

**THE PUBLIC HEALTH ETC. (SCOTLAND) ACT 2008 (SUNBED)  
REGULATIONS 2009**

**COMMENTS BY THE SUNBED ASSOCIATION (TSA)**

**REGULATION 4 AND SCHEDULE 2: DISPLAY NOTICE**

TSA believes that the Scottish Government's Display Notice should be consistent with European health and safety standards.

The relevant European Standard is EN 60335-2-27: 2009 Particular Requirement for Skin Exposure to Ultraviolet and Infrared Radiation. This is a recognised health and safety standard which governs the manufacture of UV tanning appliances ie construction, electrical safety, mechanical strength, UV output, and also provides instructions for use and exposure recommendations. The Standard was drawn up by the International Standards Committee (IEC) and is published in Europe through the European Committee for Electrotechnical Standardisation (CENELEC) and the English version is published in the UK through the British Standards Institution. The Committees which prepared and review the Standard comprise representatives from industry and medical and scientific organisations.

The Standard specifies that UV tanning appliances shall be marked with the substance of the following –

**WARNING: Ultraviolet radiation may cause injury to eyes and skin, such as skin ageing and eventually skin cancer. Read instructions carefully. Wear the protective goggles provided. Certain medicines and cosmetics may increase sensitivity.**

The Standard also specifies that **for UV appliances intended only for use in tanning salons, beauty parlours and similar premises, this warning may be given on a permanent label fixed on the wall or adjacent to the UV appliance. The wording "Read Instructions Carefully" may be replaced by "Consult the attendant for further information".**

The Standard does not stipulate the size of the notice, nor the colour or size of the characters. TSA does not see the necessity to stress the colour and size especially to make it similar to a "radioactive" warning.

The Standard also stresses that sunburn, premature ageing of the skin and an increased risk of skin tumours may increase following over-exposure and excessive exposure whereas the proposed content in Schedule 2 suggests that skin damage and an increased risk of skin cancer will result from any exposure or moderate exposure. An increased risk is only like to arise where over-exposure and excessive exposure has taken place.

TSA would urge the Scottish Government to adopt the display notice requirement in the European Standard and amend Regulation 4 and Schedule 2 to incorporate this.

## **REGULATION 3 AND SCHEDULE 1 – PROVISION OF HEALTH INFORMATION**

TSA would suggest that a more correct heading for the health information leaflet should be **HEALTH ADVICE**.

There is a standard list of contra-indications when people should be advised not to use sunbeds (or sunbathe outdoors). These are set out in the European Standard and the HSE Guidance on the use of UV tanning equipment INDG209(rev1). We would urge that the health information leaflet should, first, set out the contra-indications, second, specify conditions when medical advice should be sought before use, and third, specify other important advice to avoid over-exposure and excessive exposure. We would, therefore, suggest that the leaflet should contain the information below which would ensure that the most important information is provided to customers.

### **HEALTH ADVICE**

#### **DO NOT USE A SUNBED IF –**

- **YOU ARE UNDER 18 YEARS OF AGE**
- **YOU HAVE FAIR, SENSITIVE SKIN, BURN EASILY AND DO NOT TAN IN SUNLIGHT**
- **YOU HAVE AN EXCESSIVE NUMBER OF MOLES AND/OR FRECKLES**
- **YOU HAVE A HISTORY OF SUNBURN PARTICULARLY FROM CHILDHOOD**
- **YOU OR ANYONE IN YOUR IMMEDIATE FAMILY HAS, OR HAS HAD, SKIN CANCER**

#### **SEEK MEDICAL ADVICE BEFORE USING A SUNBED IF –**

- **YOU ARE TAKING MEDICATION OR DRUGS WHICH MAY INCREASE SKIN SENSITIVITY**
- **YOU HAVE A MEDICAL CONDITION THAT BECOMES WORSE IN SUNLIGHT**
- **YOU ARE PREGNANT**
- **YOU HAVE UNDERGONE MAJOR SURGERY IN THE LAST 6 WEEKS**

**ADVISE THE OPERATOR IF YOUR MEDICAL CIRCUMSTANCES CHANGE  
SEEK MEDICAL ADVICE IMMEDIATELY IF YOU HAVE A MOLE THAT HAS  
GROWN, CHANGED COLOUR OR SHAPE, ITCHES OR BLEEDS  
WEAR THE PROTECTIVE GOGGLES PROVIDED**

- **DO NOT SUNBATHE OUTDOORS AND USE A SUNBED ON THE SAME DAY**
- **ALLOW A MINIMUM OF 24 HOURS BETWEEN EACH SUNBED SESSION**
- **FOLLOW THE INSTRUCTIONS ON THE TIME AND FREQUENCY OF EACH SUNBED SESSION AND NEVER EXCEED THE LIMIT**

## **DRAFT REGULATORY IMPACT ASSESSMENT**

### **Rationale for government intervention**

- 2.8 We refer to the statements
- "Recent research (by Prof. Diffey) in 2003 estimates that the use of commercial sunbed parlours accounts for 100 deaths per year in the UK from malignant melanoma"
  - "Using sunbeds at a young age (before the age of 35) increases the risk of getting cancer by up to 75%"

We attach a document putting these statements into perspective.

Consumer research on Suntanning and Sunbeds (1996) showed that over 80% of sunbed users claimed to be very or quite knowledgeable of the possible risks from over-exposure to UV radiation and that the vast majority of sunbed users take 20 sessions or less per year.

## **1. A QUANTITATIVE ESTIMATE OF MELANOMA MORTALITY FROM ULTRAVIOLET A SUNBED USE IN THE UK**

**B.L. Diffey, Regional Medical Physics Dept., Newcastle General Hospital  
Published in the British Journal of Dermatology 23 January 2003**

The objective of Professor Diffey's study was to **estimate** the mortality from melanoma as a result of the use of sunbeds for cosmetic tanning in the UK. Previously, literature about adverse health effects of sunbeds was from a qualitative perspective: this analysis was intended to provide a quantitative insight into the magnitude of harm. The analysis presented was intended to give a **crude estimate, based on limited data**, of the plausible impact that sunbeds might have on the mortality from melanoma and it was acknowledged that **several simplifying assumptions** were made. The random sampling technique used (Monte Carlo) involved the use of random numbers and probability statistics. The analysis indicated that UVA sunbeds **might** account for **possibly** 6% (100) deaths due to melanoma each year (1999: total deaths was 1640). Compared with smoking (which claims over 120,000 lives each year), sunbed use could be regarded as a relatively minor, self-imposed, but occasionally fatal, detriment to public health. Professor Diffey concluded that, whilst cosmetic tanning using sunbeds should be discouraged, prohibition is not warranted especially as exposure to the sun, which cannot be regulated, remains the major contributory factor to the risk of melanoma.

## **2. SUNBED USE AND RISK OF MELANOMA Luxembourg Health Institute 2002**

The study objective was to assess whether there was an association between sunbed use and cutaneous melanoma in 18-49 year olds. No evidence was found for an association between sunbed use and melanoma and the study did not support the possibility that sunbed use could increase the melanoma risk. Despite the possibility of recall bias, the results indicated that if an association between sunbed use and melanoma truly existed, then it must be marginal.

## **3. THE WORLD HEALTH ORGANISATION (WHO) CLAIMS THAT USING SUNBEDS BEFORE THE AGE OF 35 INCREASES THE RISK OF GETTING SKIN CANCER BY UP TO 75%**

This does not mean that 75% of sunbed users will develop skin cancer. The issue to consider is **relative** risk. When the original risk is very small, a large percentage increase actually translates into a very small added risk. For example, your annual risk of a fatal car accident is about 0.013%. If that risk is increased by 75%, it would be 0.023% or around 1 in 4,500.