

# TANNING FACILITY OPERATING AND SAFETY PROCEDURES

*Revised March 2016*

## **Introduction:**

The purpose of requiring these procedures is to ensure that the tanning facility owner or manager will develop a policy for operators to be trained in the appropriate use of the tanning equipment. These procedures are designed to meet the minimum requirements for Certification of Registration. Additions can be incorporated into the contents of these procedures to conform to individual business needs. The procedures shall include, but not be limited to: Instructions to Consumers; Use of Protective Eyewear; Equipment Operation; Tanning Equipment Testing and Maintenance; Sanitation; Consumer Reports of Actual or Alleged Ultraviolet Radiation Injury; and Tanning Equipment Operator Training. It is recommended that you develop a detailed procedure notebook or folder that contains the following: Instructions to Consumers; a sample of your Consumer Warning/Consent Form, a sample of your client card and associated records; procedures for tanning equipment testing and maintenance; blank and completed forms used for timer switch testing and maintenance; procedures for reporting actual or alleged ultraviolet radiation injury; a blank copy of the Injury Report; instruction manual for each model of tanning equipment; a copy of the completed application; a copy of the Tanning Facility Regulations; name and address of any current lamp supplier and service person; a copy of instructions and 21 CFR 1040.20 certification for each type of eyewear sold or available; information on protective eyewear sanitizer; Formal Training Certificate for each operator; lamp equivalency documentation, if applicable; and a copy of any service reports or invoices. Note that items containing the words “Shall” or “Must” indicate a requirement to comply with Code requirements.

## A. INSTRUCTIONS TO CONSUMERS

1. **For all Consumers.** A formally trained operator shall require each consumer, prior to their initial tanning session, to read a copy of the warning specified in the Tanning Regulations and Initial Visit Statement. The consumer must sign a statement that the information was fully understood and a copy of the Initial Visit Statement must be given to the consumer. The consumer **must** supply a copy of a state-issued photographic identification such as an ID card or driver's license provided by the Office of Motor Vehicles; the operator will attach a copy of this document to the client's record. [LAC 49.I.1337, R.S. 40:2714 (A)]

2. **For illiterate or visually impaired persons unable to sign their name.** The Warning Statement shall be read by a formally trained operator, in the presence of a witness, and the witness and the operator shall sign the statement.

3. **Minors.** Minors are not permitted to use UV tanning equipment. Minors are not currently prohibited from using spray-tanning equipment or red-light therapy devices. [LAC 49.I.1319(D), R.S. 2714 (E)]. Note that all UV tanning equipment must bear a permanently-affixed label with the following information, effective August 26, 2015 (21 CFR 878.4635):

Attention: This sunlamp product should not be used on persons under the age of 18 years.

4. **Completion of tanning profile or client card.** It is recommended that each consumer complete a tanning profile or client card prior to their initial tanning. Client cards shall not be shared. A formally trained operator will require the consumer to complete the client card and shall review questions concerning skin type, medications, skin sensitivity and personal medical information. A formally trained operator will ensure the information contained in the client card is complete and accurate to the best of their ability. The information contained on the card should be updated upon any changes. A formally trained operator is required to determine the initial exposure time and subsequent exposures time. [LAC.I.1337 (C), R.S. 40: 2714(C)]

5. **Skin type.** If tanning equipment has exposure times that vary according to skin type for a given week or time interval; the skin type shall be recorded and located so the operator can use this

information to determine exposure times for subsequent visits. In all other cases, it is recommended that the skin type be recorded. [LAC.I.1327, R.S. 40: 2711 (B)]

**6. Consumer Records.** These shall be maintained for six years, and kept in an organized manner. An individual record shall be kept on each client by visit, date, and exposure time. All consumer records shall be maintained at the facility. [LAC 49.I.1335, R.S. 40:2714 (C)]

**7. Consumer Use of Medications.** A formally trained operator, upon the initial consumer visit, shall determine if the consumer is taking any medications to preclude tanning. Under certain conditions, a pathological skin reaction may occur even with normally sensitive skin. Certain chemical substances contained in various drugs, perfumes, foods or cosmetics can result in a photo allergic reaction. Caution should be exercised when exposing any individual ingesting or topically applying drugs for treatment. If in doubt, have the consumer consult their doctor or pharmacist prior to tanning. A Potentially Photosensitizing Drugs and Substances List shall be readily available at all times. It is strongly recommended for the operator to consult with a pharmacist if there are any questions as to whether or not a drug or substance is photosensitizing. In the event a client is on medication, it is strongly recommended the medication(s) be listed on the client card. [LAC.I.49.1337, R.S. 40: 2714(A)(4)(5)]

**8. Suitability of Consumer Use of the Tanning Equipment.** Suitability of consumer use of tanning equipment shall be determined by a formally trained operator by means of reviewing all relevant information, such as tanning history, skin type and condition, medications, medical history, etc. If a consumer meets the basic profile of tanning (excluding a Type I skin type), then the initial exposure duration shall be determined by a formally trained operator. The exposure duration shall meet the requirements of FDA product labeling at the time of manufacturer. Exposure time versus consumer skin type shall be strictly enforced and not exceeded. Only a formally trained operator shall determine the recommended exposure time. The exposure times for subsequent visits may be set by an on-the-job trained operator, provided a formally trained operator is physically present at the facility, and the formally trained operator has predetermined the exposure times for the subsequent visits. The sequential spacing of exposures of how many hours

or days a consumer must wait between tanning sessions or how many sessions a week are allowed shall not be in excess of the FDA product labeling. The maximum exposure time in minutes according to skin type and number of tanning sessions shall not be exceeded and shall be determined in accordance with the FDA product labels. [LAC 49.I.1343, R.S. 40: 2714 (H)(4)(5)]

**9. Consumers with Skin Problems.** Consumers with current or previous skin problems or who are especially sensitive to sunlight shall be warned to consult their physician prior to using tanning equipment. The facility shall document on the client card or consumer warning form that they have warned the consumer to consult a physician. It is strongly recommended that if a consumer with skin problems is allowed to tan, a permission statement from the consumer's physician be kept on file. Consumers with serious disorders or diseases of the skin should be discouraged from using tanning devices. Note that these consumers could be on highly photosensitizing substances, such as Psoralens or Retin-A.

**10. Consumers with other Health Conditions.** Consumers with current or previous other Health Conditions should consult their physician prior to tanning. It is recommended that if a person with a health condition of concern is allowed to tan, a permission statement be kept on file. [LAC 49.I.1337, R.S. 40: 2710 (B)]

**11. Indoor/Outdoor Tanning.** Consumers should be instructed not to combine indoor tanning and outdoors tanning within a 24-hour period. The time and spacing of exposures or number of visits per week according to the manufacturer s exposure schedule shall not be exceeded. [LAC 49.I.1337, R.S. 40: 2714 (H)(5)]

**12. Consultation of Records.** The consumer's exposure history records (record of visits and exposure times) shall be consulted prior to allowing a customer to tan for each visit. This will ensure the appropriate tanning time has been selected. [LAC 49.I.1337, R.S. 40: 2714 (C)]

**13. Use of Tanning Equipment by Pregnant Consumers.** Use of tanning equipment by pregnant consumers should be strongly discouraged. Those individuals wishing to tan should consult their physician prior to proceeding. It is strongly recommended that if a pregnant consumer is allowed to tan, a physician's permission statement be kept on file. [LAC 49.I.1337, R.S. 40: 2710 (B)]

## **B. USE OF PROTECTIVE EYEWEAR**

The consumer shall have protective eyewear compliant with the Food and Drug Administration's Regulations (21 CFR 1040.20(c)(4)). A formally trained operator shall instruct the consumer in the proper use of the eyewear prior to allowing the consumer to tan for the first time. As applicable, the eyewear shall be inspected for cracks and worn or missing straps. Consumers refusing to wear the protective eyewear shall not be allowed to tan.

An adequate supply of protective eye wear shall be available in the event a consumer does not have their own eyewear. The consumer shall be instructed to adjust eyewear so it fits properly. If the eyewear is designed to have elastic straps, these shall be present. The operator should explain to each consumer, prior to initial exposure, that protective eyewear is important to prevent temporary or permanent eye damage. Recommend that each client have their own personal protective eyewear. Provide single service disposable eye protection to any clients that do not have their own eyewear or provide clean and sanitized reusable eyewear.

**Protective Eyewear Sanitation.** Reusable eyewear shall be sanitized prior to consumer use (unless disposable eyewear is available) by a facility employee. The sanitizer used shall be appropriate for use on eyewear and mixed according to the manufacturer's instructions. The eyewear shall be cleaned to remove the buildup of mascara, etc. and then sanitized. Straps shall also be sanitized. The eyewear shall be soaked if indicated by the sanitizer manufacturer. [LAC 49.I.1335, R.S. 40: 2714 (A)(1)]

## C. EQUIPMENT OPERATION

1. **Operation of the Tanning Equipment.** Upon their initial visit an operator shall give the consumer complete instructions to the consumer on how to operate the tanning equipment. Example: Location of the on-off switch, raising the canopy to its highest extent by using either the manual handle or use of an electrical lift switch; description of body positioning to include floor markings or comfort positions; and an explanation of how to raise and lower the canopy to its desired position. The operator shall instruct the consumer as to the location and proper operation of the tanning equipment's emergency “cut-off” switch. [ LAC 49.I.1335, R.S. 40: 2714 (H)(1)(2)]
2. **Setting Equipment Timer.** A formally trained operator shall determine the exposure time. The consumer shall be allowed to stay in the tanning unit no longer than the manufacturer’s recommended exposure time. It is the registrant's responsibility to ensure that consumers are not allowed to reset the timer. [LAC 49.I.1335, R.S. 40: 2711 (B)]
3. **Precautions for High Pressure Equipment or Equipment with Facial Tanners.** If the tanning equipment is high pressure, the operator shall instruct the consumer about any manufacturer's procedures for turning over halfway through the session, etc. If a tanning unit incorporates a facial tanner, the operator shall describe to the consumer how the option is to be used correctly. SPECIAL NOTE: Equipment with high pressure lamps shall not be used if the filter plate is damaged, broken, or missing. Use of the tanning equipment in this condition may result in serious burns. [LAC 49.I.1335, R.S. 40: 2713 (A)]
4. **Equipment Using a Remote Timer.** If the tanning equipment's only means of activation is by a timer built into the tanning device (there is no separate on-off switch), it is strongly recommended a remote timer be installed. Other means may be used to prevent the customer from resetting the timer.
5. **Emergency switch.** The emergency termination switch shall be operational and tested periodically. [LAC 49.I.1327, R.S. 40: 2711 (B)]

6. **Timer accuracy.** The timer must be accurate within plus or minus 10 percent. The timer shall be operational and shall be tested periodically to insure proper operation. [LAC 49.I.1327, R.S. 40: 2711 (B)]

#### **D. TANNING EQUIPMENT TESTING AND MAINTENANCE**

1. **Lamp and/or Filter Replacement.** The tanning facility registrant shall ensure replacement of defective ultraviolet lamps or filters with a type recommended and specified by the tanning equipment manufacturer. Replacement lamps or filters shall have accompanying FDA compliance information to determine equivalency or certification. In the event a lamp is used that is not specifically recommended by the tanning equipment manufacturer, a compliant equivalency document shall be obtained from the lamp vendor and made available for review by the department upon request. [LAC 49.I.1341, R.S. 40: 2714 (F) & (G)]
2. **Lamp Equivalency.** The registrant is responsible for knowing the recommended lamp to be used in each tanning device and for determining if a replacement lamp is equivalent. If the recommended lamp is not in use, an equivalency document shall be obtained from the lamp manufacturer at the time of the lamp purchase. The document shall be reviewed to ascertain whether it is compliant. This document shall be maintained with other records. [LAC 49.I.1341, R.S. 40: 2714 (F)]
3. **Lamp Replacement Frequency.** The registrant should ensure replacement of ultraviolet lamps at the frequency specified by the manufacturer of the product. [LAC 49.I.1341, R.S. 40: 2714 (G)]
4. **Maintenance Recommendations.** The department suggests the recommended maintenance schedule be followed as listed in the instruction manual, which is required to be available. However, in the event a maintenance schedule is not available, at the absolute minimum, the tanning equipment should be cleaned (particularly cooling fans), reflectors polished, lamps wiped, acrylic cleaned and polished every 250 hours of use. Only knowledgeable, trained

personnel should perform operations around electrical components. The Department of Health and Hospitals assumes no responsibility for any damage incurred by following this schedule.

5. **Testing Requiring Exposure to UV Radiation.** If any testing or maintenance will be performed that requires exposure to UV radiation from the tanning equipment, protective eyewear shall be worn. Eyewear shall be compliant with the requirements in 21 CFR 1040.20(c)(4)(ii). [LAC 49.I.1343, R.S. 40: 2705 (9)(a) & (h)]

## **E. SANITATION**

1. **Tanning Equipment Sanitation.** After each consumer use, the tanning equipment shall be sanitized properly with an approved sanitizer and shall be cleaned and sanitized by a trained operator. The sanitizer shall be intended for use on tanning equipment and shall be used in accordance with the manufacturer's directions. Items such as pillows, acrylic surfaces and other areas that come in contact with the consumer shall be properly sanitized.
2. **Pillows.** A certified operator shall routinely inspect vinyl pillows. If the vinyl on the pillow is split, bacteria and viruses may be harbored inside the warm foam. Any split or cracked pillow shall be replaced or repaired immediately. All pillows shall be sanitized after each use.
3. **Acrylic.** Excessive scratches and cracks in acrylic can also harbor disease-causing organisms. Mildly cracked or crazed acrylic should be replaced. Severely cracked acrylic shall be replaced immediately if the crack(s) could result in injury to the consumer from the crack itself or from touching the ultraviolet lamps. [LAC 49.I.1327, R.S. 40: 2705 (9)(h)]

## **F. CONSUMER REPORTS OF ACTUAL OR ALLEGED ULTRAVIOLET RADIATION INJURY**

A written report of consumer injury for which a consumer complaint was made, a physician was consulted or medical attention was sought or obtained. This report shall be submitted to the Agency **WITHIN 5 WORKING DAYS** after the occurrence and include the following as a minimum:

1. The name of the injured person.
2. The tanning facility name, address, and phone number.
3. The name of the operator on duty.
4. Diagnosed or documented injury type for either actual or alleged consumer injury;
5. Name of attending physician, if applicable.
6. All other relevant information involving the consumer injury. The date, exposure time, copy of the consumer client card, medical report, operator comments, etc., shall be a part of the written report sent to the Department of Health and Hospitals. [LAC 49.I.1339, R.S. 40: 2714 (D)(1-4)]

See sample Tanning Injury Report Form.

## **G. FORMAL TRAINING**

Only a formally trained operator shall be permitted to:

1. Determine skin types
2. Determine consumer use of potentially photosensitizing medications
3. Review a medical/skin history when initially completed
4. Review and sign the Consumer Warning when initially completed
5. Review, sign and ensure necessary documentation is completed for minors or illiterate or visually impaired persons
6. Instruct a consumer in proper use of protective eyewear prior to an initial exposure
7. Determine exposure times [LAC 49.I.1343, R.S. 40: 2714 (H)]

## **H. OTHER ISSUES NOT COVERED BY REGULATIONS:**

**Consumers with Contact Lenses.** If applicable, it is recommended consumers remove hard contact lenses while tanning. It has been determined that the eye may become dehydrated during a tanning session, thus removal will be advantageous. If contacts cannot be removed (i.e. disposable or extended wear lenses), the consumer may want to use saline drops in each eye to maintain moisture.

**Consumers with Cataracts.** It is strongly recommended that consumers diagnosed to have cataracts or that have had cataract surgery avoid the use of tanning equipment. In addition, those who have had any type of eye surgery should consult their doctor prior to tanning. The facility should document in writing on the client card or consumer warning form that they have warned the customer to consult a physician. It is strongly recommended that if a consumer with cataracts or has had cataract surgery is allowed to tan, a permission statement from the consumer's physician is kept on file.

**Nude Tanning.** Consumers wishing to tan nude should be instructed as to exposing the nude part one-third to one-half of the recommended exposure time until skin pigmentation (color) gradually matches the rest.

**Removal of Makeup and Other Substances.** The consumer should be advised to remove all makeup, lotions or sun screens prior to tanning. Many of these products may aid in skin photosensitivity or aggravate a pre-existing condition.

By my signature affixed below, I certify that:

I acknowledge that I have received a copy of the *Tanning Facility Operating and Safety Procedures Manual* of the Louisiana Food and Drug/Milk and Dairy Unit.

I have read and understand the Louisiana Food and Drug Tanning Facility Operating and Safety Procedures.

I understand as the registrant, or facility manager, that all equipment operators are required to comply with the provisions set forth herein.

AND I HEREBY AGREE TO FOLLOW THESE OPERATING PROCEDURES.

NAME OF FIRM: \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

(Registrant)

SIGNATURE: \_\_\_\_\_

(Manager)

DATE: \_\_\_\_\_