



Fish pedicures – managing the risks

A report for the Goldwater Institute from

Report from Graham Jukes and Andrew Griffiths

28 October 2011

1. Introduction and background comments

Andrew Griffiths and I have reviewed the documentation provided as requested by the Goldwater Institute. In the review process we have relied heavily on; "The guidance on the management of the public health risks from fish pedicures", produced by the Health Protection Agency (HPA) (which is the UK equivalent of the US CDC); our practical and professional knowledge of licensing of special treatment establishments and; our expertise in food safety and health and safety regulation.

Both Andrew and I have considerable knowledge and expertise in the application and drafting of legislation for the achievement of environmental health and public health goals. We do not question those from different scientific or professional backgrounds who have identified potential risks and dangers in the practice of fish pedicures. There are however risks in all that we do and in our view the role of legislators and regulators is to ensure that inherent risks and measures required to mitigate acceptable risks are in place to achieve public safety. In our opinion, reflecting those of the HPA document, fish pedicures do not pose a significant or unacceptable risk to patrons wishing to use such services, as long as good hygiene management practices are routine and those who wish to use the service are effectively informed; provided with relevant information which helps them to make informed choices and; screened by management to ensure that those who might be put at greater risk as a result of their own personal health issues, are prevented from using the service.

Fish pedicures presents no additional hazard to public health when compared with food establishments, skin piercing, tattoo or massage establishments, sun bed parlours, barber shops and nail bars, all of which if looked at from a potential disease transmission or operative health and safety perspective offer potential dangers to health. In all of these examples adherence to good practice and effective licensing control together with customer information and informed choice is sufficient to mitigate risk. The role of the legislature and the regulator is to ensure that good controls are in place and those who do not abide by those controls or guidelines, are dealt with in an appropriate manner with the aim of achieving good public protection. In all, a keen sense of proportionality in regulation is the key to good governance.

2. Summary

The CIEH has considered the evidence of risks associated with fish pedicures generally and within the context of licensing arrangements within the United Kingdom. We have taken a proportionate regulatory approach and concluded that the risks to health are small and can be satisfactorily managed so as to minimise the risk of harm to patrons to a level that would justify allowing such pedicures to be approved through licensing or registration, as appropriate, by public authorities. The CIEH uses the precautionary principle in assessing risk but believes that, in the case of fish pedicures, the principle allows for such procedures to be authorised. We believe that the following 7 key points, if rigorously applied and managed will reduce any risks associated with this relatively new form of beauty treatment:

- 2.1 Spa owners should provide a suitable risk assessment for their treatments to include infection control procedures. The assessment should include identifying hazards, deciding who might be harmed and how, evaluating the risks and deciding on precautions, recording findings and implementing them, reviewing assessments and updating if necessary.
- 2.2 Salons should produce written procedures to cover all aspects of the pedicure as well as an incident log to record details of any adverse events.
- 2.3 Premises should have impervious and readily cleanable surfaces and should be regularly cleaned throughout the day using documented cleaning schedules.
- 2.4 Washbasins with running water must be provided so that parts of the body that are to be treated can be washed with soap and water and dried.
- 2.5 Patrons should be provided with appropriate information before any treatments are carried out including advice on medical conditions that may increase the risk of infection. The salon must have clear procedures to identify patrons who should be refused a pedicure. Such conditions include any cuts, wounds or abrasions to the feet or lower leg, any dermatological condition affecting the area, diabetes, blood borne infections, any immune deficiency or anticoagulant medication.
- 2.6 Patrons should be required to sign a form to confirm they have read and understood the information given and confirm that they are not suffering from any of the conditions identified.
- 2.7 Salons should comply with all requirements in respect of beauty treatments for hygiene and infection control.

3. Commentary on the document provided by La Vie LLC – Spa Fish Therapy

We were asked to provide comments on Spa Fish Policy and Procedures dated 8 October 2008 which are as follows and related to the paragraphs in the document:

- Para 1 - *this is a minimum standard and the procedure should always be followed.*
- Para 2 - *staff who undertake foot examinations should be suitably trained by a podiatrist or qualified beauty technician. Staff should wear single use non-latex gloves for foot examinations. Feet should be washed with soap and water, then thoroughly rinsed and dried with a white towel which has been washed at a minimum of 60°C.*
- Para 3 - *only essential fish handling should be undertaken to avoid adverse effects on fish health so as to minimise the small risk of infection from the fish. Tanks,*

including filters, should be cleaned and maintained in accordance with manufacturer's instructions and care should be taken to minimise splashes. Water used to refill tanks should be clear and odourless and should not contain any particles or debris. Fresh fish should not have been involved in a therapy session for at least eight hours; an appointment system for patrons will be required to ensure this.

- Para 4 - *UV light water treatment is desirable but limited in its effectiveness in water treatment due to the effect of organic matter or sediment. Continual or proportionate water exchange will provide a continued dilution effect and a diminishing proportion of any contaminated water. This can only satisfactorily be achieved through the use of a readily accessible piped water supply.*
- Para 5 - *no nail treatment should be undertaken unless and until patrons' feet have been washed and dried following the completion of any fish pedicure.*
- Para 6 - *foot washing following spa treatment should be followed by a foot inspection by trained staff wearing single use non-latex gloves. Patrons' feet should be dried with a fresh white towel.*
- Para 7 - *any non fish pedicures that follow a fish spa treatment should be carried out in an area in the salon separated from the location of the fish pedicure service.*
- Para 8 - *spa fish tanks should be cleaned and maintained in accordance with supplier or manufacturer's advice.*

4. About the CIEH

The Chartered Institute of Environmental Health (CIEH) is the professional and educational body for environmental health practitioners in the United Kingdom. It is a registered charity with a Royal Charter whose mission is dedicated to improving and maintaining standards in environmental health for the public good.

The CIEH is a founder member of the International Federation of Environmental Health of which the National Environmental Health Association (our equivalent body in the USA) is a member. The CIEH has; 10500 members; accredits 17 Universities to deliver the CIEH honours degree and masters programme and; a world wide food safety and health and safety certificated training reach. CIEH has offices in London, Cardiff, Belfast, Dubai, Hong Kong and Orlando Florida (under the name of Environmental Health Testing (EHT)) The CIEH was established in 1883 and works with international, national and local governmental bodies and business to support, advise and promote improvements in policy, legislation and practice, providing advice, guidance and training to our members and the general public in environmental health interventions for the public good.

Our website WWW.CIEH.ORG provides more information.

5. Biographical Details

Andrew Griffiths FCIEH
Principal Policy Officer
Chartered Institute of Environmental Health

Andrew Griffiths has over 40 years experience as an Environmental Health Officer. He has worked for several local authorities in London specialising at different times in all the major areas of Environmental Health and in a variety of management positions. In his last position in a major London Authority he held the post of Head of Health and Consumer Services

During his time in local government, he was the chair of the Association of London Chief Environmental Health Officers, an adviser on Environmental Health to the former Association of Metropolitan Authorities, a member of HELA (the Health & Safety Executive/Local Authority Liaison Committee) and the Chair of the London Licensing Co-ordinating Committee.

He has served on several national steering groups who have published detailed codes of practice and practical advice on a range of Environmental Health issues as well as being a member of a number of working and advisory groups for various government departments.

In 2009 he was seconded to the UK department for Business Innovation and Skills (BIS) to support the review of government central agencies to assess their performance and practice following the publication of the influential Hampton Report whose recommendations on principles of better regulation were adopted by the UK government.

Andrew has authored all the CIEH responses to Government on Health and Safety, Licensing and regulatory burdens on business over the past 5 years.

Graham M Jukes, FCIEH FFPH
Chief Executive
Chartered Institute of Environmental Health

Graham Jukes is a Chartered Environmental Health Practitioner and Chief Executive of the CIEH. He has held senior technical, specialist and managerial posts in all environmental health disciplines in a variety of local authorities in London. Prior to his appointment as Chief Executive he was the director of policy for the CIEH responsible for the development and promotion of policy and practice to Government and has been significantly influential in the creation of all the UK legislation effecting environmental health over the past 25 years.

Over the past ten years he has driven the major CIEH organisational changes that now reflect and is now more able to promote the important role the profession plays in today's changing landscape. He has re-engineered the environmental health professional networks to ensure continuing support and development to address the major challenges for the profession in the next decade in delivering public health and sustainable development solutions.

He has held and holds a number of external appointments on behalf of the profession;

- World Health Organisation Specialist Adviser on environmental health;
- Member of the former UK Government's Sustainable Development Task Group;
- Member of the former UK National Public Health Leadership Advisory Board;
- Company Secretary to the International Federation of Environmental Health (IFEH)
- Company Secretary of the UK Noise Council and the UK Local Authority Radiation and Radioactivity Monitoring Advice and Collation Centre (LARRMACC);
- Executive Director of Chadwick House Group Limited;
- Director of Greenwich Environmental Management Services;
- Trustee and board member of the Association of London Environmental Health Managers;
- Member of the LBRO world class coalition on better regulation;

In 2005 he provided direct support to the Hampton Review, a review committee set up by the Prime Minister to examine regulatory burdens on business. The recommendations from the review were implemented through legislation and applied to all regulatory functions of National and local government. As part of that programme Graham was a member of the review team for the government's Office of Fair Trading (OFT), the review of industry codes of practice and advice to consumers was a specific area of the review. The findings of the review were influential in creating significant changes to the regulatory landscape, principles and practice in that central government enforcement agency and the way they now deal with business and the general public.

He is currently a member of the world class coalition on better regulation, a body that has been set up by government consisting of all national and local regulators and professional bodies whose remit is to ensure a consistent approach to regulatory controls throughout the UK.

For his services to environmental health he was elected a Fellow of the Chartered Institute in 1990 and in 2004 elected a Fellow of the Faculty of Public Health for his services in the furtherance of UK Public Health.

6. References

Attached to this report are references to the Hampton review report on the principles adopted by the UK for good regulation and in addition the attached paper on organisation of risk assessment approaches that the CIEH has been heavily involved in provides further information about approaches to effective risk assessment.

The "Hampton" principles are:

- regulators, and the regulatory system as a whole, should use comprehensive risk assessment to concentrate resources on the areas that need them most;
- regulators should be accountable for the efficiency and effectiveness of their activities, while remaining independent in the decisions they take;
- no inspection should take place without a reason;
- businesses should not have to give unnecessary information, nor give the same piece of information twice;
- the few businesses that persistently break regulations should be identified quickly;
- regulators should provide authoritative, accessible advice easily and cheaply; and

- regulators should recognise that a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection.

Further detail can be found at the following:

- Implementing Hampton: from enforcement to compliance:
 - http://www.hm-treasury.gov.uk/independent_reviews/hamptonreview/hampton_index.cfm
- Implementation of EU Legislation:
 - http://www.hm-treasury.gov.uk/independent_reviews/davidson_review/davidson_index.cfm
- Regulatory justice: making sanctions effective:
 - http://www.cabinetoffice.gov.uk/REGULATION/reviewing_regulation/penalties/index.asp



Graham Jukes



Andrew Griffiths