

**ARTICLE 163
BARBER SHOPS**

§163.01 Definitions.

When used in this article:

Barber shop means a store, establishment, place or premises in which one or more persons engage in the practice of barbering as defined pursuant to §431(4) of the General Business Law but does not include the practice of medicine, dentistry, optometry, nursing, physiotherapy or osteopathy by a person licensed and registered pursuant to the Education Law.

§163.03 Permits; exceptions.

No person shall conduct a barber shop without a permit issued by the Commissioner. This section does not apply to a school licensed pursuant to the Education Law or regulated by the City Board of Education.

§163.05 Physical facilities and equipment.

A barber shop shall provide the following facilities and equipment:

- (1) Washing facilities with hot and cold running water, a sanitary soap dispenser and freshly laundered individual or single-service towels for patrons and attendants.
- (2) Receptacles, equipped with covers, which can be readily emptied and cleansed, for the deposit of soiled towels, linen and uniforms; and
- (3) Receptacles, equipped with covers, for the deposit of hair droppings, paper, waste material and used single-service equipment.

§163.07 Attendants; sanitary habits.

An attendant shall wear a clean, washable, outer coat or uniform, and shall wash his or her hands thoroughly with hot water and soap before attending a patron and immediately after using the toilet.

§163.09 Patrons; precautions and procedures.

- (a) The headrest of a chair used to serve a patron shall first be covered with a freshly-laundered individual towel or a single-service paper covering.
- (b) Alum or other astringent used to stop the flow of blood shall be applied in powdered or liquid form only. The stick form shall not be used.
- (c) No powder puff, sponge or neck duster shall be used on any patron.
- (d) No cosmetic which is adulterated under §77.01* or which is misbranded under §77.03* shall be used on a patron in a barber shop.
- (e) No coal-tar hair dye which contains a color from a batch which has not been certified in accordance with the Federal Food, Drug, and Cosmetic Act shall be used on a patron in a barber shop unless a preliminary skin test is first made in accordance with any directions accompanying the product. If the preliminary test results in redness, burning, itching, blisters or any other skin eruption in the area of the test, such coal-tar hair dye shall not be used. No coal-tar hair dye shall be used on a patron if the scalp or adjacent area shows evidence of abrasion, eruption or skin disease. No cosmetic containing a coal-tar color shall be used in the area surrounding the eyes, that is, the orbital area.
- (f) No implement shall be used on or for a patron unless it is clean and sanitary.

§163.11 General sanitary procedures.

- (a) The floor of a barber shop shall be thoroughly swept and mopped at least once daily. Hair droppings shall be removed as soon as practicable in such a manner that objectionable conditions are not created.
- (b) Single-service towels, papers and other material shall be disposed of in the proper receptacle immediately after use and shall not again be used.