

**CHAPTER 27
BODY ART PROCEDURES**

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SUBCHAPTER 1. GENERAL PROVISIONS

8:27-1.1 Purpose

This chapter establishes sterilization, sanitation, and safety standards for persons engaged in the business of tattooing, permanent cosmetics, and ear and body piercing in order to protect the public's health.

8:27-1.2 Scope

This chapter shall govern all businesses that offer tattooing, permanent cosmetics, and ear and body piercing to the public with the exception of a physician who is authorized by the State Board of Medical Examiners to practice medicine, pursuant to N.J.S.A. 45:9-6 et seq. The provisions of the State Sanitary Code shall have the force and effect of law. Under the authority of N.J.S.A. 26:1A-9, the provisions are enforceable by the New Jersey State Department of Health and Senior Services and local departments of health.

8:27-1.3 Definitions

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

“Acceptable” means satisfactory or adequate; fulfilling the needs or requirements of a specified rule.

“After care” means written instructions given to the client, specific to the body art procedure(s) rendered, on caring for the body art and surrounding area. These instructions shall include information on when it is necessary to seek medical treatment.

“American Conference of Governmental Industrial Hygienists” (ACGIH) means that private nonprofit organization which, for the purposes of this chapter, provides technical materials and expertise and is located at 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240.

“Antiseptic” means an agent that destroys disease causing microorganisms on human skin or mucosa.

“Apprentice” means any person that performs the art of tattooing, permanent cosmetics and/or body piercing under the direct supervision of a practitioner in order to learn body art procedures.

“Approved” means written acceptance by the New Jersey State Department of Health and Senior Services.

“Biological indicator” means a standardized viable population of microorganisms known to be resistant to the mode of sterilization being monitored.

“Body art” means the practice of physical body adornment in permitted establishments by operators utilizing, but not limited to, the following techniques:

1. Body piercing;
2. Tattooing; and
3. Permanent cosmetics.

“Body art establishment” means any place or premises, whether public or private, temporary or permanent in nature or location, where the practices of body art, whether or not for profit, are performed.

“Body piercing” means puncturing or penetration of the skin of a person using pre-sterilized single use needles and the insertion of pre-sterilized or disinfected jewelry or other adornment thereto in the opening.

“Branding” means scarification through the application of a heated material (usually metal) to the skin, creating a serious burn which eventually results in a scar.

“Camouflage” means the application of pigment into skin altered by scars, pigment loss or color abnormalities of the skin so as to make the area appear to be part of the natural, surrounding skin. Examples include treatment of patients with scars from hair transplants, accidents, face lifts, breast reduction, as well as pigment abnormalities including vitiligo.

“Chemical integrator” means a chemical or physical device designed to provide an integrated response to various defined combinations of temperature, time, and the presence of steam.

“Clean” or “cleanliness” means the absence of soil and dirt.

“Communicable diseases” means diseases or conditions diagnosed by a licensed physician as being contagious or transmissible which include, but are not limited to, the following:

1. Chickenpox;
2. Diphtheria;
3. Measles;
4. Meningococcal disease;
5. Mumps;
6. Pertussis (whooping cough);
7. Plague;
8. Rubella;
9. Scabies;
10. Staphylococcal skin infection (boils, infected wounds);
11. Streptococcal infections (strep throat);
12. Tine (ring worm); and
13. Tuberculosis.

“Contaminated waste” means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined, N.J.A.C. 7:26-3A.

“Cutting” means a design cut into the skin or other soft tissue using a sharp blade, leaving a scar. Often the design is immediately rubbed with ink leaving a colored scar.

“Disinfection” means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.