**TEXAS DEPARTMENT OF LICENSING AND REGULATION**
P.O. Box 12157 - Austin, Texas 78711-2157
(800) 803-9202 - (512) 463-6599 - FAX (512) 475-2871
www.tdlr.texas.gov - cs.barbers@tdlr.texas.gov

APPLICATION FOR:

# Texas Barber Specialty Shop Permit

PURSUANT TO OCCUPATIONS CODE, CHAPTER 1601

**DO NOT WRITE IN THE FEE AREA IMMEDIATELY BELOW**

| FEE | RECEIPT NUMBER | EVENT CODE | FEE AMOUNT | PMT. AMOUNT | MONEY TYPE |
|---|---|---|---|---|---|
| License Fee | | | $50.00 | | |

**Permit #**

**DO NOT WRITE ABOVE THIS LINE**

**NOTE**: *ALL INFORMATION MUST BE TYPED OR PRINTED IN INK.*

**1. Shop Name (List two choices):**

**A.** _____ **B.** _____

**2. Opening Date (Change of Owner Date):** _____

**3. Normal Business Days and Hours Open:** Days: _____ Hours: _____

**4. Shop's Mailing Address and Contact Information:** (USED FOR ALL CORRESPONDENCE)

_____
Number, Street and Apartment No. - OR - P.O. Box Number

_____ ( _____ ) _____
City State Zip Code Country Area Code Phone Number

FAX Number: ( _____ ) _____ _____
Area Code Phone Number E-mail Address (johndoe@aol.com for example)

**5. Shop's Physical Address:**

_____
Number, Street and Suite No.

_____ ( _____ ) _____
City State Zip Code Country Area Code Phone Number

FAX Number: ( _____ ) _____ _____
Area Code Phone Number E-mail Address (johndoe@aol.com for example)

**6. Is this shop a licensed Cosmetology Salon as well:** (circle one) **Yes** **No**
If "YES" list the Cosmetology Salon License Number: _____

**7. Specialty Shop Type: (circle one)**

**Hair Braiding** **Hair Weaving** **Manicurist**

**8. Organization Type: (circle one)**

**Sole Proprietorship** **Corporation** **Limited Partnership**

**Limited Liability Company** **Limited Liability Partnership**

**THIS FORM CONSISTS OF 2 PAGES.**

**BELOW, LIST ALL OWNERS THAT HAVE 25% OR MORE OWNERSHIP OF THE BUSINESS. YOU MAY ATTACH ADDITIONAL PAGES IF NECESSARY.**

**9. Business Name (Owner Name, if Sole Proprietorship):**

_____ _____ %

Ownership Percentage

**Federal ID No. or Owner Social Security No.*:** _____

**Mailing Address and Contact Information:**

_____

Number, Street and Apartment No. - OR - P.O. Box Number

_____ (_____ ) _____

City State Zip Code Country Area Code Phone Number

FAX Number: (_____ ) _____ _____

Area Code Phone Number E-mail Address (johndoe@aol.com for example)

**10. Additional Owner Information, Mailing Address and Contact Information:** (if necessary)

**Name:**_____ _____ %

**Federal ID No. or Owner Social Security No.*:** _____

**Mailing Address and Contact Information:**

_____

Number, Street and Apartment No. - OR - P.O. Box Number

_____ (_____ ) _____

City State Zip Code Country Area Code Phone Number

FAX Number: (_____ ) _____ _____

Area Code Phone Number E-mail Address (johndoe@aol.com for example)

## STATEMENT OF APPLICANT(S)

**I certify that I will comply with all applicable provisions of the Texas Occupations Code, Chapters 51, 1601 and 1603; 16 TX Admin. Code, Chapter 60; and, the Barber Administrative Rules, 16 TX Admin. Code, Chapter 82.**

**I also certify that I will not open for business until I have met all requirements for opening a Barber shop and have received my Barber shop license.**

**I understand that providing false information on this application may result in revocation of the license I am requesting and the imposition of administrative penalties.**

_____ _____

Date Signed Signature of Owner or Corporate Officer

_____ _____

Date Signed Signature of Owner or Corporate Officer

***Note: If you have a Social Security Number (SSN), Section 231.302 of the Texas Family Code REQUIRES all applicants to disclose their SSN when filing an application. The SSN that is provided is confidential and is required to enforce Child Support orders.**

# TEXAS DEPARTMENT OF LICENSING AND REGULATION

*P.O. Box 12157 Austin, Texas 78711 (512 )463-6599 (800)803-9202 FAX*
*(512)463-2951 Email Address: cs.barbers@tdlr.texas.gov Internet Address: www.tdlr.texas.gov*


## REQUIREMENTS FOR ALL BARBER & SPECIALTY SHOPS

**Shop and Shop Conditions:**

1. Exterior Sign using the word "Barber Shop", "Barber Salon", or any phrase containing the word Barber.
2. Barbershops may display a Barber Pole. However, if displayed the pole shall be red and white, with the optional blue.
3. Floors made of non-porous, easily washable, material in areas where chemicals are mixed and where water may splash. Anti-slip or plastic floor coverings may be used for safety reasons.
4. Floors, ceilings, shelves, furniture, furnishings, and fixtures clean and in good repair (no cracks).
5. Plumbing fixtures, including toilets and wash basins, kept clean and in good repair.
6. One sink or wash basin for every three barber chairs or stations.
7. Hot and cold running water within the areas where work is being done and supplies dispensed.
8. Container of liquid disinfectant at each work station used by a barber or specialty licensee.
9. Food and drinks not prepared or sold in shop for client consumption.
10. Adequate ventilation to exhaust any chemicals or strong odors from the public area and to provide fresh air.
11. Not used for living or sleeping quarters.
12. Autoclave, dry heat sterilizer, or ultraviolet sanitizer, if manicure or pedicure services are provided in the shop.
13. No animals allowed except for those providing assistance to individuals.
14. Separated by a solid wall and separate door from restaurant or food preparation area.
15. Separate entrance if attached to a residence. Any door between shop and residence must be closed during business hours.
16. Not used for any purpose that would tend to make the premises unsanitary, unsafe, or endanger the health and safety of the public.

Revised 02/2012

**Required Posters, Forms, and Lists:**

1. Sanitation Rules posted.
2. Consumer Complaint Sign ("regulated by") posted.
3. List of all licensees and permits of all employees and independent contractors (booth renters).

**Restroom Requirements:**

1. One restroom in or near shop; no chemicals stored in the restroom.

**Other Requirements:**

1. A shop that employs both barbers and cosmetologists must have a Dual Shop Permit or both a barber shop permit and a cosmetology salon license.
2. Barber poles may be displayed only by shops that have a valid Barber Shop or Dual Shop Permit. (Barber shops are **not required** to display a barber pole).
3. Only a licensed barber may shave a beard or mustache, or use a razor to outline the hair, or shave the back of the neck.
4. Shops must be in compliance with all local ordinances and requirements (example: fire codes/occupancy).
5. Licensees may not use or possess any of the following substances or products in performing barbering services.
    a. Methyl Methacrylate Liquid Monomers (also known as, MMA).
    b. Razor-type callus corn shavers intended to cut growths of skin such as corns and calluses (example: credo blades).
    c. Alum or other astringents in stick or lump form. Powder or liquid is permissible.
    d. Fumigants such as Formalin (formaldehyde tablets).

**<u>United States Food and Drug Administration (FDA) – Related</u>**

1. Licensees shall not use any product in providing a service authorized under the Act that is banned or deemed to be poisonous or unsafe by the FDA or other local, state, or federal governmental agencies responsible for making such determinations.
2. Possession or storage on licensed premises of any item banned or deemed to be poisonous or unsafe by the FDA or other governmental agency shall be considered *prima facie* evidence of its use.
3. For the purpose of performing services authorized under the Act, no licensee shall buy, sell, use, or apply to any person liquid monomeric methyl methacrylate (MMA), a chemical banned for use in nail services by the FDA.

Revised 02/2012

# Texas Department of Licensing & Regulation

# Barber Program

## Health & Safety Rules

The following health and safety (sanitation) rules must be posted in all barber and barber specialty shops (Chapter 1601.452, Texas Occupations Code), barber schools (Chapter 1601.552, Texas Occupations Code), and dual barber and beauty shops (Chapter 1603.205, Texas Occupations Code).

Please make copies of these health and sanitation rules as needed, or copies may be downloaded from the TDLR website at the following internet address:

http://www.tdlr.texas.gov/barbers/barbers.htm

For more information or to request copies by mail, e-mail or by telephone, please contact:

Barber Program
Texas Department of Licensing & Regulation
PO Box 12157
Austin, TX 78711

800/803-9202
512/463-6599
512/463-2951 (fax)

E-mail requests to:

cs.barbers@tdlr.texas.gov

customer.service@tdlr.texas.gov

Revised 02-2012

**82.100. Health and Safety Definitions.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947; amended effective January 1, 2008, 32 TexReg 9966; amended effective February 1, 2012, 37 TexReg 319)*

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) **Chlorine bleach solutions--A** chemical used to destroy bacteria and to disinfect implements and non-porous surfaces; solution should be mixed fresh at least once per day. As used in this chapter, chlorine bleach solutions fall into three categories based on concentration and exposure time:

(A) Low level disinfection (100 - 200 ppm)--Add two teaspoons household (5.25%) bleach to one gallon water. Soak 10 minutes minimum.

(B) High level disinfection (1,000 ppm)--Add one-third (1/3) cup household (5.25%) bleach to one gallon water. Soak 20 minutes minimum.

(C) Blood and body fluid cleanup and disinfection (5,000 ppm)--Add one-and-three-quarters (1 ¾) cups household (5.25%) bleach to one gallon water. Also referred to as 10% bleach solution.

(2) **Clean or cleansing**--Washing with liquid soap and water, detergent, antiseptics, or other adequate methods to remove all visible debris or residue. Cleansing is not disinfection.

(3) **Disinfect or disinfection**--The use of chemicals to destroy pathogens on implements and other non-porous surfaces to render an item safe for handling, use, and disposal.

(4) **Disinfectant--**In this chapter, one of the following department-approved chemicals:

(A) an EPA-registered bactericidal, fungicidal, and virucidal disinfectant used in accordance with the manufacturer's instructions;

(B) a chlorine bleach solution used in accordance with this chapter; or

(C) an Isopropyl alcohol used at a concentration of at least 70% and ethyl alcohol used at a concentration of at least 90%.

(5) **EPA-registered bactericidal, fungicidal, and virucidal disinfectant**--When used according to manufacturer's instructions, a chemical that is a low-level disinfectant used to destroy bacteria and to disinfect implements and non-porous surfaces.

(6) **Isopropyl or Ethyl alcohol--**Isopropyl alcohol used at a concentration of at least 70% and ethyl alcohol used at a concentration of at least 90% are chemicals that are a low-level disinfectant used to destroy bacteria and to disinfect implements.

(7) **Multi-use items**--Items constructed of hard materials with smooth surfaces such as metal, glass, or plastic typically for use on more than one client. The term includes but is not limited to such items as clippers, scissors, combs, nippers, and some nails files.

(8) **Single-use items**--Porous items made or constructed of cloth, wood, or other absorbent materials having rough surfaces usually intended for single use including but not limited to such items as tissues, orangewood sticks, cotton balls, some buffer blocks, and gauze.

(9) **Sterilize or sterilization**--To eliminate all forms of bacteria or other microorganisms by use of an autoclave, or dry heat sterilizer.

(10) **Sanitize or sanitization**--To reduce the number of microorganisms to a safe level by use of an ultraviolet sanitizer.

**82.101. Health and Safety Standards--Department-Approved Disinfectants.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947)*

(a) EPA-registered bactericidal, fungicidal, and virucidal disinfectants shall be used as follows:

(1) Implements and surfaces shall first be thoroughly cleaned of all visible debris prior to disinfection. EPA-registered bactericidal, fungicidal, and virucidal disinfectants become inactivated and ineffective when visibly contaminated with debris, hair, dirt and particulates.

(2) Some disinfectants may be sprayed on the instruments, tools, or equipment to be disinfected.

(3) Disinfectants in which implements are to be immersed shall be prepared fresh daily or more often if solution becomes diluted or soiled.

(4) In all cases the disinfectant shall be used in accordance with the manufacturers' recommendation or other guidance in this rule.

(5) These chemicals are harsh and may affect the long term use of scissors and other sharp objects. Therefore, the Department recommends leaving items in solution in accordance with the manufacturers' recommendation for effective disinfection.

(b) Chlorine bleach solutions shall be used as follows:

(1) Chlorine bleach at the appropriate concentration is an effective disinfectant for all purposes in a salon.

(2) Chlorine bleach solutions shall be mixed daily.

(3) Chlorine bleach shall be kept in a closed covered container and not exposed to sunlight.

(4) Chlorine bleach may affect the long-term use of scissors and other sharp objects so the Department does not recommend leaving items in bleach solution beyond 2 minutes for effective disinfection (5 minutes if disinfecting for blood contamination).

(5) Chlorine bleach vapors might react with vapors from other chemicals. Therefore chlorine bleach shall not be placed or stored near other chemicals used in salons (i.e. acrylic monomers, alcohol, or other disinfecting products) or near flame.

(6) Used or soiled chlorine bleach solution shall be properly disposed of each day.

(c) Isopropyl or Ethyl alcohols shall be used as follows:

(1) isopropyl alcohol at a concentration of at least 70% and ethyl alcohol at a concentration of at least 90% are low-level disinfectants.

(2) Alcohol shall not be used to clean and disinfect blood or body fluid.

(3) All alcohol shall be kept in a covered container. Alcohol deteriorates in some plastics, metals and rubber items.

(4) Alcohol may affect the long-term use of scissors and other sharp objects.

(5) The Department recommends leaving items in alcohol in accordance with the manufacturer's recommendation for effective disinfection. When using alcohol on surfaces other than non-porous materials, the time of contact shall be between 1 to 3 minutes after proper cleaning that removed all visible debris.

(6) Alcohol may be sprayed onto porous or absorbent surfaces after cleaning, with contact time on the surface of the item for at least 1 minute, provided the porous items have not contacted broken or unhealthy skin or nails.

**82.102. Health and Safety Standards--General Requirements.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947)*

(a) All barber establishments and licensees shall utilize clean and disinfected equipment, tools, implements, and supplies in accordance with this Chapter, and shall employ good hygiene habits while providing barbering services.

(b) A licensee may not perform services on a client if the licensee has reason to believe the client has a contagious condition such as head lice, nits, ringworm; or inflamed, infected, broken, raised or swollen skin or nail tissue; or an open wound or sore in the area to be serviced.

(c) Multi-use equipment, implements, tools or materials not addressed in this chapter shall be cleaned and disinfected before use on each client. Except as otherwise provided in this chapter, chairs and dryers do not need to be disinfected prior to use for each client.

(d) Single-use equipment, implements, tools or porous items not addressed in this rule shall be discarded after use on a single client.

(e) Electrical equipment that cannot be immersed in liquid shall be wiped clean and disinfected prior to each use on a client.

(f) All clean and disinfected implements and materials when not in use shall be stored in a clean, dry, debris-free environment including but not limited to drawers, cases, tool belts, rolling trays, or hung from hooks. They must be stored separate from soiled implements and materials. Ultraviolet electrical sanitizers are permissible for use as a dry storage container. Non-barber related supplies must be stored in separate drawers or locations.

(g) A container of liquid disinfectant shall be located at each barber chair or station in a barber establishment to be used to disinfect combs, brushes, scissors or other equipment which may be safely immersed in a liquid disinfectant.

(h) Shampoo bowls and manicure tables shall be disinfected prior to use for each client.

(i) Floors in barber establishments shall be thoroughly cleaned each day. All hair cuttings shall be removed as soon as practicable.

(j) All trash containers must be emptied daily and kept clean by washing or using plastic liners.

(k) Hand washing facilities, including hot and cold running water must be provided for employees.

(l) Clean towels shall be used on each client. Towels must be washed in hot water and chlorine bleach.

(m) Soiled towels shall be removed after use on each client and deposited in a suitable receptacle.

(n) Each barber establishment shall keep all products used in the conduct of their business properly labeled in compliance with OSHA requirements.

(o) Haircutting capes and shampoo capes shall be kept clean. A clean (one-use) cape shall be used for each client, or a sanitary neck strip or towel shall be used to keep capes from coming into direct contact with the client's neck.

**82.103. Health and Safety Standards--Hair Cutting, Styling, Treatment and Shaving Services.** *(Rule effective March 1, 2006, 31 TexReg 1297)*

(a) Barbers shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.

(b) All equipment, implements, tools and materials shall be properly cleaned and disinfected in accordance with this rule prior to servicing each client.

(c) After each client, all non-disposable implements shall be cleaned and sprayed with either an EPA -registered bactericidal, fungicidal, and virucidal disinfectant, or isopropyl alcohol, ethyl alcohol, or a high-level disinfection chlorine bleach solution. Equipment, implements, tools and materials to be cleaned and disinfected include but are not limited to combs and picks, haircutting shears, thinning shears/texturizers, razors, edgers, guards, clippers, and perm rods.

(d) At the end of each day of use, the above items, along with any other tools, such as sectioning clips, brushes, comb and picks shall be cleaned by manually scrubbing with soap and water or adequate methods, and then disinfected by one of the following methods:

(1) Complete immersion in an EPA-registered bactericidal, fungicidal, and virucidal disinfectant in accordance with manufacturer's instructions.

(2) Complete immersion in isopropyl alcohol or ethyl alcohol;

(3) Complete immersion in a high-level disinfection chlorine bleach solution.

**82.104. Health and Safety Standards--Facial Services.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947; amended effective February 1, 2012, 37 TexReg 319)*

(a) Barbers and barber technicians shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client. Gloves shall be worn during any type of extraction.

(b) Equipment, implements, tools and materials shall be properly cleaned and disinfected prior to servicing each client in accordance to this rule.

(c) Facial chairs and beds, including headrest for each, shall be cleaned and disinfected prior to providing service to each client. The chair or bed shall be made of or covered in a non-porous material that can be disinfected.

(d) After each client, multiple use implements such as metal tweezers and comedone extractors shall be cleaned and disinfected.

(e) The following implements are single-use items and shall be discarded in a trash receptacle after use: cotton pads, cotton balls, gauze, wooden applicators, disposable gloves, tissues, disposable wipes, lancets, fabric strips and other items used for a similar purpose as one or more of the items listed above.

(f) The following items that are used during services shall be replaced with clean items for each client: disposable and terry cloth towels, hair caps, headbands, brushes, gowns, makeup brushes, spatulas that contact skin or products from multi-use containers, sponges and other items used for a similar purpose as any one of the items listed above.

(g) Items subject to possible cross contamination such as creams, cosmetics, astringents, lotions, removers, waxes, moisturizers, masks and oils shall be used in a manner so as not to contaminate the remaining product. Applicators shall not be re-dipped in product. Permitted procedures to avoid cross contamination are:

(1) Disposing of the remaining product before beginning services on each client; or

(2) Using a single-use disposable implement to apply product and disposing of such implement after use; or

(3) Using an applicator bottle to apply the product.

**82.105. Health and Safety Standards--Waxing Services.** *(Rule effective March 1, 2006, 31 TexReg 1297)*

(a) Barbers and barber technicians shall clean the areas of the client's body on which the service is to be administered. Barbers and barber technicians may perform waxing services only on the face and/or neck of a client.

(b) Barbers and barber technicians shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.

(c) Barbers and barber technicians performing waxing services shall dispose of after each use all wax that has been in contact with a client's skin. Wax may not be reused under any circumstances.

(d) All wax pots shall be cleaned and disinfected in accordance with manufacturer's recommendations. No applicators shall be left standing in the wax at any time.

**82.106. Health and Safety Standards--Manicure and Pedicure Services.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947; amended effective October 11, 2007, 32 TexReg 7048; amended effective February 1, 2012, 37 TexReg 319)*

(a) Barbers and barber manicurists shall clean their hands with soap and water or a hand sanitizer prior to performing any services.

(b) Barbers and barber manicurists shall clean the areas of the client's body on which the service is to be administered.

(c) All metal manicure and pedicure tools shall be properly cleaned, disinfected and sterilized or sanitized after each service, in accordance with this chapter, regardless of the tool's multiuse for only a single client or for multiple clients.

(d) After each client, the following implements shall be cleaned, disinfected, and sterilized or sanitized in accordance with the rule: metal pusher and files, cuticle nipper and scissors, metal tweezers, finger and toe nail clippers and electric drill bits.

(e) The following implements are single-use items and shall be discarded after use: orangewood sticks, cotton balls, nail wipes and disposable towels.

(f) Buffer blocks, porous nail files, pedicure files, callus rasps, natural pumice and foot brush, arbor, sanding bands, sleeves, heel and toe pumice, exfoliating block (rough surfaced or absorbent materials) shall be cleaned by manually brushing or other adequate methods to remove all visible debris after each use, and then sprayed with Isopropyl or ethyl alcohol, an EPA-registered bactericidal, fungicidal, and virucidal disinfectant, or a high-level disinfection chlorine bleach solution in accordance with this chapter. If a buffer block or porous nail file is exposed to broken skin (skin that is not intact) or unhealthy skin or nails, it must be discarded immediately after use in a trash receptacle.

(g) The following materials that are used during a manicure and pedicure shall be replaced with new or clean articles for each client: terry cloth towels, finger bowls and spatulas that contact skin or skin products from multi-use containers.

**82.107. Health and Safety Standards--Electric Drill Bits.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947)*

(a) Only electric files, drills, or machines specifically designed and manufactured for use in the professional nail industry may be used in any barber establishment for performing manicure or pedicure services. Craft, hardware, and hobby tools cannot be used under any circumstances.

(b) After each use, diamond, carbide, natural and metal bits shall be cleaned by either

(1) using a brush; or

(2) using an ultrasonic cleaner; or

(3) immersing the bit in acetone for 5 to 10 minutes

(c) Immediately after cleaning all visible debris, diamond, carbide, natural and metal bits shall be disinfected by complete immersion in an appropriate disinfectant between clients, then sterilized in accordance with this chapter.

(d) Buffing bits and chamois shall be cleaned with soap and water at the end of every day of use in addition to being cleaned or replaced between clients.

**82.108. Health and Safety Standards--Footspas.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947)*

(a) As used in this section, “whirlpool footspa” or “spa” is defined as any basin using circulating water, either in a self-contained unit or in a unit that is connected to other plumbing in the establishment. The cleaning and disinfecting procedures for foot spas in this section shall be followed for units connected to an establishment’s plumbing, and, to every extent possible, self-contained units.

(b) Before use upon each patron, each whirlpool foot spa shall be cleaned and disinfected in the following manner.

(1) All water shall be drained and all debris shall be removed from the spa basin.

(2) The spa basin must be cleaned with soap or detergent and water.

(3) The spa basin must be disinfected with an EPA registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to the manufacturer’s instructions.

(4) The spa basin must be wiped dry with a clean towel.

(c) At the end of each day, each whirlpool foot spa shall be cleaned and disinfected in the following manner:

(1) The screen shall be removed, all debris trapped behind the screen shall be removed, and the screen and the inlet shall be washed with soap and water or detergent and water.

(2) Before replacing the screen, one of the following procedures shall be performed:

(A) The screen shall be washed with a chlorine bleach solution of one-third (1/3) cup of 5.25% chlorine bleach to one (1) gallon of water; or

(B) The screen shall be totally immersed in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to manufacturer's instructions.

(3) The spa system shall be flushed with soap and warm water for at least ten (10) minutes, after which the spa shall be rinsed and drained.

(d) Every other week (bi-weekly), after cleaning and disinfecting as provided in this subsection, each whirlpool foot spa shall be cleaned and disinfected in the following manner:

(1) The spa basin shall be filled completely with water and one-third (1/3) cup of 5.25% chlorine bleach for each one (1) gallon of water.

(2) The spa system shall be flushed with the chlorine bleach and water solution or an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity according to the manufacturer's instructions for 5 to 10 minutes and allowed to sit for 6 to 10 hours.

(3) The spa system shall be drained and flushed with water before use upon a patron.

(e) A record shall be made on a form prescribe by the Department of the date and time of each cleaning and disinfecting indicating whether the cleaning was a daily or bi-weekly cleaning. This record shall be made at or near the time of cleaning and disinfecting. The record shall indicate if a spa was not used at all during any individual work day. Cleaning and disinfecting records shall be made available upon request by either a patron or a Department representative.

(f) A footspa for which documentation is not maintained in accordance with this rule must be removed from service and not used again until it has be cleaned and disinfected in accordance with the requirements of this rule and the records have been properly updated.

(g) Footspa chairs shall be cleaned and disinfected prior to providing service to each client. The chair shall be made of or covered in a non-porous material that can be disinfected.

**82.109. Health and Safety Standards--Wig and Hairpiece Services.** *(Rule effective March 1, 2006, 31 TexReg 1297)*

(a) Barbers shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.

(b) All equipment, implements, tools and materials shall be properly cleaned and disinfected in accordance with this rule prior to servicing each client.

(c) After each client, the following implements shall be wiped with a clean paper or fabric towel and sprayed with either an EPA-registered bactericidal, fungicidal, and virucidal disinfectant, or isopropyl alcohol, ethyl alcohol, or high-level disinfection chlorine bleach solution. Equipment, implements, tools and materials to be cleaned and disinfected include but are not limited to combs and picks, haircutting shears, thinning shears/texturizers, razors, edgers, guards, perm rods and bowls or containers used to clean or color wigs or hairpieces.

(d) At the end of each day of use, the above items, along with any other tools, such as sectioning clips, brushes, comb and picks shall be cleaned by manually scrubbing with soap and water or adequate methods, and then disinfected by one of the following methods:

(1) Complete immersion in an EPA-registered bactericidal, fungicidal, and virucidal disinfectant in accordance with manufacturer's instructions.

(2) Complete immersion in isopropyl alcohol or ethyl alcohol;

(3) Complete immersion in a high-level disinfection chlorine bleach solution.

(e) After the initial sale of a hairpiece, and prior to that hairpiece being resold, it must be properly disinfected.

(f) Used wigs and hairpieces shall be kept in a close bag or container until ready to be cleaned.

(g) Any wig block used to service a hairpiece should be covered with a plastic bag and kept in a sanitized condition after each use. Any wig block used to service hairpieces shall be sprayed with an EPA registered disinfectant solution after each use and kept in a sanitary condition.

(h) Finished wigs and hairpieces shall be placed away from soiled wigs and hairpieces until ready to be returned to the client.

**82.110. Health and Safety Standards--Hair Weaving and Hair Braiding Services.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective October 11, 2007, 32 TexReg 7048)*

(a) Hair weavers and hair braiders shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.

(b) All equipment, implements, tools and materials shall be properly cleaned and disinfected in accordance with this rule prior to servicing each client.

(c) Hair extensions, tracks, needles, and thread shall be stored in a bag or covered container until ready to use. No unrelated items shall be stored in the same bag or container.

(d) Needles shall be sprayed with a disinfectant before use.

**82.111. Health and Safety Standards--Blood and Body Fluids.** *(Rule effective March 1, 2006, 31 TexReg 1297)*

(a) Blood can carry many pathogens. For this reason licensees should never touch a client's open sore or wound. Powdered alum, styptic powder, or a cyanoacrylate (e.g. liquid-type bandage) may be used to contract the skin to stop minor bleeding, and should be applied to the open area with a disposable cotton-tipped instrument that is immediately discarded after application.

(b) In the case of blood or body fluid contact on any surface area such as a table, chair, or the floor, an EPA-registered hospital grade disinfectant, a tuberculocidal disinfectant, or a 10% bleach solution (one-and-three-quarters (1 ¾) cups of 5.25% bleach in one gallon of water) shall be used per manufacturer's instructions immediately to clean up all visible blood or body fluids.

(c) If any non-porous instrument is contacted with blood or body fluid, it shall be immediately cleaned and disinfected using an EPA-registered hospital grade disinfectant or a tuberculocidal disinfectant in accordance with the manufacturer's instructions, or totally immersed in a 10% bleach solution (one-and-three-quarters (1 ¾) cups of 5.25% bleach in one gallon of water) for 5 minutes.

(d) If any porous instrument contacts blood or body fluid, it shall be immediately double-bagged and discarded in a closed trash container or biohazard box.

**82.112. Health and Safety Standards--Prohibited Products or Practices.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective February 1, 2012, 37 TexReg 319)*

(a) Licensees may not use any of the following substances or products in performing barbering services:

(1) Methyl Methacrylate Liquid Monomers, a.k.a., MMA

(2) Razor-type callus shavers designed and intended to cut growths of skin such as corns and calluses, e.g., credo blades.

(3) Alum or other astringents in stick or lump form. (Alum or other astringents in powder or liquid form are acceptable.)

(4) Fumigants such as formalin (formaldehyde) tablets or liquids.

(b) Possession on licensed premises of any item listed in this section is a violation under this chapter.

(c) The use of any product, preparation or procedure that comes into contact with or penetrates the dermis layer of the skin is prohibited.

**82.113. Health and Safety Standards--FDA.** *(Rule effective March 1, 2006, 31 TexReg 1297)*

(a) Licensees shall not use any product in providing a service authorized under the Act that is banned or deemed to be poisonous or unsafe by the United States Food and Drug Administration (FDA) or other local, state, or federal governmental agencies responsible for making such determinations.

(b) Possession or storage on licensed premises of any item banned or deemed to be poisonous or unsafe by the FDA or other governmental agency shall be considered *prima facie* evidence of its use.

(c) For the purpose of performing services authorized under the Act, no licensee shall buy, sell, use, or apply to any person liquid monomeric methyl methacrylate (MMA).

**82.114. Health and Safety Standards--Establishments.** *(Rule effective March 1, 2006, 31 TexReg 1297; amended effective August 1, 2006, 31 TexReg 5947; amended effective October 11, 2007, 32 TexReg 7048)*

(a) Establishments shall keep the floors, walls, ceilings, shelves, furniture, furnishings, and fixtures clean and in good repair. Any cracks, holes, or other similar disrepair not readily accessible for cleaning shall be repaired or filled in to create a smooth, washable surface.

(b) All floors in areas where services under the Act are performed, including restrooms and areas where chemicals are mixed or where water may splash, must be of a material which is not porous or absorbent and is easily washable, except that anti-slip applications or plastic floor coverings may be used for safety reasons. Carpet is permitted in all other areas.

(c) Plumbing fixtures, including toilets and wash basins, shall be kept clean. They must be free from cracks and similar disrepair that cannot be readily accessible for cleaning.

(d) Each establishment must have suitable plumbing that provides an adequate and readily available supply of hot and cold running water at all times and that is connected for drainage of sewage and potable water within the areas where work is performed and supplies dispensed.

(e) Every establishment shall provide at least one restroom located on or near the premises of the establishment. For public safety, chemical supplies shall not be stored in the restroom.

(f) Food or beverages shall not be prepared on licensed premises for sale. Pre-packaged food or beverages may be sold to or consumed by clients.

(g) For public health and safety, licensed premises shall eliminate any strong odors through adequate ventilation, including but not limited to, exhaust fans and air filtration to exhaust chemicals and fumes away from the public area and to provide for the input of fresh air.

(h) Licensed premises shall not be utilized for living or sleeping purposes, or any other purpose that would tend to make the premises unsanitary, unsafe, or endanger the health and safety of the public. An establishment that is attached to a residence must have an entrance that is separate and distinct from the residential entrance. Any door between a residence and a licensed facility must be closed during business hours.

(i) No animals with the exception of those providing assistance to individuals are allowed in establishments. Covered aquariums are allowed provided that they are maintained in a sanitary condition.

# COMPLAINTS

**To Report Complaints**

**Contact:**

# Texas Department of Licensing & Regulation

**P.O. Box 12157**

**Austin, Texas 78711**

# 800-803-9202

**www.tdlr.texas.gov/complaints**