Operational Requirements for Tattoo Establishments

Chapter 64E-28.007, Florida Administrative Code
Tattoo Establishments shall have walls, a floor and a ceiling.

Floor and walls in the tattooing area shall be constructed of non-absorbent easily cleanable materials.

The entire establishment shall be maintained in clean condition and good repair.
There will not be a direct opening between a tattoo establishment and any portion of a building used as living or sleeping quarters.

This shall be accomplished by a solid floor to ceiling wall of separation.

Most homes will be located where zoning laws will not permit the operation of a commercial business.
RULE 64E-28.007(3) & (4), FLORIDA ADMINISTRATIVE CODE
FOOD AND SMOKING

❖ A tattoo establishment shall not be located in an area where food is prepared.

❖ Eating and drinking, except for the purpose of administering first aid, and smoking are prohibited in areas where tattooing is performed or where instruments and supplies are cleaned and stored.
Water supplies shall comply with Chapter 64E-8 or 62-550, Florida Administrative Code.

Sewage disposal shall comply with Chapter 64E-6 or 62-200, Florida Administrative Code.
The establishment shall protect against the entrance, breeding, and presence of vermin such as insects and rodents.

Animals shall not be allowed in a tattoo establishment except for service animals for persons with disabilities.
Each tattoo establishment shall have an artificial light source equivalent to at least 100 foot candles in the tattooing area and in the area where items are cleaned and sterilized.
Restrooms shall be supplied with toilet tissue, a hand sink with running water under pressure, and liquid soap.

Restrooms shall have a dispenser with single-use paper towels, waste receptacles, and signage posted to instruct employees to thoroughly wash their hands.
A handsink with unobstructed access shall be located within each tattoo area or centrally located within the overall workroom area, so that each tattoo artist has access to the handsink for handwashing.
❖ The handsink shall be supplied with running water under pressure, liquid soap, a dispenser with single-use paper towels, and a waste receptacle.

❖ A restroom handsink may be used as the handsink provided that it meets the unobstructed access requirement and meets all handsink requirements.
❖ At a minimum, contaminated, reusable items shall be cleaned manually in a sink, separate from the handsink(s) or mechanically in an ultrasonic machine prior to sterilization.

❖ If items are cleaned in a sink, the sink shall be deep enough to allow complete submersion of the items. Gloves shall be worn when manual cleaning is performed.
If items are cleaned in an ultrasonic machine, the machine shall be used in accordance with the manufacturer’s instructions, which shall be available for review by the department at the time of inspection.

After cleaning, items shall be rinsed and allowed to air dry or shall be dried with single-use paper towels prior to packaging for sterilization.
If only individually packaged, pre-sterilized, single-use items are used in the establishment, the cleaning sink and ultrasonic machine requirements do not apply.
A tattoo establishment shall have a steam autoclave for sterilizing instruments that are not single-use.

The autoclave shall be used in accordance with the manufacturer’s instructions and maintained to ensure proper operation.

There should be instructions for packaging, loading, and processing items.
The autoclave shall be cleaned at the frequency recommended by the manufacturer and shall be serviced at least once per year or at the frequency recommended by manufacturer.
A copy of the manufacturer’s instructions for packaging, loading, operating, cleaning, and servicing the autoclave shall be maintained at the tattoo establishment.

The instruction manual shall be available for review by the Department at the time of an inspection.
When using an autoclave, sterilization shall be verified through:

❖ Chemical Indicator Strip placed inside one packet in each load to monitor sterilization procedure. The strip must indicate exposure to steam and proper operating temperature.

❖ Test with spore strips at a minimum frequency of every 40 hours of operation of the autoclave, but not less than on a quarterly basis.
❖ Test results shall be verified by an independent laboratory.

❖ In the event of positive results, the autoclave shall be immediately taken out of service and all unused items processed in the autoclave since most recent negative test results will be considered non-sterile.
While the autoclave remains out of service, tattooing may continue provided either another properly functioning autoclave is placed in service in the establishment or all single-use, pre-sterilized instruments are used.

When the out of service autoclave is restored to proper function and confirmed by follow up testing, it may be placed back in service.
Each tattoo establishment shall maintain autoclave sterilization records onsite. At a minimum, the records should include an autoclave log showing cumulative run time, quantity and types of items sterilized, and the date the spore strip testing was conducted.
If only individually packaged, pre-sterilized, single-use items are used, an autoclave shall not be required nor the requirements specified in subparagraphs 12, 13, 14, and 15 of this section.
Subparagraph 12 requires items to be cleaned in a sink separate from the handsink or ultrasonic machine prior to sterilization. Subparagraph 13 requires a steam autoclave for sterilization. 14 explains how autoclave sterilization shall be verified. 15 requires the maintenance of autoclave sterilization records.
These pre-sterilized, single-use items shall be sterilized with ethylene gas or gamma rays and shall be labeled with the expiration date by the manufacturer. If package is compromised, contents discarded.
Packages of sterile items, which are sterilized by the tattoo establishment, shall be labeled with the date of autoclaving. If any package has been compromised, the items shall be repackaged and re-sterilized.

All packages of sterile items shall be stored in a clean, dry, covered container or in a clean, dry cabinet until just prior to use.
Work chairs, tables, stands, cabinets, and counter tops shall have a smooth, non-porous, easily cleanable surface, and shall be cleaned and disinfected after each customer.
If any liquid product is not in its original container, the container into which the product has been placed shall be labeled with the name of the product.
Each tattoo establishment shall maintain the following records for 2 years with those for the current licensing period onsite:

- Customer records, including parental consent;
- Autoclave sterilization records and maintenance records;
- Documentation identifying the method of sterilization utilized by the manufacturer if the information is not printed on the packaging of the item.
Each tattoo establishment shall maintain the following records for at least 2 years after an artist’s employment ends:

❖ Personnel records of each tattoo artist who works in the establishment. The record shall contain the tattoo artist’s name, address, date of birth, and the license number issued by the department.
A tattoo establishment shall allow the department to conduct, at minimum, annual inspections for the purpose of ensuring compliance with sections 381.00771-.00791, Florida Statutes, and these rules.
Biomedical waste shall be managed in accordance with section 381.0098, Florida Statutes, and Chapter 64E-16, Florida Administrative Code. Regular solid waste shall be collected, stored and disposed of in a manner and at a frequency that does not create a sanitary nuisance, as defined in Chapter 386, Florida Statutes.
TATTOO ESTABLISHMENT LICENSURE

Licensure of a tattoo establishment requires the following:

1) Contact city/county for potential need for business tax receipt and ensure location is zoned for a tattoo business.

2) Submit completed Application for Tattoo Establishment License. ($200)

3) Completed Application for Biomedical Waste Generator Permit/Exemption. ($85)

4) Pass inspection in compliance with sections 381.00771-381.00791, Florida Statutes, and Rule 64E-28, Florida Administrative Code.
Applications, supporting documents, and fees should be submitted to the local Department of Health office having jurisdiction of the tattooing program in the county in which the business is located.