

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Teresa Luu
(the "Owner")

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

**TD Modern – Permanent Makeup
5 - 2023 34 Street NE
Calgary Alberta
T1Y 6Z2**

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 tube tip of the permanent makeup tool is not disposable, and is only being disinfected with alcohol rather than sterilized. There is no stainless steel sink or autoclave onsite for equipment reprocessing, cleaning and sterilizing.
- b. The floor in the permanent makeup room is dirty and has wax caked to the floor.
- 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 providing the service.
- d. Permanent makeup equipment and inks were stored in a dirty, cluttered drawer. The permanent makeup tool was stored in foam box container that cannot be cleaned.
- e. Linens in the permanent makeup room do not appear to be changed between clients and services, therefore are not clean.
- f. A designated stainless steel sink is not provided in the room for hand washing.
- g. There were no bags/plastic covers available to cover the permanent makeup tattoo machine and cord to prevent contamination of the device.
- h. Used permanent makeup/tattoo needles are being placed in the general garbage and there is no puncture resistant sharps container provided.
- i. Records including the names and contact information of the clients receiving permanent makeup were not found onsite.

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 tube tip of the permanent makeup tool is not disposable, and is only being disinfected with alcohol rather than sterilized. There is no stainless steel sink or autoclave onsite for equipment reprocessing, cleaning and sterilizing. This is in contravention of Section 4(2) and 6(2) of the Personal Services Regulation.
- b. The floor in the permanent makeup room is dirty and has wax caked to the floor. This is in contravention of Section 3(b) of the Personal Services 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 providing the service. This is in contravention of Section 6(1) of the Personal Services Regulation.
- d. Permanent makeup equipment and inks were stored in a dirty, cluttered drawer. The permanent makeup tool was stored in foam box container that cannot be cleaned. This is in contravention of Section 6(1) of the Personal Services Regulation.
- e. Linens in the permanent makeup room do not appear to be changed between clients and services. This is in contravention of Section 3(h) of the Personal Services Regulation.
- f. 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 Services Regulation.
- g. There were no bags/plastic covers available to cover the permanent makeup tattoo machine and cord to prevent contamination of the device. This is in contravention of Section 6(1) of the Personal Services Regulation.
- h. Used permanent makeup/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 Services Regulation.
- i. Only observed a single pair of gloves in the room, indicating that operator is not using new gloves for each service and for each client. This is in contravention of Section 8 of the Personal Services Regulation.
- j. 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.

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. Acquire single-use disposable, screw-on tube tips for the permanent makeup tool, or install a secondary stainless steel sink for reprocessing and a suitable autoclave for sterilizing the tubes.
 - b. Thoroughly clean the work area, and remove any clutter from the service provision area.
 - c. Discard any potentially contaminated inks.
 - d. Ensure that permanent makeup equipment, such as the tools, inks, cords, and needles, are stored in a manner that prevents the equipment from being contaminated, in an area that is easily non-porous and easily cleanable.
 - e. Remove all linens from service provision area, or change linens after every service and launder them between clients.
 - f. 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.
 - g. Ensure that permanent makeup equipment such as cords and machines are sufficiently covered with a disposable plastic sheath to prevent gross contamination while tattooing.
 - h. Obtain an approved puncture resistant container for the disposal of waste sharps.
 - 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.
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 31, 2011.

Sarah Yusuf, 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.

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 to Teresa Luu on October 26, 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
Fax: 403-995-2639

STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
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www.albertahealthservices.ca/eph.asp