the pedicure basins shall be cleaned in the following manner:

- (a) Scrub the basin using warm water, detergent or soap, and scrub brush.
- (b) Rinse thoroughly with warm water.
- (c) Spray with an EPA-approved disinfectant, (e.g., Barbicide or Bleach solution).
- (d) Let stand for ten (10) minutes or according to product directions.
- (e) Rinse thoroughly with warm water.

At the end of each day, the pedicure basins shall be cleaned in the following manner:

- (a) Remove screen and all debris trapped behind screen (each establishment must have the proper tool to remove the screen).
- (b) Scrub screen with a brush using warm water and detergent or soap, then immerse screen in an EPA- approved disinfectant.
- (c) Wash and scrub pedicure basin with warm water and detergent or soap; then rinse.
- (d) Fill pedicure bowl with warm water and add eight (8) ounces of Barbicide for each gallon of water that the pedicure bowl holds, or one (1) teaspoon 5.25% bleach per gallon of water. Example: 2 gallons of water + 16 ounces of Barbicide.
- (e) Turn on pedicure whirlpool jets.
- (f) Let whirlpool jets run for a minimum of ten (10) minutes.
- (g) Rinse unit thoroughly with clean water and drain.

#### **(5) Disinfection of Body Care Equipment**

**The following are disinfection techniques for electric clippers:**

- (a) Detachable Head-Type (Sanitary Design):
  - (1) Detach blades.
  - (2) Clean thoroughly.
  - (3) Immerse in effective sanitizer for required time.
- (b) Non-detachable Head-Type:
  - (1) Place covered shallow glass jar at work shelf opposite every barber chair.
  - (2) After use, brush out excess hair and grease; wipe cutting blades clean.
  - (3) Immerse blade in combination lubricant-sanitizer, run clipper while immersed for ten seconds.
  - (4) Remove clipper and allow blades to drain for ten (10) minutes on a clean towel or tissue, preferably in a cabinet reserved for tools already disinfected and ready for use. Wipe blades clean with a fresh disposable tissue.

**The following are disinfection techniques for hair/body care implements:**

Hair brushes, combs and all other implements used on a client shall be kept clean and sanitary at all times and shall undergo thorough cleansing and disinfecting after serving each client or single-service disposable implements shall be used.

- (1) Clean and disinfected implements shall be stored in sanitary-covered containers or in clean drawers.
- (2) All parts of free standing hair dryers, including filters, seats and dryer hoods shall be kept clean and free from dust and hair.

#### **(6) Disposable and Single-Use Equipment**

- (a) Disposable or single-use articles shall be disposed of in a waste receptacle immediately after use on a client unless stored in a separate closed, clean container labeled with the client's name and used only on that client.
- (b) Single use products such as paraffin wax, creams and/or lotions shall be disposed of immediately after use on a client. Products shall be removed from original container to prevent cross contamination and any leftover product shall be discarded.
- (b) All disposable or single-use articles that come into contact with blood and/or body fluids shall be enclosed in a covered waste receptacle.
- (c) All sharp or pointed articles shall be disposed of in a puncture-proof container.
- (d) All disposable or single-use articles shall be stored in individual sealable plastic bags or plastic containers.

#### **(7) Prohibited Equipment/ ~~and Products~~/Services**

- (a) It is prohibited to use or store the following items in a body care establishment except for display or historical purposes:
  1. A lancet or any other device used to break the skin
  2. A razor blade (Credo blade) callus shaver
  3. Shaving brushes, shaving mugs, and brush neck dusters.
  4. Any substance banned by the Food and Drug Administration, including liquid methyl methacrylate monomer (MMA) and methylene chloride.
  5. Ultraviolet disinfection
  6. Autoclave disinfection
  7. Formalin sanitizers
- (b) Materials to stop the flow of blood may be used only in liquid or powdered form
- (c) Fish pedicure, also known as fish spa

#### **(8) Towels**

- (a) Towels shall be washed in hot water and a sanitizing agent (such as Bleach).
- (b) Clean, properly laundered or disposable towels shall be used for each client.
- (c) All linens and towels shall be deposited in a covered cleanable receptacle after each client.
- (d) Clean towels and linens shall be stored off the floor in a clean, protected location.

#### **(9) Head/Neck Protection and Capes**

- (a) A sanitary neck strip or clean towel shall be placed around a client's neck so that the cape does not come in contact with the skin of the neck.
- (b) Neck strips shall be discarded after use on each client.
- (c) Capes shall be cleaned as often as necessary to ensure a sanitary condition and shall be stored off the floor between uses.

(d) The headrest of chairs shall be covered with a single-use disposable cover.

**(10) Cosmetics/Facials/Massage**

- (a) When only a portion of a cream, liquid, powder or other cosmetic preparation is to be removed from the container, it shall be removed in such a way as not to contaminate the remaining portion.
- (b) Multi-use of applicators is prohibited. This includes the use of lipsticks, powder puffs, brushes and sponges, which are not disposable.
- (c) Lotions and powders shall be dispensed from a sanitary self-dispensing container.
- (d) Eyebrow pencils shall be sharpened after each use.

**(11) Personnel**

- (a) Personnel shall thoroughly wash their hands with soap and water immediately after using the toilet, eating or smoking and in between each client.
- (b) Personnel shall not smoke or eat at the workstation.
- (c) Personnel shall wear clean, washable garments.
- (d) Combs and other instruments shall not be placed or carried in the pockets of the operator.
- (e) Personnel shall not remove warts or moles or treat any disease of a client, nor perform any medical procedure, such as an injection, nor dispense any medical device.
- (f) Personnel shall not knowingly serve any client who is afflicted with impetigo, barber's itch, lice, nits, or ringworm.
- (g) All personnel shall have an exclusion policy for people with a communicable disease that may be transmitted through the services of a barber, hairdresser, ~~cosmetologist~~, or nail technician, **esthetician or eyelash technician**.

**(12) Animals, Pets, Reptiles or Birds**

- (a) No animal, pet, bird or reptile shall be allowed in the work area or other regulated areas of the shop/salon. This prohibition shall not apply to service animals for the disabled. Statutory Reference: Connecticut General Statutes Sections 46a-42 and 46a-44.

**(13) Foods and Beverages**

- (a) Foods and beverages shall not be prepared, stored or sold in the permitted premises, except with a valid Food Permit from the Naugatuck Valley Health District. Coffee and tea may be prepared and kept for the convenience of employees and clients, but no charge is to be made to clients who are served. Food and nonalcoholic beverages may, however, be brought into the permitted premises, from an approved source, for immediate consumption and also may be dispensed by means of automatic vending machines on the premises.
- (b) Beverages provided to clients shall be provided in a disposable container.

**(14) Water and Plumbing**

- (a) Establishment must have an approved water supply with sufficient hot (minimum 105° F) and cold running water under pressure. Hot water at any faucet shall not exceed 110° F)
- (b) All plumbing fixtures must be protected against back-siphonage or back flow.

- (c) Waste water shall be discharged into municipal sewers where available or into an approved on-site sewage disposal system.
- (d) Plumbing fixtures shall be clean and free from defects.

**(15) Toilet and Sink Facilities**

- (a) ~~Each body care~~ Establishment shall provide adequate toilet and hand washing facilities for clients and employees.
- (b) Toilet and hand washing facilities shall be in working condition at all times, and kept clean and sanitary.
- (c) Each hand washing sink shall have a soap dispenser and disposable towels or an air dryer for hand drying.
- (d) At least one hand washing facility shall be located in each private treatment room.

**(16) Lighting and Ventilation**

- (a) Lighting shall be sufficient to provide adequate illumination in the work area.
- (b) ~~The body care~~ Establishment shall be properly and adequately ventilated to remove excess heat, vapors, and odors (compliant with Building Codes).
- (c) Windows shall be effectively screened against insects, rodents, and other vermin.

**(17) Floors, Walls, and Ceilings**

- (a) Floors in work areas and walls must have non-porous, easily cleanable coverings and shall be kept clean and in good repair.
- (b) Hair clippings shall not be allowed to accumulate on floors or chairs. Hair clippings shall be removed and placed in a covered receptacle after serving each client.
- (c) Ceilings shall be kept clean and in good repair.
- (d) Cracks in floors, walls and ceilings shall be repaired so as to prevent the harboring of insects and rodents.

**(18) Storage/Work Stations**

- (a) All products not stored in the original container **must be clearly labeled** at all stations.
- (b) A container with a sufficient amount of disinfectant, such as Barbicide, shall be located within easy access of all ~~nail and pedicure~~ service stations. Hair salons may keep a container of disinfectant for brushes and combs at their stations or near the utility sink.

**(19) Other**

- (a) Safety Data Sheets (SDS) shall be made available ~~to the Director of Health, or his or her designated agent,~~ upon request.

**SECTION L. TANNING SALONS/SERVICES: TECHNICAL STANDARDS**

**(1) Inspections**

The Naugatuck Valley Health District shall inspect each tanning salon at least annually and upon receipt of any written complaint. The Naugatuck Valley Health District local health agent shall have access at all reasonable times to any tanning facility for the purpose of inspecting said facility.

**(2) Disinfection**

- (a) The operator shall provide clients of the tanning salon access to toilets and hand washing facilities. Such facilities shall contain pump dispenser soap, paper towels, and a receptacle for used paper towels.
- (b) Each client shall have access at all times to a safe and sanitary supply of drinking water.
- (c) All surfaces that come in contact with the client shall be disinfected after each use. Disinfection shall be carried out using an EPA registered disinfectant and a single use paper towel.
- (d) The interior of the facility shall be maintained in good repair and in a safe, clean, sanitary condition, free from all accumulation of dirt and rubbish.

(3) No tanning facility shall claim, or distribute promotional material that claims that the use of a tanning device is safe and free from risk.

(4) Single user protective eyewear must be available and worn when exposed to ultraviolet radiation.

(5) Signed parental or legal guardian consent is required for those under seventeen (17) years of age.

**SECTION M. UNCONSTITUTIONALITY CLAUSE**

Should any section, paragraph, sentence, clause or phrase of this Code be declared unconstitutional or invalid for any reason, the remainder of said Code shall not be affected thereby.

**SECTION N. CONFLICT OF REGULATIONS**

In any case where a provision of this Code is found to be in conflict with a regulation of the State Department of Public Health or any other state law or regulation, on the effective date of this Code, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

**SECTION M. EFFECTIVE DATE**

This Code shall become effective April 14, 2003.

Revised & Adopted by NVHD BOD 4/10/07

Revised and Adopted by NVHD Board of Directors 1/8/2012

Revised and Adopted by NVHD Board of Directors 6/1/2018

Revised and Adopted by NVHD Board of Directors 00/00/2020

## Appendix I

### CRITICAL VIOLATIONS

1. Non-licensed ~~hairstylist/cosmetician~~ **personnel** providing services that **require a license are required from the Department of Public Health(DPH)**
- ~~2. Lack of a Qualified Nail Technician (QNT), if required~~
3. Use of prohibited products (banned by the FDA, formalin sanitizer)
4. Use of prohibited equipment (credo blades/UV sanitizer/**autoclave/fish spa**)
5. Cross connection/back siphonage observed
6. Reuse of single-use implements or products
7. Not sanitizing/disinfecting equipment and utensils between clients
8. Inadequate laundry and sanitation practices

**Any Body Care Establishment with one or more uncorrected critical violations will fail inspection, receive a written order to correct item(s) within a certain time frame and pay a re-inspection fee.**