

Janet T. Mills  
Governor

Sara Gagné-Holmes  
Commissioner



Maine Department of Health and Human Services  
Maine Center for Disease Control and Prevention  
11 State House Station  
286 Water Street  
Augusta, Maine 04333-0011  
Tel: (207) 287-8016; Fax (207) 287-2887  
TTY: Dial 711 (Maine Relay)

March 12, 2025

Senator Ingwersen, Chair  
Representative Meyer, Chair  
Members, Joint Standing Committee on Health and Human Services  
100 State House Station  
Augusta, ME 04333-0100

Re: LD 116 – *An Act to Prohibit the Use of Piercing Guns*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information *neither for nor against LD 116*.

This bill proposes two changes; 1) it prohibits the use of a piercing gun to pierce any part of the body of a human being, and 2) removes the licensing exemption for piercing the earlobe. LD 116 also adds a definition of “piercing gun” and “use of piercing gun prohibited” sections. The Maine CDC is neither for nor against LD 116 and offers the following information for consideration.

The current law exempts earlobe piercing, stating that “*body piercing*” does not include piercing an earlobe with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the earlobe. Piercing an area on the body other than the ear lobe is, by definition, “*body piercing*” and subject to licensing requirements.

Per statute, Maine CDC-Health Inspection Program (HIP) currently licenses and inspects 81 body piercers. This bill will make it illegal for licensed body piercers and other entities currently exempt from licensing, such as Claire’s/Icing and other jewelry-based ear-piercing businesses, to use piercing guns. It will require earlobe piercers, which are currently exempt from licensing, to obtain a body piercing license. These businesses are unlikely to meet the existing body piercing regulations. This would be a financial burden on these businesses as they would need to meet facility requirements, such as new equipment, approved water source and sewage disposal, installation of a handwash sink and workstation specific requirements. In addition, they would need to complete a bloodborne pathogen course.

To date, the HIP has not received reports of infections or injuries caused by piercing guns. However, this could be attributed to gaps in reporting and/or data collection systems. The number of businesses using piercing guns is unknown to the Department.

The Department reviewed body piercing rules for three other New England states including New Hampshire, Vermont, and Massachusetts. New Hampshire and Vermont provide licensing exemptions to their body piercing rules, allowing only earlobe piercing with a piercing gun. Massachusetts exempts licensing for earlobe piercings only when using a presterilized, single-

use, hand-pressured, stud-and-clasp ear piercing system. Unlike traditional piercing guns, this system relies on manual pressure and is not spring- or trigger-loaded.

The Department also reviewed relevant information from two organizations: the Association of Professional Piercers (APP) and the National Environmental Health Association (NEHA). It is the position of the APP that only sterile disposable equipment is suitable for body piercing, and that only materials which are certified as safe for internal implants should be placed inside a fresh or unhealed piercing. APP opposes the use of piercing guns, citing issues of sterility, tissue damage, misuse of ear-piercing guns, possibility of transmitting bloodborne disease from one client to another and inappropriate jewelry design. NEHA recommends that state agencies classify establishments that use ear piercing guns in the same category as body piercing facilities and enforce body piercing and biomedical waste regulations on these establishments as governed by state and local health jurisdictions. NEHA also recommends limiting the use of ear-piercing guns to the earlobe among other recommendations.

In summary, Maine CDC is neither for nor against this bill. Amendments for the Committee's consideration include requiring the use of pre-sterilized single-use, hand-pressured stud-and-clasp ear piercing systems in place of mechanical ear-piercing guns. While still unregulated, transitioning to using pre-sterilized ear-piercing systems, which range from \$55 - \$60 per dozen to purchase, ensures sterilization which is lacking with piercing guns that cannot be autoclave sterilized between patrons. Purchase of these pre-sterilized ear-piercing systems will be an added cost to doing business as opposed to the use of an ear piercing gun but will be more protective of public health and safety.

Thank you for your consideration of this matter and for the opportunity to provide testimony today. Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,



Puthiery Va, Director  
Maine Center for Disease Control and Prevention  
Maine Department of Health and Human Services