

1st STOP CHECKLIST: DAY SPA

REQUIREMENTS & REGULATIONS

- [] If you will offer **beauty salon services, nail salon services, tanning salon services, or esthetic salon services**, you must be licensed by the **Ohio State Board of Cosmetology**. ****Remember to check local government agencies****

- [] *Applications should be returned to the Ohio State Board of Cosmetology.*

- [] If you have questions, contact the **Ohio State Board of Cosmetology** at **(614) 466-3834**. Information and forms are also on-line at www.cos.ohio.gov ****Remember to check local government agencies****

- [] For more information about beauty salon regulations, see **Ohio Revised Code (ORC) Section 4713**. The ORC can be found at your local library or on-line at <http://codes.ohio.gov/orc>. ****Remember to check local government agencies****

- [] If you will offer **massage, cosmetic therapy, or acupuncture or electrolysis services**, contact Ohio's **State Medical Board** at **(614) 466-3934**. Information is also on-line at <http://med.ohio.gov>. ****Remember to check local government agencies****

- [] Retail sales and some salon services are taxable. These services include:
 - Skin care, including facials and exfoliation
 - Cosmetics application
 - Application of false eyelashes
 - Manicures, including application of polish
 - Application of artificial nails
 - Pedicures
 - Hair removal by any means, including electrolysis, plucking or the application of depilatory products
 - Body piercing and branding
 - Tattooing, including permanent and temporary tattoos
 - Massage
 - Tanning, whether done using light or chemical means

You must have a **VENDOR'S LICENSE** and collect sales tax. Contact **YOUR COUNTY AUDITOR**.

- [] If you have questions about sales tax, contact the **OHIO DEPARTMENT OF TAXATION** at **(888) 405-4039 for Business Tax Assistance; 888-405-4089 for Tax Registration; or (800) 282-1782 for the Forms Request Line**. Information is also on-line at <http://www.tax.ohio.gov>. ****Remember to check local government agencies****

DAY SPA CONTINUED

- [] If you are manufacturing cosmetics, soaps, bath oils, etc., you must comply with the Ohio Pure Food and Drug Law found in the **Ohio Revised Code (ORC) Section 3715**. The ORC can be found at your local library or on-line at <http://codes.ohio.gov/orc>
****Remember to check local government agencies****

- [] Questions about federal cosmetic laws should be directed to the **U.S. Food and Drug Administration** at **(888) 463-6332**. Detailed information about federal labeling requirements is on-line at www.fda.gov. ****Remember to check local government agencies****

- [] If you will feature recorded **music**, you must have permission from the owner of the copyrighted material. You can do this by contacting **ASCAP** or **BMI**. For more information, contact **ASCAP** at **(212) 621-6000** (www.ascap.com) or **BMI** at **(212) 220-3000** at (www.bmi.com). ****Remember to check local government agencies****

For more help, contact your local Small Business Development Center (SBDC).

www.ohiosbdc.ohio.gov

REMEMBER TO CHECK LOCAL GOVERNMENT AGENCIES

THIS CHECKLIST IS ABOUT STATE REQUIREMENTS.

NAICS 812199/14

FTC FACTS for Consumers

Health Spas: **Exercise Your Rights**



Looking for a way to get in shape? Joining a health spa, fitness center, gym or sports club can be a great way to improve your physical condition.

Nearly 33 million people are members of some 17,000 health clubs in the U.S. today, according to the International Health, Racquet & Sportsclub Association. And, although many consumers who join health clubs are pleased with their choices, others are not. They've complained to the Federal Trade Commission (FTC) about high-pressure sales tactics, misrepresentations of facilities and services, broken cancellation and refund clauses, and lost membership fees as a result of spas going out of business.

To avoid these kinds of problems, it's best to look closely at the spa's fees, contractual requirements and facilities before you join. Here are some suggestions to help you make the right choice.

Facts for Consumers

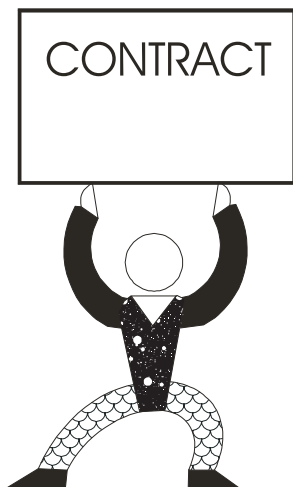
Inspect the Spa

Visit the spa during the hours you would normally use it to see if it's overcrowded. Notice whether the facilities are clean and well-maintained, and note the condition of the equipment. Ask about:

- Trial periods. Is there sometime when you can sample the services and equipment for free?
- Number of members. Many spas set no membership limits. While the spa may not be crowded when you visit, it may be packed during peak hours or after a membership drive.
- Hours of operation. Some spas restrict men's use to certain days and women's to others. Some may limit lower-cost memberships to certain hours.
- Instructors and trainers. Some spas hire trainers and instructors who have special qualifications. If you're looking for professionals to help you, ask about staff qualifications and longevity.

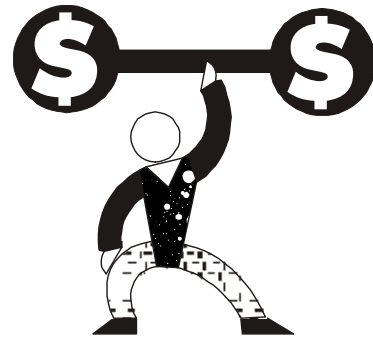
Review the Contracts

Some spas ask you to join — and pay — the first time you visit and offer incentives like



special rates to entice you to sign on the spot. Resist. Wait a few days before deciding. Take the contract home and read it carefully. Before you sign, ask yourself:

- Is everything that the salesperson promised written in the contract? If a problem arises after you join, the contract probably will govern the dispute. And if something is not written in the contract, it's going to be difficult to prove your case.
- Is there a "cooling-off" period? Some spas give customers several days to reconsider after they've signed the contract.



- Could you get a refund for the unused portion of your membership if you had to cancel, say, because of a move or an injury? What if you simply stopped using the spa? Will the spa refund your money? Knowing the spa's cancellation policies is especially important if you choose a long-term membership.
- Can you join for a short time only? It may be to your advantage to join on a trial basis, say, for a few months, even if it costs a little more each month. If you're not enjoying the membership or using it as much as you had planned, you won't be committed to years of payments.
- Can you afford the payments? Consider the finance charges and annual percentage rates when you calculate the total cost of your

membership. Break down the cost to weekly and even daily figures to get a better idea of what it really will cost to use the facility.

Research the Spa's History

Finally, before you join a health club, contact your local consumer protection office, state Attorney General or Better Business Bureau to find out whether they have received any complaints about the business, or whether there are state laws regulating health club memberships. If problems arise after you join, these offices also may be able to help you resolve your complaints.

For More Information

The FTC works for the consumer to prevent fraudulent, deceptive, and unfair business practices in the marketplace and to provide information to help consumers spot, stop, and avoid them. To file a complaint or to get free information on consumer issues, visit www.ftc.gov or call toll-free, 1-877-FTC-HELP (1-877-382-4357); TTY: 1-866-653-4261. The FTC enters Internet, telemarketing, identity theft, and other fraud-related complaints into Consumer Sentinel, a secure, online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

Facts for Consumers

Federal Trade Commission
Bureau of Consumer Protection
Office of Consumer and Business Education

May 2001