June 29, 2010

The Honorable Arnold Schwarzenegger
Governor
State of California
State Capitol
Sacramento, CA  95814

SUBJECT:  AB 223 (Ma) Safe Body Art Act
POSITION:  SUPPORT

Dear Governor Schwarzenegger:

The National Environmental Health Association – which represents the interests and expertise of the environmental health profession – encourages you to sign AB 223 (Ma) which we are advised, will soon be on your desk soon.

AB 223 is co-sponsored by the California Association of Environmental Health Administrators (CAEHA), Health Officers Association of California (HOAC), the Association of Professional Piercers (APP), and the Alliance of Professional Tattooists (APT). The legislation is supported by a large and wide cross-section of Californians including the California Medical Association, the Red Cross, the California Parents Teachers Association, the Blood Centers of California, the California Sharps Coalition, American Academy of Pediatrics, American Nurses Association, scores of local health and environmental health agencies as well as other organizations representing the body art, ear piercing and permanent cosmetics industry. It is of note that there is no registered opposition. To date, the bill has passed through the Legislature without a single NO vote!

This important public health measure will establish clear enforceable standards for the tattoo, piercing and permanent cosmetics industry in California. We understand that up until now, no such standards exist.

Specifically, AB 223 will:
• Establish a clear scope of local authority;
• Provide specific requirements for the registration of body art practitioners;
• Create consistent enforcement of mobile and fixed body art sites;
• Protect clients through informed consent requirements; and
• Promote safe body art through enhanced practitioners’ knowledge of blood-borne pathogen exposure control.
AB 223 is the product of an extensive multi-year collaborative effort between public health and environmental health representatives, individual practitioners, and the body art trade associations.

This effort and this bill ensure that these statewide standards are not only protective of public health but that in addition, they are fair and reasonably enforceable.

While substantively the same as AB 517 which you vetoed last year, this legislation has a number of significant improvements which address the concerns raised in your veto message. Given the continued and even rapid expansion of body art in this and other states, this measure has also has garnered much broader attention – and support - over the past nine months.

New provisions in AB 223 will:

- At the request of your Department of Pesticide Registration, clarify the proper use of registered disinfectants in body art facilities;
- Establish clear and legally enforceable provisions for parental consent for piercing minors;
- Refine safe equipment sterilization processes;
- Improve the due process elements in the local enforcement authority;
- Provide better defined blood-borne pathogen training requirements; and
- Establish provisions relating to ear piercing that have the broad support of the industry and health practitioners.

This law is urgently needed to protect public health, to establish regulatory certainty and to create a fair and uniform set of enforceable standards needed – and sought – by the body art industry.

We urge your signature without delay.

Sincerely,

Keith Krinn, President
National Environmental Health Association

Cc: Assembly member Fiona Ma via Fax 916 319 2112