

## Guide to Conducting an Inspection of a Tanning Facility

### IDPH/Bureau of Radiological Health

The purpose of this guide is to help inspectors conduct a good inspection of a tanning facility, its units, and its personnel. It will describe each section of the inspection form in detail. Please call 515-281-0430 if you have any questions after studying the guide.

Facility name: the name on the facility permit

Registration number: the number on the facility permit

Address: the physical address of the facility. If the facility has moved and not changed the address on the permit, this is not a violation but remind them that they need to notify IDPH and get an updated permit.

For the rest of the form, use a check in each box to indicate a non-compliance and an “ok” to indicate compliance. Do not leave boxes empty.

“Large warning sign is posted at signup area” : This sign is an 8x11 inch sign with the IDPH health warnings. It can be printed from our website. The old signs were in red and white but the new ones should be printed in black and white. It should be posted where it is readily visible where the customers sign in with the operator.

“Trained operator is present at all times”: Ask to see the tests for all individuals who serve the tanning customers. Log the name, date of the last test, and note if the test was properly signed and dated. The employee test has specific instructions about the signatures. The date of the test should be within 5 years. If the owner says she is the only operator, ask “who checks in the customers when you aren’t here?” All individuals who check in tanning customers must be trained even if that is all they do. Ask about the facility hours and if tanning is allowed after hours. Do they allow customers to have keys to the facility? Handing out keys means a trained operator is probably not present.

“Operator is at least 16 years old.” Ask the age of all operators. Individuals who only clean the units and don’t check in or deal with customers in any other way are not classified as operators.

OPTION 1: “operator is close enough to properly monitor the tanning session.” Can the operator hear the customer if there is a problem? Where is the room located in comparison to the operator? If there is a back door that customers can use, how does the operator monitor the customers using the door? Can she see them? Does she have control?

OPTION 2: "Operator can be summoned by the consumer and reach the consumer within a reasonable amount of time": If the unit is located away from the sign-in area and outside of hearing range of the operator, there must be a way for the customer to summon the operator if help is needed. A door bell or baby monitor will work. Again, the operator must be able to monitor the coming and going of customers even if she cannot hear them except through an external device.

"Current IDPH permit to operate is displayed in an open public area." This area should be visible to all customers, not just posted in the tanning room. The expiration date must be current. Check the current owner/manager to make sure the right one has the permit. Many times the facility changes hands or managers and the permit is not updated. If the owner/manager listed is not the current one, this is a violation.

"Advertising promotes only cosmetic effects". The signs and posters and ads can say tanning makes you look good or feel good, but cannot say it makes you healthier or prevents sickness.

"Total number of visits and tanning times are recorded for each consumer after each visit." This should be recorded on a client card or on the facility computer. There must be a record of the date of each visit and the number of minutes the consumer tanned.

"Tanning sessions follow the manufacturer recommendations for frequency of sessions". The manufacturer's recommendations for frequency of sessions is on the unit label. It will say "allow 48 hours between sessions" or "only 3 sessions the first week" or "24 hours between sessions the first week" or something similar. If you can't find any reference to frequency of sessions, then 24 hours between sessions is allowed. Be careful. Some have a different frequency at the beginning (ex.: allow 48 hours between sessions for the first 3 weeks) of the cycle.

Next, spot check the client records for compliance. Especially note new tanners where the frequency may be only 3 sessions the first week or 48 hours between sessions the first week. All units have the frequency on the label. It is specific to the unit.

If the facility has more than one unit and the frequencies are different on each unit, the client card must state which unit the consumer used. The consumer cannot tan in a 48 hour unit on Monday and a 24 hour unit on Tuesday.

Operators are NOT allowed to change the frequency of sessions. That is a violation.

"Minutes per tanning session follow manufacturer recommendations for the consumer's skin." Check the client card especially for consumers just starting to tan. Are they working up gradually as is recommended or are they starting out at the maximum. Starting out at

maximum is an invitation to burn and a violation. The only time starting out at maximum is not a violation is if the consumer started with a good tan (came from another facility, for example). In this case, the operator must note on the client record that the consumer was already tan. That gives justification for the deviation in following the recommendations and would not be a violation. I have seen facilities start everyone out at 10 minutes in a 20 minute bed. This is a violation. Even if they advance the consumer quicker than recommended, (3 minutes twice, then 5 minutes twice, etc. instead of 3 minutes for the 1<sup>st</sup> week, 5 minutes for the second week, etc) the buildup must be gradual to be compliant. All deviations from the labeling must be logged on the consumer card.

Check the consumer card for “burn easily”. If this is checked, the minutes should be lower per session and advance according to the recommended schedule. These people should not be advanced faster.

“Signed and dated IDPH warning statements are on file for each consumer. Statements have been signed within the current year.” Each consumer must read and sign a statement that they “have read and understand the IDPH health warnings” each year. You are looking for documentation that this has been done. Some facilities use a separate sheet. This is difficult to cross-reference who has signed and who has not. Difficult to check but not a violation. Question the operator about the procedure for verifying that all have signed. Some computers have a red box that blocks further tanning until the statement is signed. The best way is to have the consumer sign the record card with the statement and date. Make sure the date is within the current year. But there is no one required method.

#### OBSERVATIONS:

The best way to verify if an operator is following all of the rules is to watch her check in consumers. Many times the operator can tell you what is right, but doesn't follow it in operation.

Eyewear: what is available? There may be others not listed here but it must have the “Meets 21 CFR Part 1040.20” on the label. If they don't have any eyewear for sale, ask how they expect their consumers to use the proper eyewear. Not a violation but may indicate that they are not requiring consumers to wear the correct eyewear.

Option 1: Watch to see if the operator asks to “SEE” the eyewear or just asks “Do you have your eyewear?” The last question is not sufficient. The operator must see the eyewear to verify that the strings are attached if the eyewear came with strings. Peepers, Supersunnies, and EyeCandy all come with strings. I usually suggest that the operator have stretchy string available to give to the consumer if the eyewear is lacking strings. This makes the eyewear legal.

Option 2: The facility may provide disposable eyewear in each room and post a sign stating that the eyewear is provided and must be worn. If this option is chosen, the operator does not have to ask each consumer to see her eyewear.

Eyewear may not be cleansed and reused by another consumer. Look for spare eyewear in the tanning room. Ask questions like “What do you do if a consumer forgets her eyewear?” “Do you ever lend consumer’s eyewear?” If a consumer’s eyewear is kept at the counter for them, it must be labeled with the consumer’s name and stored so the eyewear is not touching someone else’s eyewear. You may also ask a consumer what happens if she forgets her eyewear. Does the operator lend her a pair? If yes, it is a violation.

Cleansing: Option 1. The operator or staff member must cleanse each unit after every tanning session. Some facilities will leave cleaning solution in the rooms. It is not a requirement, but highly suggested that the solution be labeled as cleaning solution so that a consumer does not use it as a water spray bottle.

Option 2. Cleansing may be performed by the consumer provided that the operator instructs the consumer annually on how to properly cleanse the unit, the consumer signs a statement agreeing to cleanse the unit, signs are posted in each room reminding the consumer to cleanse the unit and the proper way to do it, and the operator cleanses the unit at least once a day.

You may question any consumer to see if, 1. She has cleansed the unit, and 2. If she was instructed about how to do it. Look for clean towels and cleaning solution in each room, and 3. Does she remember signing a statement agreeing to cleanse it. Ask to see the statements and check the dates. Remember it has to be signed once a year along with the IDPH health warnings. I usually suggest doing both at the same time.

Operator demonstrates ability to judge skin types and assign tanning time accordingly. I have them judge my skin. I try to wear long sleeves so that they have to look at face and hair. Remind them that hair color can be changed and clothing can cover skin type. Hands are typically darker than upper arms. I expect them to ask to see arms and to ask when I last tanned. Ask if I tan easily or burn easily, etc. This compliance/noncompliance is a judgment call on your part. Do you feel comfortable that the operator knows what she is doing?

## Page 2

The second page is for the room and equipment. I like to start here so that I can get the manufacturer’s recommendations before I look at the consumer records.

Small warning sign posted in room. This 6x9 inch sign can be printed from our website. It was originally in red and white but may be printed in black and white. One must be posted in each room where it is readily seen.

The current IDPH health warnings/drug list is posted in each room. This is the same warnings that each consumer reviews annually. A copy must be posted in each room where it is readily seen.

Labeling is present on the unit. This is an FDA requirement. The label must read: DANGER ultraviolet radiation. Follow instructions. Avoid overexposure. As with natural sunlight, overexposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause premature aging of the skin and skin cancer. WEAR PROTECTIVE EYEWEAR; FAILURE TO MAY RESULT IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES. Medications or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult a physician before using a sunlamp if you are using medications or have a history of skin problems or believe yourself especially sensitive to sunlight. If you do not tan in the sun, you are unlikely to tan from the use of this product.”

The label also must include the recommended exposure positions, directions for achieving the recommended exposure position (standing here or there), recommended exposure schedule (you use this to review the consumer cards), the time it may take for results to appear, and the type of lamp to be used.

If the label is worn to the point of unreadable, it must be replaced and is a violation.

Timer does not exceed the labeling. The maximum number of minutes allowed is shown on the label. The timer may not exceed this. Try to turn the timer knob past the maximum time or run the digital timer up to see if it will go past the maximum time.

Timer is controlled by the operator. The timer does not have to be hardwired to an outside timer. This is preferable but not required. If the timer is outside of the room and mounted on a wall, it must be within the operator’s control and not located so that the consumer can set or reset the timer without the operator’s knowledge.

If the timer is not hard-wired, the session must be timed with an accurate kitchen or perm-type timer at the operator’s location. The unit’s time is set in the room and the timer is set where the operator has control. In this case, the operator must be able to either access the room if the timer does not shut off or shut the unit off with a breaker box. The breaker box must be conveniently located. This method of timing may work for 1 or 2 units but not more than that. For more than 3 units the operator loses control of the timers and the timers must be hard-wired.

Ask yourself the question: does the operator have control of the timers when each consumer is tanning? How distracted is she to miss the timer buzzer?

Tokens match exposure intervals. This only applies to token controlled units. If the exposure schedule goes up on 3 minute increments, the tokens must be 3 minute tokens. Etc.

Exposure can be terminated without disconnecting the unit. The unit usually have a switch or button to stop the exposure. Some older units only stop when the lid is pushed up. You have to turn the unit on to test this. Make sure you wear your eyewear.

Physical barriers are present and in good shape. This means the acrylics. Are there broken pieces or cracks that you can feel?

Unit is in good repair. Does the lid lift easily? Are the handles present and on tight? Are there any bare wires? Any loose metal pieces? Etc.

Lamps are correct. The recommended lamp type is listed on the unit label. Check the lamps to make sure that is what is in the unit. If not, there must be an equivalency chart on file at the facility. This chart is from the lamp supplier and lists the recommended lamp and all brands of lamps that are equivalent to it. The lamps must match on the chart. No match, a violation. No equivalency chart is a violation.

### Concluding

After citing the violations, you may decide that the operator present is the problem and recommend that the owner retrain the individual. Make a note in the comments section.

Check the box for violations or no violations. Be sure to leave the address for any responses.

Each facility should receive a copy of the inspection form. Each facility will pay an inspection fee of \$33 per unit up to \$330. That is billed from the county health department. You may use the inspection forms provided by IDPH or your own as long as the same items are covered.

Written responses to violations must be received within 30 days of the inspection or notice of violation received. If the violations are severe enough, a second visit may be needed to see if the violations have been corrected.