

**ALABAMA BOARD OF COSMETOLOGY
ADMINISTRATIVE CODE****CHAPTER 250-X-3
SALON REQUIREMENTS****TABLE OF CONTENTS**

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250-X-3-.01 General Requirements.

(1) Proper application, payment of applicable fee and physical inspection and approval of premises by an authorized member of the Board staff are required to receive a license for a shop.

(2) Applicant for a shop must provide proof that it will operate in a location properly zoned by the appropriate governing authority.

(3) Shop entrance and exit must comply with federal, state and local building codes.

(4) Shop must be adequately ventilated to allow proper air circulation.

(5) Premises, including walls, floors, workstations, furniture and equipment must be kept clean and free from dust. Trash must not be allowed to accumulate between clients.

(6) Shop must be adequately and safely lighted.

(7) Shop must have adequate toilet facilities either on premises or within 300 feet of entrance with at least one water closet and one sink equipped with hot and cold water. Exceptions to the 300 feet rule for toilet may be granted to shops located in shopping malls. Toilet must be equipped with proper tissue, soap dispenser with soap or other hand cleanser, waste receptacle and sanitary towels or electric wall-mounted hand dryer. Toilet/lavatory must be adequately lighted, ventilated and clean at all times.

(8) A shop may be located in a residence where not prohibited by any governing authority. Such shop must be separated from living quarters by a permanent, finished, ceiling-high partition. A separate shop entrance from living quarters entrance and a toilet/lavatory facility with a separate entrance from living quarters must be provided. Toilet/lavatory must comply with requirements of Section 250-X-3-.01(7).

(9) The use of a shop as a living, dining or sleeping quarters is prohibited.

(10) Shop shall display licenses and permits consistent with the following guidelines:

(a) Shop license must be displayed at the reception area near entrance. (Code of Ala. 1975, §34-7B-7(d)(4))

(b) Personal licenses must be posted near individual work stations.

(c) The most recent inspection report must be posted near shop license.

(d) Apprentice permits, examination permits and student permits must be posted near the appropriate work station.

(11) Shop must have a copy of the most recent laws and rules of the Board readily available for employees and patrons.

(12) No licensee shall perform any service outside the scope of practice authorized by the license held.

(13) No licensee shall perform any service authorized by a license issued by the Board in a facility not licensed by the Board, except

(a) when necessary due to the illness or other physical or mental incapacitation of the recipient of the service, and

(b) when performed by a licensee in the employment of a licensed shop, and

(c) when appointments are made through a licensed shop for the service.

Author: Jeannie G. Price, CPA

Statutory Authority: Code of Ala. 1975, §34-7A-3(4).

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250-X-3-.02 Products Sanitation And Care.

(1) No licensee shall conduct services at any location which does not meet proper health, safety and sanitation requirements. Compliance with rules of this chapter does not infer compliance with other requirements of federal, state, and local laws, codes, ordinances, and regulations.

(2) Possession or storage of any equipment, supplies or product associated with any act of barbering or cosmetology will be prima facie evidence of use.

(3) No licensee shall use any equipment, supplies or product banned for use by the United States Food and Drug Administration or other federal, state, or local governmental agency for barbering or cosmetology purposes.

(4) No licensee shall use styptic pencils.

(5) No licensee shall use methyl methacrylate or any other product considered poisonous or unsafe.

(6) No licensee shall use any drill or other equipment, supply or product for any purpose other than that for which it was intended. Only drills marked by the manufacturer "For Human Nails" are acceptable.

(7) No Licensee shall use any craft or hobby tools or modified craft or hobby tools in providing services.

(8) No licensee shall perform any service outside the scope of the Board's regulatory authority. The Board's scope of licensure is confined to non-invasive services performed on the epidermis, specifically the stratum corneum and must not alter, cut or damage living cells.

(9) No licensee shall use callous razors in any practice of cosmetology or manicure.

(10) No licensee shall perform services on the skin or scalp of any person which is broken, inflamed, cut, abraded, eroded or infected.

(11) No licensee may perform eyebrow tinting with a product which contains aniline derivative.

(12) No licensee shall practice photo rejuvenation, permanent makeup, electrolysis, tattoo, or any other act outside the regulatory authority of the Board.

(13) No person with an infectious or communicable disease may work in a salon licensed by the Board.

(14) The practice of natural hairstyling is limited to cleansing, extending, locking, braiding or arranging without cutting, relaxing, removing, or applying permanent waving or chemical treatments to the natural hair.

(15) The scope of waxing for manicurist/waxer is limited to treatment above the neck.

(16) Roll on wax applicators shall be classed as single use items.

(17) All sanitized instruments and sanitary disposable articles must be stored in clean, closed containers free of other supplies.

(18) Cosmetics or preparations used on clients must be kept in closed containers at all times when not in use.

(19) Shop must use containers for professional products which are designed to prevent contamination of the unused portion. All creams and bulk substances must be removed from containers with spatulas or clean tools. Bulk supplies which may be contaminated by unsanitized tools or spatulas during preparation or application of single service portions must be discarded.

(20) Shop must use wet sanitizers with hospital grade or EPA approved disinfectant. A wet sanitizer is any receptacle with a proper cover large enough to completely immerse items to be sanitized which contains an approved disinfectant. A hospital grade or EPA approved disinfectant shall be defined as:

(a) For all combs, brushes, tools, metal implements, instruments with a cutting edge and implements which have not come into contact with blood or body fluids: a disinfectant which indicates on its label that it has been registered with the Environmental Protection Agency as a hospital grade bactericide, vermicide and fungicide.

(b) For all combs, brushes, tools, metal implements, implements with a cutting edge and implements which have come into contact with blood or body fluids: a disinfectant which indicates on its label that it has been registered with the EPA as a hospital grade tuberculocidal.

(21) All tools, implements, supplies, linens and equipment must be safely stored. Pre-sanitized tools, implements, linens and equipment must be stored in an enclosed sanitary cabinet or covered container. After use on each patron, implements and tools and soiled linens must be deposited in a closed receptacle separate from those which are clean and pre-sanitized.

(22) All chemicals and products for patron use must be properly labeled and identified.

(23) All sanitizing products and chemicals for patron use or cleaning must be used and stored according to the manufacturer's directions and in a manner consistent with public safety and health interests. Flammable chemicals must be stored in a flame-retardant cabinet or in a well-ventilated storage area away from combustible materials. Chemicals such as oxidizers, catalysts and solvents must be segregated in storage.

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

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

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

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

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

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

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

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

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

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

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

Author: Jodi Respress

Statutory Authority: Code of Ala. 1975, §34-7A-3(4).

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Ed. Note: Rule 250-X-3-.05-.01, General Sanitation And Safe Products, was renumbered 250-X-3-.05 after the original 250-X-3-.05, Shop Licenses Not Transferable was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-3-.03 Shops.

(1) Shops are required to have equipment, furnishings and implements only for the services they provide.

(2) Shops providing barber services must have at least the following equipment and supplies:

- (a) One shampoo bowl if this service is provided.
- (b) One sink near work stations
- (c) One barber chair or all-purpose chair
- (d) One work station and mirror
- (e) Proper containers for clean and soiled towels
- (f) One covered trash container

(3) Shops providing cosmetology services must have at least the following equipment and supplies:

- (a) One shampoo bowl

- (b) One sink near work stations
 - (c) One shampoo chair or all-purpose chair
 - (d) Sufficient hair drying facilities
 - (e) One covered trash container
 - (f) For cosmetology shops also offering manicure, one manicure table with light and chair.
 - (g) For shops also offering esthetics, one facial chair and one magnifying glass.
- (4) Shops providing esthetics services must at least the following equipment or services:
- (a) One facial chair or all-purpose chair
 - (b) One magnifying glass
 - (c) One sink in the work area, or at least within 5 feet of the entrance/exit of the work area.
 - (d) One covered trash container
- (5) Shops providing Manicure/Nail services must have at least the following equipment or services:
- (a) One manicure table with proper light
 - (b) One manicure chair
 - (c) One sink near work stations
 - (d) One covered trash container
- (6) Shops providing Natural Hair stylist services have at least the following equipment or services:
- (a) One shampoo bowl
 - (b) One all-purpose chair
 - (c) One hair dryer
 - (d) One sink near work stations
 - (e) One covered trash container
- (7) Shops providing threading services must have at least the following equipment and supplies:

(a) One all-purpose chair

(b) One sink near work stations

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7B-4(b).

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250-X-3-.04 Manicure Salons (Repealed 6/19/07).

(Repealed)

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(4).

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Ed. Note: Rule 250-X-3-.04-.01, Manicure Salon Requirements, was renumbered 250-X-3-.04 after the original 250-X-3-.04, Change Of Name Or Ownership Of Beauty Shop Or Booth Rental was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-3-.05 Esthetics Salons (Repealed 6/19/07).

(Repealed)

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-21, 3(4).

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Ed. Note: Rule 250-X-3-.03.01, Esthetic Salon Requirements, was renumbered 250-X-3-.03 after the original 250-X-3-.03, Application To Open A Beauty Shop Or Booth Rental was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-3-.06 Change Or Vacancy Of Licensee On Duty (Repealed 6/19/07).

(Repealed)

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: Filed September 24, 1982. **Amended:** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed April 1, 2004; effective May 6, 2004. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Repealed:** Filed October 25, 2013; effective November 29, 2013.

250-X-3-.07 Unlicensed Personnel.

Any person, shop or corporation employing any unlicensed person to practice when a license is required by this chapter shall be guilty of a violation of this chapter and may be subject to disciplinary action as decided by the Board, which may include but not be limited to a fine as provided in the Code of Ala. 1975, Section 34-7B-10.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-9.

History: Filed September 24, 1982. **Amended:** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013.

250-X-3-.08 Inspections.

(1) All shops and schools licensed by the Board are subject to periodic inspections by Board staff to monitor compliance with Alabama law and Board rules and regulations.

(2) Any portion of a multi-purpose facility licensed by the Board must comply with the same regulations and inspection requirements as any other shop licensed by the Board

(3) For inspection purposes, shops or schools with no license when one is required by law will be issued a score of zero and may be subject to disciplinary action as decided by the Board, which may

include but not be limited to a fine as provided in the Code of Ala. 1975, §34-7B-10(a)g(3).

(4) For inspection purposes, shops or schools with unlicensed personnel when a license is required by law will be issued a score of zero and may be subject to disciplinary action as decided by the Board, which may include but not be limited to a fine as provided in the Code of Ala. 1975, §34-7B-10-(a)g(3).

(5) Shops or schools issued a score of less than 80 for any violation except for license violations on an inspection report shall be re-inspected for compliance, and any shop or school receiving a score of less than 80 on a re-inspection will be in violation of the laws and regulations of the Board and may be subject to disciplinary action as decided by the Board, which may include but not be limited to a fine as provided in the Code of Ala. 1975, §34-7B-10-(a)g(3).

(6) Any deficiency noted on shop or school inspection reports must be corrected or the points for that deficiency may be increased on future inspections.

(7) Any shop or school closed by Board action because of violations must post in a conspicuous location outside the facility a sign furnished by the Board giving the reason for such closure.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(4).

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Ed. Note: Rule 250-X-3-.02.01, Inspections, was renumbered 250-X-3-.02 after the original 250-X-3-.02, Preparation Of Food For Resale was repealed as per certification filed July 1, 2002; effective August 5, 2002.