

November 28, 1934.

Arizona State Board of Barbers and Cosmeticians,  
202 Monihon Building,  
Phoenix, Arizona.

Gentlemen:

Attention: Mr. F. H. Scheid, Sec'y.

This is in response to your letter of November 8th in which you seek the opinion of the Attorney General upon certain questions, which questions I shall quote and answer as follows:

"Can a person selling Cosmetics go from house to house and give a massage in order to sell their merchandise without a Cosmetician License or is it necessary for them to have a License? Also selling Permanent Wave machines must the salesman in order to demonstrate the machine have a Hair Waving License?"

Our statutory definition of barbering includes massaging, and our statutory definition of cosmetology includes hair waving. (See Section 1, Chapter 39 Laws of 1931.) It is unlawful for any person to engage in the practice of any of these vocations without first obtaining a license. (See Section 5 Chapter 39 Laws of 1931.)

The Attorney General is of the opinion that, even though a person practices one of these vocations only when demonstrating his cosmetics or hair waving machine, as the case may be, and makes no charge for the work, he should nevertheless have a license.

"Furthermore if a person owns an establishment and sells on contract, must the purchaser secure an establishment license or can they run on the old one until the contract has been paid out?"

Any person who is in charge and actually conducts an establishment, must have a license. The question

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as to who owns the establishment is immaterial.

Yours truly,

Attorney General

Assistant Attorney General

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