
**Rules of
Department of Economic
Development**

**Division 267—Office of Tattooing, Body Piercing
and Branding**

Chapter 1—General Organization and Procedures

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT**
**Division 267—Office of Tattooing, Body
Piercing and Branding**
**Chapter 1—General Organization and
Procedures**

4 CSR 267-1.010 Definitions

PURPOSE: This rule defines terms used in these administrative rules.

- (1) “Antiseptic” means a chemical product or substance that kills or inhibits the growth of bacteria and organisms on skin, living tissue, or work areas.
- (2) “Approved” means acceptable to the Office of Tattooing, Body Piercing and Branding based on its determination of conformance to these rules and generally accepted standards of public health.
- (3) “Autoclave” means an apparatus, device or mechanism for sterilizing articles by using superheated steam under pressure.
- (4) “Body pierce” and “body piercing” is the perforation of human tissue other than an ear for a nonmedical purpose.
- (5) “Body piercer” is any individual who, for a fee, performs body-piercing procedures on a human being, excluding the ears, at the patron’s request, including but not limited to:
- (A) Nose;
 - (B) Tongue;
 - (C) Nipple;
 - (D) Eyebrow;
 - (E) Navel;
 - (F) Labrets (lips and around the mouth);
 - (G) Male genitals;
 - (H) Female genitals;
 - (I) Multiple piercing in the same area; and
 - (J) Unusual piercing, including the earl, which is surface to surface piercing located across the bridge of the nose and/or the madison which is surface to surface piercing located near the clavicle.
- (6) “Body piercing establishment” is the premises where a body piercer performs body piercing.
- (7) “Brand” and “branding” is a permanent mark made on human tissue by burning with a hot iron or other instrument.
- (8) “Brander” is any individual who, for a fee, performs branding on a patron at the patron’s request.
- (9) “Branding establishment” is the premises where a brander performs the process of branding.
- (10) “Cleaning” is the removal of foreign material, soil, dirt and any other type of debris from all equipment coming into contact with a patron, and is normally accomplished with detergent, water and mechanical action.
- (11) “Controlled substance” is any substance defined in section 195.010, RSMo.
- (12) “Division” is the Division of Professional Registration for the State of Missouri.
- (13) “Disinfectant” is a chemical that is capable of destroying disease-causing organisms on inanimate objects, with the exception of bacterial spores.
- (14) “Hot water” is water at a temperature of one hundred eleven degrees Fahrenheit (111°F) or higher.
- (15) “Instruments used for tattooing, body piercing or branding” are hand pieces, needles, needle bars, and other instruments that may come in contact with a patron’s body during tattooing, body piercing and branding procedures.
- (16) “Jewelry” is any personal ornament inserted into a newly pierced area, which must be made of surgical implant grade stainless steel, solid fourteen karat (14K) or eighteen karat (18K) white or yellow gold, sterling silver, niobium, titanium or platinum. Jewelry shall be free of nicks, scratches or irregular surfaces and properly sterilized prior to use in a piercing procedure. Ear studs are not considered jewelry for purposes of these regulations.
- (17) “Minor” a person under the age of eighteen (18).
- (18) “Needle” is either of the following:
- (A) The implement used to insert dyes or pigments into the dermis of the skin during permanent color or tattoo procedures; or
 - (B) The implement used to pierce or puncture a hole in any part of the human body, other than ears, for the purpose of inserting jewelry or other objects.
- (19) “Needle bar” is the metal or plastic device used to attach the needle to a tattoo machine.
- (20) “Office” is the Missouri Office of Tattooing, Body Piercing and Branding.
- (21) “Operator” is the owner or person responsible to the owner for the operation of a tattoo, body piercing and/or branding establishment.
- (22) “Patron” is a person receiving a tattoo, body pierce or brand.
- (23) “Permanent cosmetic tattooing” includes eyeliner, eyebrows, lip liner, full lip color, repigmentation or camouflage.
- (24) “Practitioner” is a tattooist, body piercer and/or brander.
- (25) “Premises” is an entire building, structure, or area where tattooing, body piercing and/or branding are performed. Establishments located in buildings that are also used as residences must be separated from the living quarters by solid floor to ceiling partitions and shall have a separate entrance from the residence.
- (26) “Sharps container” is a puncture resistant leak-proof container that can be closed for the purpose of handling, storing, transporting and disposing of sharps waste. The containers shall be clearly and distinctly labeled with the “biohazard” symbol.
- (27) “Sharps waste” is any solid waste that consists of medical equipment or clinical laboratory articles and implements that may cause punctures or cuts, such as tattoo needles, body piercing needles, hypodermic needles, syringes with attached needles and lancets, whether contaminated or disinfected.
- (28) “Single-use” is a product or item that is disposed of after one use, such as a needle, cotton swab or ball, tissue or paper product, a paper or soft plastic cup, nonabsorbent gloves, and/or gauze and other sanitary coverings.
- (29) “Sterilization” is the killing of all organisms and spores through use of an autoclave operated at a minimum of two hundred fifty degrees Fahrenheit (250°F) and/or one hundred twenty-one degrees Celsius (121°C) at a pressure of at least fifteen (15) pounds per square inch for not less than thirty (30) minutes.
- (30) “Tattoo” is:
- (A) An indelible mark made on the body of another person by the insertion of a pigment under the skin; or
 - (B) An indelible design made on the body of another person by production of scars other than branding.



(31) “Tattoo establishment” is the premises where a tattooist performs tattooing on patrons.

(32) “Tattoo machine” (operable tattoo machine) is an electrical instrument used in conjunction with a tube, needle and needle bar to make indelible marks on the skin.

(33) “Tattooist” is any individual who, for a fee, tattoos a patron at the patron’s request.

(34) “Tempered water” is water ranging in temperature of eighty-five degrees Fahrenheit (85°F) to less than one hundred ten degrees Fahrenheit (110°F).

(35) “Temporary establishment” is a single portable building structure, area or location where tattooists, body piercers and branders perform tattooing, body piercing and/or branding for a maximum of fourteen (14) consecutive days per event.

(36) “Ultrasonic cleaning” means a cleaning device that operates at forty to sixty (40–60) hertz.

(37) “Universal precautions” is an approach to infection control as defined by the Center for Disease Control (CDC). According to the concept of universal precautions, all human blood and certain body fluids are treated as if known to be infectious for Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV) and other blood borne pathogens.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*

4 CSR 267-1.020 Name and Address Changes

PURPOSE: This rule outlines the requirements and procedures for notifying the division of a name and/or address change.

(1) A licensed practitioner shall ensure that the division has his or her current and complete legal name and address on file.

(2) A licensed operator shall ensure that his or her correct name and mailing address is on file with the division.

(3) A practitioner whose name is changed by marriage or court order shall notify the division in writing within thirty (30) days of the

name change and provide a copy of the appropriate documents verifying the name change.

(4) A practitioner may request a duplicate license by returning the original license and paying the duplicate license fee.

(5) A practitioner whose mailing address has changed shall inform the division of the address change within thirty (30) days of the effective date.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*

4 CSR 267-1.030 Tattoo, Body Piercing, and Branding Establishment—Change of Name, Ownership or Location

PURPOSE: This rule outlines the requirements and procedures for notifying the division of a change of name, ownership or location of a tattoo, body piercing or branding establishment.

(1) Change of Establishment Name.

(A) The establishment operator shall notify the division of the proposed name change prior to changing the business name and before revising any printed materials or advertisements.

(B) A duplicate license fee shall be submitted to the division along with written notification of the change of name at least thirty (30) days prior to the effective date of the proposed change.

(C) The license reflecting the name change shall replace the original license and be displayed in a conspicuous place on the premises of the tattoo, body piercing, and/or branding establishment.

(2) Change of Establishment Location.

(A) The establishment operator shall submit a new notarized application and the required application fee to the division upon changing the location of the operator’s business. Upon inspection of the new premises and approval by the division, a new license will be issued by the division for the new establishment. The establishment license for the old location shall be void at the time the operator’s business is moved to the new location, and shall be returned to the division immediately.

(3) Change of Ownership.

(A) The operator of a tattoo, body piercing and/or branding establishment shall promptly notify the division of his or her intention to cease operations and shall supply the division with the name and mailing address of the new operator, if any. An establishment license is not transferable. A new operator shall submit a notarized application and fee as required in 4 CSR 267-2.010 and 4 CSR 267-2.020 and obtain a new license before operating the establishment.

(4) Refusal to permit a survey inspection, if required by the division, shall constitute grounds for discipline or denial.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*