

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: **Marvel Rosetta**
(the "Owner")

RE: The personal services facility located in Calgary, Alberta and municipally described as:

Marvel Rosetta
6032 12 Avenue SE
Calgary Alberta
T2A 0J1

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 tattoo service is being done in a fully carpeted room.
- b. The carpet in the tattoo room is stained and is dirty.
- c. Some of the ink bottles were stained with ink on the outside, therefore indicating that bottles are not being covered and protected from contamination while tattooing.
- d. Tattoo equipment is sitting out in the open and not stored in a clean area until use.
- e. A bag of dirty elastic bands was found and there was one dirty band on the tattoo machine.
- f. A cloth chair is being used in the tattoo room, therefore not constructed to be impervious to moisture and easily cleanable.
- g. A designated stainless steel sink is not provided in the room for hand washing.
- h. There is no disinfectant onsite for disinfecting tattoo equipment and surfaces.
- i. Individual ink cups were found with ink in them, therefore indicating that the individual cups are being re-used.
- j. Clip cord covers and machine bag covers are not onsite.
- k. Used tattoo needles are being placed in the general garbage and there is no puncture

resistant sharps container provided.

- l. The garbage container is overflowing with used gloves, used needles and tubes, ink stained paper towels and other debris from tattooing.
- m. Records including the names and contact information of the clients being tattooed were not found onsite.
- n. The washroom has only bar hand soap with no single use towels.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Personal Services Regulation, Alberta Regulation 20/2003, and the Health Standards and 2002 Guidelines for Tattooing, and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 exist in and about the above noted personal services facility, namely:

- a. The tattoo service is being done in a fully carpeted room. This is in contravention of Section 3(h) of the Personal Services Regulation.
- b. The carpet in the tattoo room is stained and is dirty. This is in contravention of Section 3(b) of the Personal Service Regulation.
- c. Some of the ink bottles were stained with ink on the outside, therefore indicating that bottles are not being covered and protected from contamination while tattooing. This is in contravention of Section 6(1) of the Personal Services Regulation.
- d. Tattoo equipment is sitting out in the open and not stored in a clean area until use. This is in contravention of Section 3(g) of the Personal Services Regulation.
- e. A bag of dirty elastic bands was found and there was one dirty band on the tattoo machine. This is in contravention of Section 6(1) of the Personal Service Regulation.
- f. A cloth chair is being used in the tattoo room, therefore not constructed to be impervious to moisture and easily cleanable. This is in contravention of Section 3(h) of the Personal Service Regulation.
- g. A designated stainless steel sink is not provided in the room for hand washing. This is in contravention of Section 4(1) of the Personal Service Regulation.
- h. There is no disinfectant onsite for disinfecting tattoo equipment and surfaces. This is in contravention of Section 6(2) of the Personal Service Regulation.
- i. Individual ink cups were found with ink in them, therefore indicating that the individual cups are being re-used. This is in contravention of Section 4(a) of the Health Standards and Guidelines for Tattooing.
- j. Clip cord covers and machine bag covers are not onsite. This is in contravention of Section 6(1) of the Personal Service Regulation.

- k. Used tattoo needles are being placed in the general garbage and there is no puncture resistant sharps container provided. This is in contravention of Section 3(e) of the Personal Service Regulation.
- l. The garbage container is overflowing with used gloves, used needles and tubes, ink stained paper towels and other debris from tattooing. This is in contravention of Section 3(e) of the Personal Service Regulation.
- m. Records including the names and addresses of the clients being tattooed were not found onsite. This is in contravention of Section 8 of the Health Standards and Guidelines for Tattooing.
- n. The washroom has only bar hand soap with no single use towels. This is in contravention of Section 3(f) of the Personal Service Regulation.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed**.

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

- 1. That the Owner immediately close the above noted premises.
- 2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove any carpet from the service provision room and ensure that all surfaces are impervious to moisture and easy to clean.
 - b. Install a stainless steel sink, equipped with hot and cold water, soap and single-use paper towel that is in or readily accessible to the service provision area. The sink shall not be located in a washroom or used for any other incompatible activity.
 - c. Obtain an approved puncture resistant container for the disposal of waste sharps.
 - d. Ensure that only chairs that are non-porous and easy to clean and disinfect are used in the tattoo room.
 - e. Do not re-use single use disposable tattoo equipment such as ink cups and elastic bands.
 - f. Ensure that tattoo equipment is stored in a manner that prevents the equipment from being contaminated.
 - g. Ensure that tattoo equipment such as clip cords and machines are sufficiently covered to prevent gross contamination while tattooing.
 - h. Obtain approved disinfectants for use on client contact surfaces and on tattooing equipment.
 - i. Maintain proper client contact records including client names and contact information, including addresses and phone numbers. These records must be stored for at least two years.
 - j. Ensure that garbage containers are emptied on a frequent basis and that all waste is disposed of properly.
 - k. Ensure that the client washroom has liquid soap and paper towels in proper dispensers for hand washing.

3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed.

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 Calgary, Alberta, October 14, 2011.

Dana East, B.Sc., B.Tech, 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.

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

Confirmation of an oral order issued on October 13, 2011.

AIRDRIE Regional Health Centre

604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium

10101 Southport Road SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

CANMORE Public Health

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Public Health

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre

60 Grande Boulevard
Cochrane, AB T4C 0S4
Phone: 403-851-6000
Fax: 403- 851-6009

OKOTOKS Health and Wellness Centre

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
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STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp