

Regulation to adopt standards and process for nail salons to qualify for

San Francisco's Healthy Nail Salon Recognition Program

Ordinance No. 269-10, Adopted November 5, 2010

Regulation Effective Date: February 7, 2012

A. Authorization

San Francisco Administrative Code Chapter 27:

SEC. 27.3 – HEALTHY NAIL SALON RECOGNITION PROGRAM

The Department of the Environment shall develop and implement a "Healthy Nail Salon Recognition Program" modeled after a program developed by the California Healthy Nail Salon Collaborative ("the Collaborative"). The program shall, among other things, provide public acknowledgment of nail salons that use nail polishes that are free of toluene, DBP and formaldehyde and formaldehyde-releasing chemicals.

The Department shall work with the Collaborative and any other interested parties in designing and implementing the Program and conducting public outreach. The Department shall evaluate the success of the program after two years and report its findings to the Board of Supervisors.

SEC. 27.4 – REGULATIONS

After a noticed public hearing, the Director of the Department of the Environment shall adopt or amend regulations, application process and forms to implement the Program.

B. Definitions

In addition to the definitions provided in the Ordinance, this section defines additional terms as follows:

Nail Polish Thinners: Solvents used to restore thickened nail enamel to its original consistency.

Nail Polish Removers: Solvents used to dissolve and remove nail polish or enamel.

Nail Salon Staff: Any salon staff member or contractor that comes in contact with any nail products.

C. Policy or Findings

Approximately 200 local nail salon establishments employ 1800 nail technicians, mostly women of childbearing age with limited English skills, to work with nail products containing toxic chemicals. These nail products include nail polishes, nail thinners and nail polish removers.

Nail polishes can contain toxic chemicals such as toluene, dibutyl phthalate (DBP), and formaldehyde that are collectively referred to as the "toxic trio". Nail polishes that do not contain the toxic trio are available and are safer for the nail salon staff as well as the environment.

Nail polish removers contain toxic chemicals such as ethyl acetate, butyl acetate, and methyl ethyl ketone that cause a range of health and environmental impacts. Safer nail polish removers, such as those that contain acetone, are available and already widely used. In addition, safer practices such as the use of gloves and ventilating the space when using and transferring removers, reduce impacts to nail salon staff and customers.

Nail polish thinners contain toxic chemicals such as toluene, methyl acetate and methyl ethyl ketone. Safer practices such as the use of gloves, droppers, and ventilating the space when using thinners, reduce impacts to nail salon staff and customers.

Nail salons that use safer nail products and train their employees on safer practices that reduce exposure, improve indoor air quality for their staff as well as customers.

D. Recognition Criteria

In order to qualify for the Healthy Nail Salon Recognition Program, salons must be in compliance with the Board of Barbering and Cosmetology's professional code, must choose safer nail products and implement safer practices as established by San Francisco Department of Environment's (SFE) program staff.

1. Choose nail polishes that do not contain the toxic trio (dibutyl phthalate (DBP), toluene, and formaldehyde).
2. Use safer nail polish removers, including but not limited to acetone.
3. Avoid using nail polish thinners unless absolutely necessary. When using thinners do not use those containing toluene and methyl ethyl ketone (MEK).
4. Ensure that all nail salon staff wear nitrile gloves when using nail products.
5. Ventilate the salon to improve air quality in the salon. Designate a specific area for artificial nail services and properly ventilate the area.

6. Install mechanical ventilation unit(s) within one year of entering recognition program, if one does not already exist.
7. Train all nail salon staff onsite (on payroll and on contract) and owners on safer practices using SFE's guide if one does not already exist.
8. Allow SFE program staff to monitor air quality within the salon.
9. Be committed to trying and adopting safer artificial nail products.
10. Do not allow customers to bring in products unless they meet program criteria.

Safer products and practices will be determined by SFE program staff on a case by case basis in consultation with nail salons.

E. Recognition Process

STEP 1: Registration

Interested nail salons submit a registration form via email, mail or contact SFE by phone to express interest and provide registration information. Attachment A has the registration form.

STEP 2: Consultation and Data Collection

SFE program staff will complete an initial consultation to gather baseline information about the products used by the nail salon and provide guidance on safer practices. Baseline information also includes surveys of nail salon staff on health impacts and air monitoring of salons.

STEP 3: Training

Nail salon staff and owners participate in the training of the Healthy Nail Salon practices guide.

STEP 4: Application Form

Nail salons submit a signed application form, including a list of safer nail polish, nail thinner and nail polish remover products and brands in use. In the application form, nail salons must also certify that all nail salon staff and owners are trained in SFE's Healthy Nail Salon guide. (See Attachment B)

STEP 5: Final Site Visit and Recognition

SFE program staff will conduct another site visit to collect data from nail salon staff and conduct air monitoring to measure impacts from the use of safer products and practices. If the nail salon demonstrates that it meets all recognition criteria, SFE will issue recognition.

STEP 6: Renewal

Salons must resubmit latest application form annually to maintain recognition.

F. Attachments

Attachment A: Registration Form

Attachment B: Application Form

The Director of the Department of the Environment hereby adopts these regulations as of the date specified below.

Approved:

Melanie Nutter

Date

Director, Department of the Environment