Nail Salons: Environmental Hazards & Regulations

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Overview

• Nail Salon Industry overview
• Salon Environmental Hazards
• State Regulations
• BPHC Outreach & Regulations
• Impact
Nail Salon Industry in Boston

• Approx. 190 nail salons in the city

• Most are storefronts in rented space

• Vary greatly in size:
  o Range: 1 – 32 stations
  o Average: 10.88 stations
  o Mode: 10
  o Median: 10
Nail Salon Industry in Boston

• Employ an estimated 950 people
• Many are:
  o Vietnamese
  o Women of child bearing age
  o Recent immigrants
• Employees can work more than 8 hours per day and more than 5 days a week
• See tens of thousands of client visits per year
• Family members (children) of employees and clients often present
Consumer demand for low cost drives down wages and working conditions

Manicurists and pedicurists in the U.S. number 155,000, and the industry has tripled over the last two decades. Forty-two percent of nail technicians are Asian immigrant women, according to industry estimates, and many have little recourse when exposed to dangerous health conditions. "Cosmetics ingredients don't fall under the jurisdiction of either the EPA or the Food and Drug Administration," and many such products sold in the U.S. today contain known toxins. Formaldehyde and toluene, both identified by the EPA as carcinogens, are part of the mix in many common cosmetics, as are phthalates, chemicals that have been linked to birth defects. For the average consumer, opening a bottle of nail polish once every so often is a negligible risk. But for professionals exposed to them consistently, it can be a bigger problem.
Salon Environmental Hazards
Public Health Concerns

- Businesses are difficult to track for purposes of public health outreach and training
- Chemical Exposure
- Infection Risks
- Injury and Safety Risks
- Social Justice and Worker Exploitation
Chemical Exposure

- Few non-toxic alternatives for salon chemicals
- Ventilation systems in salons are inadequate
- Chemicals not properly stored – unmarked containers, open containers, etc.
- Chemical information not available

**Chemicals of Concern**
- Formaldehyde
- Phthalates
- Methacrylates
- Acrylic monomers
- Toluene
- Acetone
- Other VOCs

**Associated Health Effects**
- Skin rashes
- Eye and nose irritation
- Neurological damage
- Occupational asthma
- Cancer
- Birth defects & miscarriages
- Endocrine disruption
Chemical Exposure

Nail Salon Worker Focus Group (2008)

“I experienced nose bleeding and troubled breathing.”

“Want to know if the chemicals such as acetone damage my brain. My hands become shaking.”

“I fear that chemicals affect my brain. I experienced terrible headache.”

“My sister has worked in nail salon for 20 years, my brother worked for 17, and I work in nail salon for 5 years. My brother has had a so terrible headache that he thought of suicide.”

“Work for few months. There is noticeable change in my face skin- becoming darker and have more acne.”
Infection Risks

- Infections from metal tools not properly cleaned/disinfected
- Reuse of disposable single use items
- Sanitation/disinfection method/processes often confusing
- Use of skin graters, credo blades, etc.
Infection Risks

• Infection outbreaks traced back to footbaths in:
  - California: Mycobacterial furunculosis
  - Georgia: *Mycobacterium cosmeticum*
  - Ohio and Kentucky: Atypical Mycobacterium furunculosis

• Findings in Boston
  - In 2009, **56 of 163** Boston salons inspected by the Board of Cosmetology were cited for sanitation and licensure violations.
  - In December 2009, BPHC was involved in temporarily closing a nail salon after a patron was hospitalized from an infection traced back to unsanitary salon conditions.
  - In February to May 2010, **41 out of 49** nail salons inspected by BPHC were referred to training with our Safe Shops Program for environmental or sanitation issues. The Safe Shops Program now receives regular consumer complaints regarding infections, injuries and concerns about sanitary conditions.

Mycobacterium Fortium infection in the legs of a 14 yr old CA girl after her first pedicure

Photo courtesy of CA Department of Health Services, Division of Communicable Disease Control
Injury and Safety Risks

A 2006 survey of Boston nail salon workers + 2008 focus group of 26 salon workers point to work-related health concerns:

- Musculoskeletal disorders
- Skin rashes/irritation
- Respiratory irritation and difficulty breathing
- Neurological problems such as headaches and shaking hands
- Nose bleeds
- Reproductive issues
Injury and Safety Risks

- Repetitive stress injuries and ergonomics
- Burning of incense or candles in salons presents a fire hazard due to flammable solvents

Photo courtesy of OSHA Nail Salon Workers Guide
Social Justice and Worker Exploitation

- Low pay and no benefits – often only tips
- Information (chemicals and regulations) only available in English
- Lack of oversight over chemical ingredients by anyone besides industry
- Buying licenses or working without licenses opens workers to abuse
- Workers have little/no recourse to address problems
Social Justice and Worker Exploitation

Czech T. Daily Record/Sunday News – December 2008, three charged with arranging fraudulent marriages to smuggle Vietnamese women into the U.S., then forcing them to work at several area nail salons.

Allston/Brighton TAB 1/15/2010 – Framingham nail salon owner kept young women used for sex.


Indiana News and Tribune 4/19/2010 – Clients at New Albany nail salon recruited for phony marriages “The Americans were treated to restaurants, beaches, nightclubs and brothels. Sophea Lim even accompanied some of the Americans to Cambodia and offered to let young girls perform sexual favors for $7.”
Massachusetts State Regulations

• 240 CMR 3 governs salons at the state level
• Administered by Massachusetts Board of Cosmetology and Barbering, part of the DPL
• Just 4.5 pages to cover:
  • Licensure
  • Operations
  • Equipment and Hygiene
  • Advertising and Prices
• Revised regulations to be released June 1, 2019
• Policy Bulletins and advisories
• Also MGL c. 112 s. 87T-87KK
Massachusetts State Regulations

• 240 CMR 3.01(4) - The Board will not issue a license for any premises if required local permits and certificates have not been obtained...

• 240 CMR 3.02(1)(d) - Every salon shall be equipped with proper and adequate lighting and ventilation and kept in clean, orderly and sanitary condition.

• 240 CMR 3.03(17) – instrument sanitation by:
  • Boiling water, steam, alcohol, UV light
  • Formalin, steri-dry, hospital grade disinfectants
  • Bleach solution

• Policy bulletin 2017-001 prohibits tattooing, tanning, injections, lasers, ear candling, teeth whitening, acupuncture, callus blades, use of animals or fish for procedures
Regulatory Gaps

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<th>State regulations did not...</th>
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<tr>
<td>Specify or require footbath sanitization</td>
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<td>Prohibit the re-use of single-use items</td>
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<tr>
<td>Specify appropriate sanitation methods for multi-use items</td>
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<td>Identify proper PPE or protective measures</td>
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<tr>
<td>Address chemical storage and handling hazards</td>
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<td>Specify adequate ventilation</td>
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Safe Shops Program (est. 2004)

BPHC.org/SafeShops
Safe Shops Program

• Started with Auto Shops in 2004
• Expanded to nail salons in 2007
• Purpose: Protect workers and the public from exposure to hazardous chemicals and air pollution in nail salons
• Free program
• Staffing: Program coordinator + 3 outreach workers (2 who go to nail salons)
• Offer on-site trainings to owners and their employees
  o Offered in both English and Vietnamese
  o Focuses on proper cleaning and sterilization procedures
  o Educates on how to maintain compliance with our regulations
Safe Shops Program:
Nail Salon Outreach CY 2018

• 1,190 outreach visits
• 27 training sessions
Green & Clean

- Began in 2013
- Recognizes businesses that go beyond regulatory requirements to reduce chemical exposure and protect the environment
- Regular trainings + annual renewal process (walkthrough assessment)
- BPHC promotes Green & Clean businesses
- As of 5/3/19, 32 nail salons recognized as Green & Clean

BPHC.org/Greenandclean
BPHC Nail Salon Regulation

2007
Safe Shops Program begins providing outreach to Boston’s nail salons

2010
Determined that outreach was not sufficient to ensure health & safety, and that regulations were needed

Jan. 2011
Regulations passed by Board

July 2011
Regulations go into effect

May 2011
Guidelines written and translated to Vietnamese

Aug. 2011
First permit issued

Oct. 2011
Guidelines written and translated

Oct. 2013
Revised regulations passed by Board; revised regulations and guidelines translated

Oct. 2015
Autoclave/dry heat sterilizer requirement of revised regulations goes into effect

Oct. 2018
Ventilation requirement goes into effect

BPHC.org/regulations
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<tr>
<th>Requirement</th>
<th>Details</th>
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<td>Annual operating permit with pre-permit inspection</td>
<td>Proper chemical storage: closed, labeled containers and flammable storage cabinet</td>
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<td>Posting of a public health notice and keeping MSDS paperwork available</td>
<td>Sterilization of multi-use tools with autoclave or dry heat sterilizer and maintaining logbook of use</td>
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<td>Ventilation matching the standards of the 2015 International Mechanical Code</td>
<td>Cleaning of foot baths and nail stations after each client and daily</td>
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<td>Eye wash station and first aid kit on site</td>
<td>Prohibits reuses of single use tools and certain equipment and chemicals</td>
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Inspections

- Permit inspection (annual)
- Random inspections
- Complaint-based inspections

If violations are found:
- Salon is issued a warning, fined, and/or required to receive a training from the Safe Shops Program
- Inspector continues to do follow-up inspections until full compliance is achieved
Challenges

- Single-use vs multi-use tools
- Dry heat sterilizer/autoclave use
- Foot bath sanitation
- Ventilation system compliance
Single-Use vs Multi-Use Tools
Dry Heat Sterilizer & Autoclave
Foot Bath Sanitation
Ventilation
Ventilation Compliance

(as of 5/3/19)
Thank You!

Questions?

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