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Indoor Tanning

Sun-tanning salons and tanning equipment are *not* registered and are *not* inspected by the State of Michigan, and operators of sun-tanning salons are *not* licensed. However, [Public Act 368 of 2008](#) establishes requirements for tanning facilities in Michigan. This law does not apply to private residences with a tanning device if the tanning device is used only by the owner or occupant of the residence.

Indoor tanning businesses should see this important information on the [Affordable Care Act Tax Provisions](#). (*posted 6/22/2010*)

Warning Statement

Before allowing an individual to use a tanning device, the tanning facility shall provide the individual with a written statement that contains all of the following:

- Not wearing his or her own eye protection or the eye protection made available to the individual by the tanning facility while using a tanning device may cause damage to the eyes.
- Overexposure to the ultraviolet radiation produced by the tanning devices used in the tanning facility causes burns.
- Repeated exposure to the ultraviolet radiation produced by the tanning devices used in the tanning facility may cause premature aging of the skin, skin cancer, or both.
- Abnormal skin sensitivity to ultraviolet radiation or burning may be caused by certain foods, cosmetics, and medication. The medication includes, but is not limited to, all of the following:
 - Tranquilizers
 - Diuretics
 - Antibiotics
 - High blood pressure medicine
 - Birth control medication
- An individual who is taking a prescription drug or over-the-counter drug should consult a physician before using a tanning device.
- An individual that suffers an injury while using a tanning device at a tanning facility must report the injury to the owner or operator of the tanning facility.
- That any skin-related treatment involving microdermabrasion, including, but not limited to, facials, waxing, or skin peels, may cause abnormal sensitivity to ultraviolet radiation.

Acknowledgement of Warning Statement

Before allowing a customer to use a tanning device, the owner or operator of any tanning facility shall require the customer to sign a written statement acknowledging that the customer has read and understood the written warning statement and agrees to use protective eyewear. The owner or operator of the tanning facility shall do all of the following:

- Require a customer to sign the statement at least once in a 1-year period.
- Retain the written statement for not less than 1 year.
- Make the written statement available for inspection upon request of a law enforcement officer.

In the case of a customer under 18 years of age, the written statement described above shall also be signed by the customer's parent or legal guardian while the parent or legal guardian is physically present at the tanning facility and shall be signed in the presence of the owner or operator. For a minor, the statement *should* contain relevant information, such as the following:

- Name and address of tanning facility
- Name, address, and contact phone number of parent or guardian of the person who is less than 18.
- Name, age, and birthdate of the minor for whom the parent or guardian is granting tanning permission.
- Range of dates requested by the parent or guardian for which the minor's tanning permission is in effect, not to exceed two months from the date the form was completed.

Poster

The owner or operator of a tanning facility shall conspicuously display a poster in an area frequented by customers.

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The poster shall be printed in at least 32-point boldfaced type and in substantially the following form:

DANGER: ULTRAVIOLET RADIATION

1. Follow instructions.
2. Avoid too frequent or too lengthy exposure. As with natural sunlight, exposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause chronic sun damage, characterized by wrinkling, dryness, fragility, and bruising of the skin, and skin cancer.
3. Wear protective eyewear.
FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT IN SEVERE BURNS AND LONG-TERM INJURY TO THE EYES
4. Ultraviolet radiation from sunlamps will intensify the effects of the sun. Therefore, do not sunbathe before or after exposure to ultraviolet radiation.
5. Some oral or skin medications or cosmetics may increase your sensitivity to ultraviolet radiation. Consult your physician before using a tanning device if you are using medications, have a history of skin problems, or believe you are especially sensitive to sunlight. Pregnant women or women on birth control pills who use this tanning device may develop discolored skin.
6. If you do not tan in the sun, you are unlikely to tan from use of this tanning device.
7. If you suffered an injury while using a tanning device at this tanning facility, you must report the injury to the owner or operator.
8. Any skin-related treatment involving microdermabrasion, including, but not limited to, facials, waxing, or skin peels, may cause abnormal sensitivity to ultraviolet radiation.

Promotional Materials

The owner or operator or an employee of a tanning facility shall not claim or distribute printed promotional materials that claim or otherwise advertise that using a tanning device is safe, nonburning, or free from risk.

Additional Recommendations

Besides the requirements of Public Act 368 of 2008, tanning facilities should be aware of and should comply with several additional common-sense health and safety items and concerns. For example:

- **OPERATOR TRAINING:** Operators overseeing the use of tanning devices at a tanning facility should be appropriately trained. The tanning industry should be able to provide information to facilities on the availability and content of training materials and training courses.
- **INFANTS OR CHILDREN:** Infants or children should not remain in a tanning area with an adult who is tanning, since they might be exposed to some UV radiation leaking or scattering from a tanning device.
- **FDA CERTIFICATION OF TANNING EQUIPMENT:** Tanning equipment should be certified as complying with federal FDA manufacturing performance standards. This includes ensuring that timers are functioning as designed and that tanning lamps meet the specifications of the tanning device manufacturer. The FDA also has information available on their website on tanning at <http://www.fda.gov/cdrh/tanning/>.
- **REPLACEMENT OF TANNING LAMPS:** Tanning facility management and employees should be informed immediately whenever tanning lamps are replaced. Replacement lamps should be equivalent to the replaced lamps in terms of UVA and UVB output specifications. Facility management should inform employees of any appropriate reductions or changes in tanning time as a result of new lamps prior to use of a tanning device by a customer.

The FDA has expressed a concern about tanning salon owners replacing lamps with lamps that emit red light. See the December 21, 2011 memo "[Replacement of Tanning Lamps with Red Light Therapy Lamps in Tanning Salons](#)" for more information.

- **CLEANLINESS:** Tanning devices and rooms should be clean and hygienic.
- **EMPLOYEE WORK RULES FOR CUSTOMER HEALTH AND SAFETY:** A tanning facility should establish and enforce employee work rules or policies specifically intended to help protect the health and safety of tanning customers. For example, a tanning facility may create and require its employees to maintain a personalized tanning record for each customer, with the permanent tanning record checked and updated at

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each customer session. A tanning record could include important health and safety information specific to each customer, such as:

- Skin type
- Medications that may affect response to UV light
- Tanning history, including a description of any serious or frequent skin burns or other tanning-related injuries
- Duration and date of each tanning session
- Type or description of tanning device used during the current session
- Current level of base tan

Maintaining this type of customer information in a permanent tanning record and requiring the record's use by employees could prove helpful in protecting the health and safety of customers from inappropriate tanning and possible serious burns and other complications and risks.

- **LOG OF TANNING INCIDENTS:** A tanning facility should establish and maintain a tanning incident log for noting unusual incidents that could affect customer health and safety. Incidents should include, but not be limited to (1) a skin burn beyond mild reddening or (2) any skin burn for which medical treatment or other pain-relieving treatment is sought by a customer or recommended by the facility. This permanent log should include, for example:
 - The date an incident was reported by a tanning customer or other person or was noted by staff
 - Customer name
 - Description of the incident
 - Description of customer injury, if any, including any medical treatment recommended or sought
 - Confirmation that management of the tanning facility was informed of or aware of the incident and the date

Print Name

Date

Signature