

Sunbed Policy: An International Perspective

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Abstract. Artificial tanning sunbeds continue to be popular despite the weight of evidence showing a link between sunbed use and melanoma. In recent years there has been considerable movement by governments at a state and national level in Australia, Europe and the USA to introduce regulations to control the use of and access by young people to artificial tanning sunbeds. A key opportunity exists to ride this tide of momentum to lobby hard for the introduction of legislation to control youth access to sunbeds and to ensure all consumers are adequately informed of the risks. An important part of this process will be to monitor the impact of any legislation to ensure it doesn't lead to increased consumer confidence in the safety of their sunbed experience and that appropriate compliance and enforcement checks and are put in place.

Size of the problem

A systematic review by the International Agency for Research on Cancer found a 75% increased risk between ever using a sunbed before the age of 35 and melanoma [International Agency for Research on Cancer Working Group on artificial ultraviolet light and skin cancer, 2007]. A more recent review by the Queensland Institute of Medical Research found an almost two fold increased risk [Gordon and Hirst, 2007]. The same report stated that sunbeds caused 281 cases of melanoma a year in Australia, killing 43, and was responsible for 2,572 squamous cell carcinomas.

Over the last 3 decades, there has been substantial growth and continued high usage by the general public of artificial tanning sunbeds worldwide. Indoor tanning is widely practiced in mostly developed countries, particularly in Northern Europe and the United States.

Before 1980, less than 5% of the adult population in Belgium, France and Germany had used an artificial tanning sunbed, by 1995, this had grown to 33% [Autier et al., 1994]. Similar patronage figures are in the United States [Demko et al., 2003]. In Sweden the figure has been as high as 70% of adolescents reporting sunbed use [Boldeman et al., 2003]. Sunbed users are typically young females,

have a parent or care giver who have used a sunbed and are least likely to use a SPS 15+ sunscreen by the beach or pool [Cokkinides et al., 2002].

Countries with Legislative Controls

The number of countries that have implemented controls to manage the health risks associated with sunbed use has grown significantly in recent years. The most outstanding achievement has been the total outright ban of sunbeds, except for use for medicinal purposes, in Brazil that came into effect in November 2009.

In the United States 31 states have passed regulations relating to sunbeds. Some US states such as California, Delaware and Texas allow under 18 access only with parental permission being present on the first visit, however to date no US state has totally restricted under 18 access as per WHO recommendations. A new 10% tax on indoor tanning services that will be introduced in July 2010 will likely have a significant effect on the sunbed industry in the US. Unfortunately U.S. studies looking at compliance with regulations in New York, North Carolina and San Diego have shown vast non-compliance [Fairchild and Gemson, 1992; Hornung et al., 2003]. The San Diego study showed that 95% of facilities where found not to be in compliance with current regulations relating to tanning schedules [Kwon et al., 2002].

In the European Union, France, Belgium, Germany, Scotland, Spain, and Portugal all now restrict use of sunbeds for persons under age 18. The United Kingdom are expected to follow shortly. A similar under 18 ban is also in place in most Australian states.

In Victoria, Australia, in addition to banning all those under the age of 18, each sunbed operator must have a licence to operate and each sunbed is registered with the Victorian Government. Warning signs are required to be installed in each sunbed booth and each new client to a solarium must sign a client consent form that outlines the risks associated with sunbed use, particularly in relation to the increased risk of skin cancer. Heavy penalties of up to almost AUD\$1 million are in place and

enforcement officers have gone to every solarium in the state since the legislation was implemented two years ago. The good news is that the Victorian Government has publicly stated that the number of solarium establishments have declined by over 45% since legislation was implemented. The contribution of increased awareness combined with legislation and strong enforcement has without doubt contributed to this significant reduction in the number of sunbed outlets in the state.

According to the World Health Organization (WHO), there are clear directions in terms of what should be expected in terms of regulations for the control of sunbed operations [Sinclair, 2003]. This includes restricting access to those under the age of 18, ensuring warning notices are placed in all cubicles and in the foyer area, ensuring all new clients to the establishment are aware of the risks by signing a consent form as well as ensuring all operators are adequately trained. The WHO has made a clear recommendation that governments should consider comprehensive legislation in relation to sunbed use and if licensing of operators are to occur, they should ensure they are not recognised by the general public to be government endorsed as compared to unlicensed operators [Sinclair, 2003].

Some success has been achieved in improving sunbed operator standards through the use of trade practice legislation relating to false and misleading advertising such as unsupported claims that sunbeds are 'safe' and 'healthy'. Trade practice legislation has worked successfully in Australia to motivate changes in sunbed operator practice when individual operators were brought to the attention of authorities for providing false and misleading information to consumers [Australian Competition and Consumer Commission, 2008].

Ideally however, rather than rely on broad consumer protection legislation, it is preferable to introduce specific legislative controls of the sunbed industry that provide strong enforcement and significant penalties for breaches. The priority for legislation should be to ensure all minors under the age of 18 are restricted from gaining access to sunbeds, and any unsupervised sunbed operations are banned.

REFERENCES

- Australian Competition and Consumer Commission (2008), Court declares false claims made in promotion of solarium use, edited, p. Release # MR 245/208, Australian Competition and Consumer Commission, Canberra, Australia.
- Autier, P., et al. (1994), Cutaneous malignant melanoma and exposure to sunlamps or sunbeds: an EORTC multicentre case-control study in Belgium, France and Germany, *International Journal of Cancer*, 58(6), 809-813.
- Boldeman, C., et al. (2003), Sunbed use among Swedish adolescents in the 1990s: A decline with an unchanged relationship to health risk behaviors, *Scandinavian Journal of Public Health*, 31(3), 233-237.
- Cokkinides, V. E., et al. (2002), Use of indoor tanning sunlamps by US youth, ages 11-18 years, and by their parent or guardian caregivers: Prevalence and correlates, *Pediatrics*, 109(6), 1124-1130.
- Demko, C. A., et al. (2003), Use of indoor tanning facilities by white adolescents in the United States, *Archives of Pediatrics & Adolescent Medicine*, 157(9), 854-860.
- Fairchild, A. L., and D. H. Gemson (1992), Safety information provided to customers of New York City suntanning salons, *American Journal of Preventive Medicine*, 8(6), 381-383.
- Gordon, L., and N. Hirst (2007), The health effects of using solarium and potential cost-effectiveness of enforcing solarium regulations in Australia, edited, Queensland Institute of Medical Research, Brisbane, Australia.
- Hornung, R. L., et al. (2003), Tanning facility use: Are we exceeding Food and Drug Administration limits?, *Journal of the American Academy of Dermatology*, 49(4), 655-661.
- International Agency for Research on Cancer Working Group on artificial ultraviolet light and skin cancer (2007), The association of use of sunbeds with cutaneous malignant melanoma and other skin cancers: A systematic review *International Journal of Cancer*, 120(11), 1116-1122.
- Kwon, H. T., et al. (2002), Promotion of frequent tanning sessions by indoor tanning facilities: Two studies, *Journal of the American Academy of Dermatology*, 46(5), 700-705.
- Sinclair, C. (2003), WHO guidance brochure: Artificial tanning sunbeds, World Health Organization, Geneva, Switzerland.