The Sunbed (Regulation) Bill

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Skin Cancer

- Sunlight and light from sunbeds causes DNA and tissue damage.
- DNA damage causes mutation, mutation causes cancer and ageing.
- There has been a fourfold increase in reported rates of skin cancer over the past 30 years.
- 8,809 new cases of melanoma in 2007 in the UK. 1,847 melanoma deaths in 2008.
- First use of sunbeds before the age of 30 years increases the risk of malignant melanoma by 75%.
- It is estimated that sunbed use accounts for approx 370 new cases of melanoma and 100 deaths each year in the UK.
UV-emitting tanning devices are "carcinogenic to humans" IARC

Indoor Tanning put in Same Category as Sunshine

Public Response: Duh.

Media reports comparing indoor tanning to toxins like mustard gas, cigarettes, and arsenic are outrageously overhyped. The same "group 1" category includes red wine, salted fish, and regular sunlight—so these sensational headlines are as absurd as saying "A glass of merlot is as deadly as mustard gas."

UV light from a tanning bed is the same as UV light from the sunshine, which has had the "group 1" classification since 1992. So it’s no surprise that tanning beds have now been put in this category as it has long been understood that OVEREXPOSURE to UV light, whether from the sunshine or a tanning bed, is associated with increased risk of some forms of cancer. This is why the Indoor Tanning Association has always emphasized the importance of moderation.

Don’t fall for the same old media scare tactics.
The pressure for regulation……

- Call for under 18 ban by WHO (2004), EU (2006)
- Enactment of sunbed legislation in Scotland
- Proposals to introduce sunbed legislation in Wales and Northern Ireland
- New reports from UK and international expert advisory groups highlighting sunbed-related cancer risks
- Widespread media interest in the unsupervised use of sunbeds by young people
- Sustained lobbying by various health and consumer organisations.
- Evidence that voluntary action by industry failing
The Response

• What controls already exist?
• Are they up to date?
• Is there a health risk from sunbeds – what’s the scientific evidence?
• Do children in Wales use commercially operated sunbeds?
• Better Regulation?
“Make sure that children (under 18 years of age) accompanying adults, who are using UV tanning equipment, are not exposed to UV radiation”

“When carrying out your risk assessment, you are advised to consider the advice of the World Health Organization and EU Scientific Committee on Consumer Products who have recommended that under-18s should never use UV tanning equipment.”

“advice in this leaflet intended to reflect good practice”
‘to assess and advise COMARE on the health effects and risks arising from the exposure to UV radiation from artificial tanning devices and to advise on the adequacy of the appropriate controls and the need for further research’
CRUK Study 2009
1022 11-17yr old children

- 8.2% of 11-17 yr olds used a sunbed
- = 21,545 in Wales based on 2008
- 16.7% of 15 – 17 yr olds
- More than 1 in 5 girls 15 – 17 had used a sunbed (22.5%)
- 41.5% had been unsupervised.
"It is my intention to prohibit the use of sunbeds by persons under 18 years of age and also ban the operation of unstaffed sunbed salons in Wales."

“I have asked Welsh Assembly Government officials to consider all legislative means to enable the Welsh Assembly Government to achieve the policy aims”
Pursue all legislative means...
Private Members Bill

• Private Members' Bills ballot Nov 2009
• The 20 MPs who are successful in the ballot gain priority
• Julie Morgan MP drawn 5th
• 1st Reading 16th Dec 2009
• Sunbeds (Regulation Bill) launched 13th Jan 2010
• 2nd Reading 29th Jan
• Public Bills Committee 10th Feb
Sunbeds (Regulation) Bill 2009-10

Type of Bill: Private Members' Bill (Ballot Bill)
Sponsor: Julie Morgan

Progress of the Bill

Last event: Committee Stage Debate: 1st sitting: House of Commons | 10.02.2010
Next event: Report stage: House of Commons | 26.02.2010
MP fears block over sunbeds

26th February 2010

Welsh MP Julie Morgan has warned that rogue Conservative backbenchers may attempt to block her efforts to ban under-18s using sunbeds.

Ms Morgan told EHN she was worried that her private members bill might not reach the statute books before the general election.

'All the main political parties support the bill but there are a number of Conservative backbenchers who might block it,' she said.

'We reach the third stage on the 26 February and if one person objects, it is then put off until the next Friday and it could go on that. They could stop it.'

However, she stressed that her opponents were 'a very small minority' and that most MPs agreed the ban 'was a most overdue measure'.

'So many organizations have weighed in behind this bill. There has been a lot of high-profile publicity. And there is such general goodwill.'
NEW CLAUSE

Restrictions on sale or hire of sunbeds

Mr Christopher Chope

To move the following Clause:—

'(1) A person who sells or hires or offers for sale or hire any sunbed shall ensure—

(a) that the specification of the sunbed complies with European standard EN 60335-2-27, and

(b) that any UV radiation emitted by the sunbed does not exceed 0.3 watts per square metre.

(2) Any person who is in breach of the provisions of subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.'
COMARE recommendations – what’s not in the Bill?

1. Prohibiting commercial sunbed use by under 18s (including sale or hire)
2. Banning unsupervised or coin operated tanning facilities
3. A requirement for all commercial tanning facilities to be registered and licensed
4. Protective eyewear should be provided and its use compulsory
5. Health information should be provided to users and visible on machines
6. Informed consent should be obtained from clients prior to use
7. The use of sunbeds by persons in at risk groups should be discouraged
8. Prohibiting the promotion of unproven health benefit claims
9. Sunbeds should comply with the relevant technical standards
10. Local authorities should have a duty to inspect premises and be given relevant powers and sanctions
11. Requirements for operator competence and staff training
12. Increased funding for publicity campaigns
13. A review of sunbed industry advertising
14. Recommendations for additional research
What's not in the Bill - EC SCCP on maximum emissions

Monthly Average UV-Index

Brisbane

SCCP Limit: 0.3 W m\(^{-2}\) eff

Some sunbeds hitherto 20+
The Sunbeds Regulation Bill
Clause 1 Interpretative Provisions

“Sunbed” means an electrically-powered device designed to produce tanning of the human skin by the emission of ultra-violet radiation.

A “sunbed business” is a business that involves making one or more sunbeds available for use on premises that are occupied by, or are to any extent under the management or control of, the person who carries on the business; and those sunbeds are the sunbeds to which the business relates.
A person who carries on a sunbed business ("P") must secure —

(a) that no person aged under 18 uses on relevant premises a sunbed to which the business relates;

(b) that no offer is made by P or on P’s behalf to make a sunbed to which the business relates available for use on relevant premises by a person aged under 18;

(c) that no person aged under 18 is at any time present, otherwise than in the course of providing services to P for the purposes of the business, in a restricted zone.
What is a restricted zone?
Clause 3 - Exemption for medical Treatment

The use of a sunbed falls within this subsection if —

(a) the use is for the purpose of medical treatment provided under the supervision or direction of a registered medical practitioner, and

(b) the sunbed is a dedicated sunbed in, or provided by, a healthcare establishment.

(use, offer and presence in a restricted zone does not then apply)
Clause 4 - Power to make regs restricting use, sale or hire of sunbeds

1(a) to secure that the use of sunbeds to which the business relates is supervised in such manner as the regulations may require;

(1)(b) and (c) enable regs to extend the duties in clause 2(1)(b) and (c) (sunbeds not used, or offered for use to <18) so that they apply in respect of businesses where the sunbeds are located in domestic premises.
Clause 4 cont. - Power to make regs restricting use, sale or hire of sunbeds

(2) enables regulations to be made banning or restricting the sale and hire of sunbeds to persons aged under 18.

(regs may cover face-to-face and remote transactions e.g. internet).
(3) Before making regulations under subsection (1)(a) or (2), the appropriate national authority must consult persons appearing to the appropriate national authority to have an interest in the subject-matter of the proposed regulations.

(4) Consultation undertaken by the appropriate national authority before the commencement of this section is as effective for the purposes of subsection (3) as consultation undertaken after that time. (NB - Act comes into force at the end of the period of 12 months beginning with the day on which it is passed)
Clause 5 Power to require information to be provided to sunbed users

(1) Regs may require person who carries on a sunbed business —

(a) to provide, in prescribed circumstances and in a prescribed manner, prescribed health information to persons who are using or may seek to use a sunbed;

(b) to display prescribed health information in a prescribed manner and in a prescribed form.

(2) “health information” means information about the health risks associated with the use of sunbeds.
Clause 5 - purpose and effect

Reducing health risks from the use of ultraviolet (UV) tanning equipment

UV tanning equipment

Important warning: There are health risks associated with using ultraviolet (UV) tanning equipment. Skin cancer, cataracts, premature aging of the skin, sunburnt skin, dryness and itching, hyperpigmentation, and eye irritations/sensitivities. Any exposure to UV radiation from tanning equipment is potentially harmful. Please consider the following information when deciding whether to use this equipment or not.

Healthy and Safety Executive

Don’t use UV tanning equipment if you have a particular condition or reason.

- Avoid using tanning equipment if you have a skin condition that affects the skin’s natural color.
- Consult your doctor before using tanning equipment if you have a history of skin cancer or other skin-related conditions.
- Avoid using tanning equipment if you have a history of sunburn or sensitivity to UV light.
- Avoid using tanning equipment if you have a history of premature aging or photoaging.
- Avoid using tanning equipment if you have a history of eye problems, such as cataracts or glaucoma.
- Avoid using tanning equipment if you have a history of skin infections, such as psoriasis or eczema.
- Avoid using tanning equipment if you are taking any medications that may increase sensitivity to UV light.

Know your skin

- Highlight your skin to identify your skin type:
  - Type I - Extremely fair skin. Often has blonde eyes and hair.
  - Type II - Fairly fair skin. Usually has fine hair.
  - Type III - Fairly fair to medium skin. Usually has straight, fine hair.
  - Type IV - Fairly fair to Medium skin. Usually has straight, fine hair.
  - Type V - Medium skin. Usually has thick, coarse hair.
  - Type VI - Darkly skinned skin. Usually has thick, coarse hair.

- Your tanning equipment should not be used by anyone with a skin condition or problem that affects the skin’s natural color.

The International Commission on Non-Ionizing Radiation Protection (ICNIRP) has recommended that use of UV tanning equipment for non-religious purposes.

- Avoid using UV tanning equipment if you have a skin condition that affects the skin’s natural color.

- Avoid using UV tanning equipment if you have a history of skin cancer or other skin-related conditions.

- Avoid using UV tanning equipment if you have a history of sunburn or sensitivity to UV light.

- Avoid using UV tanning equipment if you have a history of premature aging or photoaging.

- Avoid using UV tanning equipment if you have a history of eye problems, such as cataracts or glaucoma.

- Avoid using UV tanning equipment if you have a history of skin infections, such as psoriasis or eczema.

- Avoid using UV tanning equipment if you are taking any medications that may increase sensitivity to UV light.

Useful information: Sunsmart, the UK’s national skin cancer prevention campaign at www.sunsmart.org.uk

This information is for general advice only. For further information, please contact your local health professional.

www.hse.gov.uk/tanning
Type I  
"Always burns; never tans."

Type II  
"Burns easily; tans minimally."

Type III  
"Bums moderately; tans gradually to light brown."

Type IV  
"Burns minimally; always tans well to moderately brown."

Type V  
"Rarely burns; tans profusely to dark brown."

Type VI  
"Never burns; deeply pigmented; insensitive."
(3) Regulations may make provision prohibiting any person who carries on a sunbed business from providing or displaying any material that contains statements relating to the health effects of sunbed use other than —

(a) statements containing information prescribed under subsection (1), or

(b) statements containing any other information prescribed for the purposes of this subsection.
Clause 5 – health claims

purpose and effect

TV and computer games blamed for return of rickets

From The Times
January 22, 2010

David Rose, Health Correspondent
61 COMMENTS | R E C O M M E N D 0 (1)

The many hours children spend indoors playing computer games or watching television may be to blame for a resurgence of rickets.

Scientists say that rickets is becoming "disturbingly common" among British children. The disease is caused by chronic vitamin D deficiencies, which can be triggered by long periods out of natural sunlight and a poor diet.

Writing in the British Medical Journal, Professor Simon Pearce and Tim Cheetham, of Newcastle University, called for milk and other food products to be supplemented with vitamin D in an attempt to counteract the problem.

Vitamin D is produced naturally when the skin is exposed to sunlight, and is also found in a small number of foods, primarily fatty fish such as salmon, tuna, and mackerel, egg yolks, and vitamin D-fortified milk and cereals.

Medical studies around the world have proven the benefits of Vitamin D in association with:

- Cellular Health: including breast, colon and prostate cancers
- Bone Health: including osteoporosis, hip fractures, osteomalacia and hip fractures
- Organ Health: including high blood pressure, hypertension and heart disease
- Mental Health: including SAD, PMS, depression and general mood
- Auto-immune Diseases: including multiple sclerosis, Type 1 diabetes and rheumatoid arthritis
- Skin Disorders: including psoriasis
- Obesity and exercise programmes
Clause 6 - Regulations – Protective eyewear

requiring any person who carries on a sunbed business—

(a) to secure that protective eyewear meeting prescribed requirements is made available in connection with any use of a sunbed to which the business relates, and

(b) to secure as far as reasonably practicable that persons who use a sunbed to which the business relates wear protective eyewear meeting those requirements.
Clauses 7 - 11.

7. LA to enforce and appoint authorised officers.
8. Obstruction etc. of authorised officers.
10. Regulations: general. (offences – £20,000 and defences)
11. Regulations: control by Parliament or National Assembly for Wales. (executive competence)
12. Interpretation. (e.g. premises includes any vehicle, vessel tent or movable structure – LA includes PHA)

13. Financial provisions. (creates a charge on public funds < £100, 000)

14. Short title, commencement and extent. (Sunbeds (Regulation) Act 2010 - 12 Months – Eng & wales)

The Schedule: (entry, inspection, production, possession, test purchase etc.)
Where do we go next?

- Report stage now 12\textsuperscript{th} March
- Likelihood of success?
- Election?
- Health Act?
- LCO?
- HSWA?
Last thoughts

“There is a requirement for research to establish why some fair skinned people find tanning desirable and to determine how behaviour can be changed.”

COMARE 13th Report