



**DEPARTMENT OF ENVIRONMENTAL HEALTH
CONSUMER PROTECTION DIVISION**
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Mechanical Stud and Clasp Ear Piercing (MSCEP) Notification

Completion of this form will constitute compliance with California Health and Safety Code, Chapter 1, Article 7, Section 119325 relating to piercing the ear with a mechanical stud and clasp device. It is not intended to nor does it fulfill any requirements for any other activity including body art practitioner registration/permitting or body art facility permits as set forth in The Safe Body Art Act, California Health and Safety Code Sections 119300 through 119324.

Please see reverse side for sanitation, jewelry, practitioner, and notification requirements.

Owner(s) Name (s): _____

Mailing Address: _____

Business Phone: _____ Other Phone: _____ Email: _____

Business Name (DBA): _____

List **addresses** of all business locations within the County of Santa Clara that you will be operating AND the **contact name** and **phone number** for the person responsible for compliance at each location. Attach additional sheets as needed:

Location #1 _____

Contact _____ Phone: _____

Location #2 _____

Contact _____ Phone: _____

Location #3 _____

Contact _____ Phone: _____

The Mechanical Stud and Clasp Ear Piercing will be conducted in compliance with requirements of Article 7 of the Safe Body Art Act. Please advise the Department of Environmental Health of any changes in business activity, owner name, mailing or business address, or contact information for responsible party or parties.

Signature(s)

Print Name & Title

Date

For office use only

Fee \$ Check # Check Date

The following is a summary of pertinent sections of the California Health and Safety Code for Mechanical Stud and Clasp Ear Piercing (MSCEP). Please note these sections are applicable ONLY for piercing the ear(s) with a mechanical device which uses a single-use, pre-sterilized stud and clasp. Piercing the tragus of the ear or any other part of the body and/or using any other type of manual or automatic device requires that additional body art practitioner registration/permit and facility permit requirements must be met which are not contained in this document or MSCEP Notification Form. The full text of The Safe Body Art Act (AB 300) can be found online at http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0251-0300/ab_300_bill_20111009_chaptered.pdf

California Health and Safety Code, Chapter 1, Article 7, Sections 119325, 119326, 119327 and 119328 (excerpted)

- 119325 (b) The area within a facility where mechanical stud and clasp ear piercing is conducted shall be safe and sanitary and shall not constitute a threat to the public health and safety, as reasonably determined by the local enforcement agency.
- (c) The mechanical stud and clasp device that is used to pierce an ear pursuant to this article shall be single-use, pre-sterilized, stud and clasp only.
- (d) The single-use mechanical stud and clasp device used to pierce an ear pursuant to this article shall meet the jewelry requirements in subdivision (e).
- (e) Only jewelry made of ASTM F138, ISO 5832-1, and AISI 316L or AISI 316LVM implant grade stainless steel, solid 14-karat through 18-karat yellow or white gold, niobium, ASTM F136 6A4V titanium, platinum, or other materials found to be equally biocompatible shall be placed in newly pierced skin.
119326. (a) The local enforcement agency may require a facility that provides mechanical stud and clasp ear piercing services to submit a notification form, which shall be provided by the local enforcement agency in the jurisdiction in which the facility is located. If the local enforcement agency requires this notification form, the form shall include all of the following information:
- (1) The address of all facilities within the jurisdiction where mechanical stud and clasp ear piercing will be performed.
- (2) A statement that the mechanical stud and clasp ear piercing will be conducted in compliance with the requirements of this article.
- (3) The contact information for the person responsible for compliance with this article and who the local enforcement agency should contact regarding complaints from the public regarding mechanical stud and clasp ear piercing at a facility listed in paragraph (1).
- (b) Information for more than one location within a single jurisdiction with the same owner or operator may be included on a single notification form. If the local enforcement agency requires notification, it shall provide a notification form that allows the owner or operator of more than one facility in the jurisdiction to provide the required notification for all of its facilities in a single form designed for that purpose.
- (c) No person shall be required to provide notification until and unless the local enforcement agency makes a form for this purpose available. Facilities performing mechanical stud and clasp ear piercing on the date the local enforcement agency makes the form available shall have five months from that date in which to complete and submit the form. Facilities that begin performing mechanical stud and clasp ear piercing after the form is made available shall be required to submit the form prior to offering services.
119327. (a) A person piercing an ear with a mechanical stud and clasp piercing device shall meet the following requirements before providing mechanical stud and clasp ear piercing services:
- (1) Is at least 18 years of age.
- (2) Received one hour of training that covers all of the following topics:
- (A) Proper use of the mechanical stud and clasp ear piercing device.
- (B) Types of bloodborne pathogens and the prevention of the transmission of bloodborne communicable diseases.
- (C) Proper hand hygiene.
- (D) The safe and sanitary use of single-use equipment, including, but not limited to, gloves, towels, and disinfectant wipes.
- (3) If the person will also be piercing the cartilage of the upper ear, that person shall also receive training on proper techniques for this type of piercing.
- (b) The training requirements of subdivision (a) shall not apply to an individual who was employed to perform mechanical stud and clasp ear piercing prior to the effective date of this article.
119328. (a) A local enforcement agency may charge a one-time facility notification fee in an amount between twenty-five dollars (\$25) and forty-five dollars (\$45) for each facility operating pursuant to this article. The fee charged shall not exceed the amount reasonably necessary to cover the actual costs of administering and enforcing the provisions of this article.
- (b) After December 31, 2015, a county may charge a different fee, set by local ordinance, provided that the increased fee is necessary to cover the actual costs of administering and enforcing the provisions of this article.
- (c) The local enforcement agency may not charge a different fee for facilities based on what part of the ear is being pierced.