

# Training Program for Managers and Operators of Tanning Devices

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No individual may operate a tanning unit until the individual has completed this training program and passed the required test. Please follow the directions carefully.

- 1. Study this training document and the Department of Inspections, Appeals and Licensing (DIAL) Health Warnings and Photosensitizing Drug list.**
- 2. Complete the test as instructed.** You may refer to this manual when taking the test. Managers are free to take the manager test on the state tanning website, unless their county health department administers the test locally.
- 3. Employees who directly operate a tanning bed (tanning operators) must pass the operator test monitored by the owner/manager.** The test must be filed in the tanning facility for as long as the employee works there.

## Purpose

The purpose of regulating tanning facilities and requiring manager and operator training is to set minimum safety standards for operating tanning beds and to protect public health. Misusing tanning equipment can cause immediate unwanted effects and permanent damage. Operators are responsible for educating themselves and running facilities in ways that reduce health risks.

## Part I. Light and ultraviolet radiation

Ultraviolet radiation (UV) is part of sunlight. It is measured by wavelength in nanometers (nm), where one nanometer equals one-millionth of a millimeter. UV light is divided into three categories:

- **UVA:** 315–400 nm, 97% to 99% reaches Earth
- **UVB:** 280–315 nm, 1% to 3% reaches Earth
- **UVC:** 200–280 nm, 0% reaches Earth

**UVA** is the longest wavelength and is the primary light used in most modern indoor tanning lamps. UVA darkens pigmentation that UVB has already stimulated, completing the tanning process. However, UVA penetrates deeper into the skin, can cause severe reactions with photosensitizers, and is linked to long-term skin damage—such as skin cancer, fine wrinkling, premature aging, age spots, and uneven pigmentation.

**UVB** is the main cause of sunburn but is also the most effective wavelength for tanning the outer skin layer. UVB starts the tanning process.

**UVC** is the shortest wavelength and does not reach Earth's surface because the ozone layer and atmosphere filter it out. Without this filter, UVC would destroy most life. It is called “germicidal” radiation because it kills microorganisms.

### Tanning Lamps:

Many sunlamps emit mostly UVA or mostly UVB. Some people think newer UVA lamps won't cause burns because they filter UVB, but these lamps can emit up to 10 times more UVA than sunlight or older UVB lamps. Burns and damage are still possible.

- **Low-pressure systems** use more UVB, which penetrates only the upper skin layer but can cause burns more easily. They require more frequent sessions to maintain a tan.
- **High-intensity systems** have more lamps and shorter sessions but are still low-pressure.
- **High-pressure systems** use more UVA, which penetrates deeper and can cause permanent damage. These systems require fewer, less frequent sessions and usually have lamps on one side, so the tanner must turn over.

You should know:

- The difference between UVA and UVB waves.
- Which UV type your tanning units use.
- The difference between low-pressure and high-pressure units.

## Part II: UV Light and Its Effect on the Skin

The skin has two main layers:

- **Epidermis** (upper layer)
- **Dermis** (lower layer)

Melanocytes in the bottom layer of the epidermis produce melanin, the pigment that gives skin its color. When exposed to UVB, melanocytes produce more melanin, which darkens and moves to the skin's surface to create a tan. This is the body's way of protecting itself from further UV damage.

### Tanning Phases:

- *Immediate tanning* — color appears right away but may fade within minutes.
- *Delayed tanning* — develops after repeated UV exposure.
  - UVB-induced tans appear after 24 hours and are obvious in three to five days.
  - UVA-induced tans appear within 36–48 hours.

Because tanning results may take up to 48 hours to show, tanning more often than every 48 hours increases the risk of burning.

### Sunburn (Erythema):

If melanin production can't keep up, the skin burns. Burns may cause redness, swelling, and blistering. They appear within 30 minutes to 8 hours, peak at 12–24 hours, and can take up to 30 days to heal. Severe or repeated burns can permanently damage melanocytes, leaving the skin more sensitive to UV for life.

### Dermis Damage:

UVA penetrates to the dermis, which cannot repair itself. Damage may not be visible immediately but can appear years later as wrinkles, thickened skin, or cancer. Skin thickening is a natural defense but can indicate chronic overexposure.

### UV Light and Skin Cancer

UV overexposure is the leading cause of skin cancer. The three main types are:

1. **Basal cell carcinoma** — most common and least harmful. Appears as a raised pink lump with a smooth surface and central depression. May bleed or not heal. Often on the face.
2. **Squamous cell carcinoma** — appears as a sore that won't heal or has a crusted surface. Can spread to lymph nodes and other body parts.
3. **Malignant melanoma** — least common but most dangerous. Cases have doubled in recent years, especially in women under 35. Early detection has a 95% cure rate.

### Melanoma warning signs (ABCD):

- **Asymmetry** — one half is shaped differently than the other.
- **Border** — irregular, notched, or blurred edges.
- **Color** — uneven mix of tan, brown, black, red, blue, or white.
- **Diameter** — larger than ¼ inch.

Also watch for new growths, bumps, or changes in existing spots. Encourage consumers to see a doctor immediately if anything looks suspicious.

### Skin Types and Tanning

The ability to tan or burn depends on natural pigmentation. Skin types range from:

- **Type I** — always burns, never tans, peels easily.
- **Type V–VI** — naturally dark, needs little or no tanning.

Tanning times are usually calculated for Types I–IV. Use the skin type chart from the Iowa Department of Inspections, Appeals, and Licensing to determine a consumer’s skin type.

#### Guidelines:

1. People who burn easily and don’t tan in sunlight (Type I) shouldn’t use tanning beds.
2. Fair-skinned, red- or blond-haired, blue-eyed, and freckled individuals are more prone to burning and long-term damage.
3. If unsure, select the lighter skin type and start with shorter sessions.
4. There is no such thing as a “safe” tan—melanin release is a defense against UV damage.

You should:

- Understand how UV affects different skin layers.
- Know what melanin is and how it works.
- Be able to identify skin types accurately.

### Part III: Photosensitivity

Photosensitivity is an abnormal skin reaction to light—especially ultraviolet (UV) rays—caused by certain medications, hormones, or heavy metals in the body. A photosensitizer works with UV light to trigger this reaction. Identifying the cause helps prevent burning or other issues, often by reducing tanning times or removing the substance from the skin. Common photosensitizers include medications, cosmetics, and toiletries.

Possible symptoms include:

1. Severe burning—often in small patches—from light doses normally considered safe.
2. Blotchy patches caused by heat or light.
3. Rash with or without itching, possibly affecting all or part of the body.
4. Uneven pigmentation from light exposure combined with medication, or from other causes such as fungus, infection, genetics, or pressure points during tanning.

Certain diseases and allergies can also cause photosensitivity. Genetic traits, such as skin type or susceptibility to specific illnesses, may play a role. Conditions that may cause severe reactions to UV light include:

- Psoriasis
- Lupus erythematosus
- Porphyria
- Skin cancer

**Phototherapy** uses sunlight or artificial UV light for medical treatment and requires a doctor's prescription. PUVA therapy, often used for psoriasis, involves the drug psoralen, a potent photosensitizer. Two types—8-methoxypsoralen (8MOP) and 4.5 trimethylpsoralen—are particularly strong and should only be used in a tanning facility with a doctor's approval.

Review the **DIAL Health Warnings** list for medications that may cause skin reactions. If a consumer is taking any listed medication or one labeled for photosensitivity, reduce tanning times and increase the time between sessions unless a doctor confirms it is safe.

Other photosensitivity risks include:

- **Foods:** Juices from celery, carrots, and citrus fruits can cause skin reactions if they remain on the skin during tanning. Shorten tanning times for people in contact with these foods. Avoid shampoos, soaps, or lotions with food extracts.
- **Photoallergy:** Caused when light reacts with certain skin chemicals. Examples include phenothiazine, sulfonamides, hexachlorophene, sunscreen agents, optical bleaches, topical antihistamines, and some cleaning agents.
- **Cleaning products:** Germicidal or harsh cleansers may leave residues that cause skin reactions with UV exposure. Choose a cleaner that:
  - Cleans effectively.
  - Does not damage acrylic surfaces.
  - Does not cause skin reactions.Always check your tanning unit's user manual for recommended cleaners.

Lotions and cosmetics can also cause problems. Ask consumers to remove all makeup, perfumes, and lotions before tanning. Use only lotions designed for indoor tanning, as many products contain sunscreens, dyes, or perfumes that reduce tanning effectiveness or cause skin sensitivity.

Your consumers must review the DIAL Health Warnings and Photosensitizing Drug List each year and sign an acknowledgment.

**Important safety notes:**

- Tanning when photosensitive greatly increases the risk of severe reactions, including potentially fatal anaphylaxis.
- If therapy tanning is required, it should be done only under a physician's supervision. Written authorization is advised when possible.
- If skin sensitivity is suspected, shorten initial exposure times and monitor closely.
- Some mild reactions, like heat rash, may resolve within 24 hours. Others, like polymorphic light eruption, can last seven to 10 days.
- Pregnancy may increase risks of overheating or blotching—advise a doctor's consultation first.
- "Zebra effect" (striped tanning) often corrects itself with additional sessions.

Always put consumer safety first. If unsure, deny tanning until a doctor approves. Record all consumer reactions, maintain updated history charts, and consider legal advice on liability.

You should:

- Know which substances can cause photosensitivity.
- Recognize the visual signs of skin sensitivity.
- Understand the chemicals in lotions and cleaners that may cause reactions.

## Part IV: Eye Protection

The human eye is poorly equipped to protect itself from UV light.

- **Too much UVB** can damage the cornea (outer surface of the eye).
- **UVA** penetrates the cornea and can damage the retina (back of the eye).  
Both can cause permanent injury or blindness.

Possible damage from UV exposure to the eyes:

- Short-term UVB overexposure can cause swelling, redness, soreness, and a gritty feeling in the eye.
- UVA overexposure can cause retina burns, leading to permanent scarring, reduced sharpness, and loss of color perception.
- Both UVA and UVB can contribute to cataracts that cannot be removed surgically. Reduced night vision is often an early sign.

Iowa Tanning Rules require:

- Each consumer must have their own protective eyewear.
- Facilities may not clean and reuse eyewear for different consumers.
- Eyewear must meet **FDA performance standard 21 CFR 1040.20**—verify compliance with the manufacturer. Avoid unlabeled or non-packaged products.

Approved eyewear brands include:

- Super Sunnies
- Wink Ease (disposable)
- Australian Gold (disposable)
- Intrexco
- Podz
- Red Head
- Sun Globes
- Special Eyez
- Sun-Clipse (Apollo)
- Peepers
- View Keepers (disposable)
- Eye Candy  
(*Swedish Eyes is not approved*)

Operators may not allow tanning without proper eyewear. Looking directly at a lamp for even a few seconds can cause eye burns, permanent scarring, or vision loss. Closing eyes, wearing sunglasses, or using cotton pads is not enough.

Eyewear rules:

- Must be used exactly as the manufacturer recommends.
- May not be altered (e.g., removing straps).
- Operators should check each consumer's eyewear before every session. Keep replacement straps available.
- Alternatively, provide disposable eyewear in each tanning room with posted instructions.

Additional tips:

- Recommend removing contact lenses during tanning, as heat can cause dryness and sticking.

You should know:

- How UV light affects the eyes.
- Which eyewear brands are approved.
- Iowa's protective eyewear rules.
- The dangers of tanning without proper protection.

## Part V: Operation and Management of a Tanning Facility

Facility managers are responsible for training operators in the topics outlined in this manual and providing periodic reviews as needed. Training programs must be approved by the department and include a final test. During inspections, operators may be questioned to assess their understanding and competency in operating tanning devices.

The goal of a tanning facility is to operate within established health and safety guidelines, protect the public, and maintain good business practices that generate a reasonable profit.

### 1. Train All Operators

- Operators must be at least 16 years old and be trained to instruct and/or assist consumers in the safe use of tanning units.
- Managers should allow enough time for thorough training on safe operating procedures.
- No one may operate a tanning device without completing approved training and passing a test.
- Operators must repeat training and testing every five years.
- Training documentation must be kept at the facility and available for inspection. If an operator works at multiple locations, each facility must keep a copy of their training record.
- This training manual is available on the [DIAL website](#).

### 2. Have a Trained Operator Present at All Times

A trained operator must be on-site and close enough to hear and respond immediately if a consumer calls for help. In multi-level or multi-building facilities, call systems such as buzzers or intercoms must be

reachable without the consumer leaving the tanning device. The only exception is for 24-hour electronically controlled facilities (see 496.5(11) of the Iowa Rules).

3. Post All Required Warning Signs

- Post the large DIAL warning sign in a clearly visible location in the sign-in area.
- Post the small warning sign within one meter (39 inches) of each tanning device.
- Post the DIAL Health Warnings and Photosensitizing Drug List in each tanning room.

4. Verify Consumer Review of Health Warnings

Before the first session and annually thereafter, each consumer must review the DIAL Health Warnings and Photosensitizing Drug List and sign a statement verifying they have read them.

5. Determine Skin Type

Operators must know how to determine skin type and use the tanning unit's exposure schedule to gradually build a tan while minimizing risk. Nude tanning areas should be exposed for only one-third of the recommended time until skin color matches the rest of the body.

6. Follow Exposure Schedules

- The exposure schedule posted on each tanning unit must be followed exactly.
- Exposure times and session intervals are set by the manufacturer and cannot be altered. Most recommend 48 hours between sessions.
- Consumers may not alternate between different units to bypass 48-hour limits.
- Base tans allow advancement on the schedule, but exposure must still be gradual, and reasons for changes must be documented. Airbrush tans do not count as base tans.

7. Check Eyewear Before Each Session

Verify each consumer's eyewear for FDA compliance and condition. Ask about photosensitizing drugs or pregnancy before each session. If disposable eyewear is provided, remind consumers to use it.

8. Set and Control the Device Timer

Only the operator should control session times. Prevent consumers from adding extra time. Use timers outside the tanning room or remote shut-off systems. Token timers must be in small increments and never exceed maximum exposure.

9. Provide Additional Instructions

Instruct consumers not to tan indoors or outdoors in addition to their scheduled sessions. Record all session dates and times.

10. Maintain Consumer Records

Keep records of tanning dates, times, units used, and any reactions for at least two years. If multiple consumers share a package, track usage separately for each person.

11. Clean the Unit

Clean all contact surfaces between each use with an approved cleanser to protect the acrylics and prevent photosensitizing issues. Inspect for scratches or damage and replace acrylic sheets as recommended.

An alternative is to train consumers to clean the unit after use, have them sign a statement confirming training, and post instructions in each tanning room. The operator must still clean each unit at least once daily.



## 12. Recognize and Respond to Injuries

- Review emergency procedures regularly. Keep updated emergency numbers visible. Examples of issues and responses:
- **Slight redness:** Cold compress or cool bath; avoid anesthetics.
- **Blisters:** Do not open; apply cold compress; see a doctor if severe.
- **Rash or itching:** Check for allergies; treat as for redness.
- **Eye irritation:** See a doctor.
- **Heat exhaustion:** Cool compress, elevate feet, sip salt water, see a doctor.
- **Heat stroke:** Call doctor immediately, cool the body.
- **Heat cramps:** Massage affected muscles, sip salt water.
- Document all reactions in the consumer's record.

## 13. Advertising Rules

Facilities may not claim tanning devices are safe or promote health benefits such as lowering blood pressure or improving immunity. "Unlimited tanning" may not be advertised. Offer "monthly packages" instead.

You should know:

- Operator responsibilities and liability.
- Required warning signs and consumer notices.
- How to recognize and report injuries.
- Emergency procedures.
- Advertising restrictions under Iowa rules.

## Part VI: Equipment Requirements

### Lamp and Filter Replacement

- Replace defective or burned-out lamps/filters only with approved equivalents listed in the unit manual or from the manufacturer.
- Keep documentation proving lamp equivalency on file. Using non-equivalent lamps voids the manufacturer's exposure chart and violates state and federal rules.
- Do not use adapters to fit incorrect lamp sizes.
- Replace lamps at the manufacturer's recommended frequency, even if they still work. Flickering lamps should be replaced.
- During the first 50 hours of use, lamps produce up to 20% more UV output—reduce exposure times accordingly.

### Protective Barriers and Maintenance

- All lamps must have a physical barrier, such as a wire screen or plastic shield, to prevent direct contact.
- Maintain units according to electrical codes and manufacturer instructions.
- If the unit has a facial tanner, demonstrate proper use and do not operate with damaged/missing filter plates.

### Labeling Requirements

- Ensure all legally required labels are present and legible (see Chapter 496.5(2) of the Iowa Rules).
- Replace worn labels using manufacturer-supplied versions. Hand-made labels are allowed only if the manufacturer is out of business and must be exact reproductions.

### Timer and Safety Features

- Test timers regularly; they should not exceed the maximum exposure time by more than  $\pm 10\%$ .
- Once stopped, timers must not restart automatically.
- If timers are inside the room, a second external timer must be used, along with a way to shut off the unit from outside.
- Each unit must have a “panic” shut-off button within easy reach. Demonstrate its location to consumers.

You should know:

1. Correct replacement lamp types and replacement frequency.
2. Labeling requirements.
3. Timer requirements and safety shut-off procedures.

## Part VII: FDA, State, and Local Regulations

**Federal regulations**—set by the U.S. Food and Drug Administration (FDA)—apply mainly to manufacturers and importers of tanning equipment.

**State regulations** focus on consumer safety and operator practices.

**Local regulations** cover business operations and may add requirements to protect public health, safety, and welfare. Local agencies have the authority to regulate tanning facilities as long as rules are not unnecessarily burdensome.

**FDA rules** (21 CFR 1040.20) form the federal foundation for tanning bed construction, performance, and labeling requirements. These requirements are also reflected in Iowa’s tanning regulations.

FDA inspectors occasionally inspect tanning equipment in Iowa. If contacted by an FDA inspector, immediately notify the DIAL.

## Part VIII: What to Expect During an Inspection

County health departments conduct unscheduled inspections for tanning facilities. Inspectors will try to work around customer appointments when possible.

Be prepared to provide:

- Operator training records.
- Signed consumer statements verifying review of the DIAL Health Warnings and Photosensitizing Drug List.
- Lamp replacement records.
- Tanning session dates and times for all consumers.

Inspectors will question the operator and/or manager about:

- Tanning unit operation procedures.
- Knowledge of Iowa Tanning Rules.

They will also check each unit for:

- Required labeling.
- Operator-controlled timer.
- Manual shut-off button.
- Correct lamps installed.

An inspection form listing any violations will be left with the operator. You must correct all violations and provide written confirmation to the inspector within 30 days.

Common violations include:

1. Starting first-time consumers with sessions longer than the manufacturer's recommendation.
2. Missing annual consumer signatures confirming they have read the DIAL Health Warnings and Drug List.
3. Allowing tanning sessions more frequently than the manufacturer's recommended interval.
4. Operator not present at all times or not properly trained.
5. Allowing protective eyewear to be used without required straps.
6. Not verifying consumer eyewear before each session.

## Part IX: Enforcement Actions

Your permit to operate may be suspended or revoked for:

1. Non-payment of the annual registration or inspection fee.
2. Failure to correct violations cited during an inspection.
3. Any action that creates a threat to public or operator health and safety.

### Permit renewal:

- Renewal notices are sent 30 days before your permit expires.
- A copy of the inspection report is left at the facility.
- You must correct all cited violations and provide written proof to the inspector within 30 days of the inspection date.
- Inspection fees are due at the same time.
- Late fees apply starting the day after the permit expires.

If suspension or revocation is pending, the facility will be notified in writing with the reasons. You may:

- Correct the violations, or
- Request a hearing to contest them.

If a hearing is requested, an administrative judge will make the final decision.



## STATE REQUIREMENTS

### CHAPTER 496 (SUMMARY)

Rules in their entirety can be found at: [www.legis.state.ia.us](http://www.legis.state.ia.us). See Iowa Administrative Rules, Iowa Department of Inspections, Appeals and Licensing, chapter 481, Iowa Code 496.4 & 5.

#### **481—496.4(136D) Permits and fees.**

##### **496.4(1) All tanning facilities must have a permit except**

1. Devices intended for use other than tanning of human skin, (those that give off rays incidental to actual use).
2. Devices intended for use by immediate family only (those within the same household).
3. Devices intended for use for phototherapy by health professionals trained in the treatment of disease.

##### **496.4(2) Each facility must apply for a permit to operate before offering tanning sessions**

- a. Apply for permit to operate with department before operating: \$5 fee
- b. Returned check fee of \$15
- c. Notify DIAL within 30 days of any changes to permit application.

##### **496.4 (3) Expiration of permit**

- a. Permit expires on the date shown on the permit

##### **496.4 (4) Renewal of permit**

- a. Application for renewal must be filed with \$5 fee.
- b. Permit will not expire if renewal application is filed 30 days before expiration date
- c. Late charge of \$25 per month.

##### **496.4 (5) Transfer or termination of permit.**

- a. Permit is not transferable from owner to owner.
- b. Return permit to DIAL if facility closes or changes ownership.

##### **496.4 (6) Denial, revocation, or termination of permit**

- a. Permit can be denied, suspended or revoked for:
  1. Submission of false statements
  2. Conditions warranting refusal of application
  3. Operation that causes or threatens to cause hazard to public health or safety
  4. Failure to allow inspectors to inspect facility
  5. Failure to pay annual registration/permit fees or inspection fees.
  6. Violation of any of the Iowa Rules
- b. Prior to suspension or revocation of permit, the department shall:
  1. Notify the facility in writing of the problem
  2. Provide opportunity for compliance
- c. Any person may request a hearing to appeal decisions

- d. Once the permit is suspended, it may be reinstated upon receipt of \$50 and completion of all agency requirements.

**496.4 (7) Inspections**

- a. Annual inspection
- b. Pay fee of \$33 per device to maximum of \$330. \$25 per month is added for late payment (after 45 days). \$25 penalty for failure to respond to violation or for failure to correct violation.
- c. Inspections is to include proper operation and maintenance, review of records, operator knowledge and rules.

**481—496.5 (136D) Construction and operation of tanning facilities****496.5 (1) Warning signs**

- a. Post a red and white warning sign (specified in rules) readily visible to persons entering the facility.
- b. Post a red and white warning sign (specified in rules) within one meter of tanning device readily visible to person preparing to use device.
- c. Provide written Health Warning and Photosensitizing Drug list from DIAL to each consumer prior to initial exposure and annually after that. Statement must be signed by consumer that the warnings have been read.
- d. Post the written Health Warning and Photosensitizing Drug list from DIAL in each tanning room.

**496.5 (2) Federal certification**

- a. Only devices manufactured & certified by FDA shall be used.
- b. Labeling must meet the following requirements and must say:
  - 1. The following warning: "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 skin and skin cancer. WEAR PROTECTIVE EYEWEAR; FAILURE TO MAY RESULT IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES. Medication or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult physician before using 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."
  - 2. Recommended exposure position(s):
  - 3. Expressed in distance both in meters and feet/inches, or
  - 4. Use of markings or other means to indicate clearly the recommended exposure position.
  - 5. Directions for achieving recommended exposure position(s) and warning that use of other positions may result in overexposure.
  - 6. Recommended exposure schedule which includes:
    - a. Duration and spacing of sequential exposures and
    - b. Maximum exposure time(s) in minutes.
  - 7. Statement of the time it may take before expected results appear.
  - 8. Designation of ultraviolet lamp type to be used in product.

#### **496.5 (3) Tanning device timers**

- a. Each device shall have a timer which complies FDA requirements. Maximum time shall not exceed manufacturer's maximum recommended time. Error factor shall not be greater than plus or minus 10% of indicated setting.
- b. Must have method of remote timing so consumers cannot control exposure time.
- c. Tokens can be used if not issued in quantities greater than the recommended exposure time for the consumer.

#### **496.5 (4) Temperature limits**

- a. Operator must ensure that the facility interior temperature does not exceed 100 degrees F.

#### **496.5 (5) Condition of tanning devices**

- a. Units must be maintained in good repair and comply with all state and local electrical.
- b. Physical barriers shall protect consumers from injury induced by falling against or breaking the lamps.

#### **496.5 (6) Stand-up booths:**

- a. Barriers or markings to indicate proper exposure distance.
- b. Booth construction should be rigid enough to hold up a falling person.
- c. Doors open outwardly. Handrails and non-slip floors shall be provided.

#### **496.5 (7) Protective eyewear**

- a. Each consumer shall provide his/her own protective eyewear or purchase it from the facility. You may not sanitize goggles and reuse them.
- b. Protective eyewear shall meet the requirements of the FDA.
- c. Protective eyewear shall not be altered such as removal of straps, etc.
- d. The facility shall not allow a consumer to tan if that consumer does not use the protective eyewear required.
  - 1. The operator must ask to see the eyewear or
  - 2. Disposable eyewear must be available in the room at all times.
- e. The operator must instruct the consumer about the proper use of eyewear.

#### **496.5 (8) Operation**

- a. A trained operator must be present and within hearing distance when tanning device is operated. If not within hearing distance, an audible device is required such as a buzzer and the operator must be able to reach the consumer within a reasonable amount of time.
- b. Facility's permit must be displayed in an open public area.
- c. Records shall be kept by operator of each consumer's total number of tanning visits and times, and any injuries.
- d. Written report of any tanning injury requiring a doctor's visit shall be forwarded to department within five working days and shall include:
  - 1. name of affected individual,
  - 2. name and address of tanning facility,

3. nature of injury,
  4. name and address of doctor treating the person, and (5) any additional information
  5. necessary.
- e. Defective or burned-out lamps or filters shall be replaced with type intended on product label or with something equivalent under FDA standards.
  - f. Ultraviolet lamps and bulbs not defective or damaged shall be replaced at the frequency recommended by the manufacturer.
  - g. Contact surfaces shall be cleansed with a cleansing agent between uses by the operator or an instruction system may be used where the consumer cleanses the unit as follows:
    1. The operator must cleanse the unit between each use.
    2. The consumer annually signs a statement stating they have been trained in how to cleanse the unit.
    3. Signs must be posted in each tanning room with a reminder to cleanse the unit and instructions on how to cleanse the unit.
  - h. Records required must be maintained for minimum of two years.
  - i. Exposure times, both minutes and intervals between sessions must be according to manufacturer's recommendations.
  - j. No additional person may be in the tanning room at the same time unless protective eyewear is worn. This is intended for handicapped needing assistance, (not children or shared tanning).
  - k. Cannot advertise "unlimited" tanning sessions.

#### **496.5 (9) Training of operators**

- a. All operators must complete a training program approved by the department prior to operating a tanning device.
- b. Owners and managers must pass certification examination every 5 years.
- c. Owners/managers are responsible to train operators.
- d. Proof of training must be on file at facility.
- e. Operators must be at least 16 years old.
- f. Operators cannot operate the tanning units until training has been completed.

#### **496.5 (10) Promotional materials**

- a. The facility shall not claim or distribute promotional materials that claim that using a tanning bed is safe or free from risk. (This includes statements that tanning improves body functions and is healthy.) This is for cosmetic use only.

#### **496.6 (11) Electronically controlled facilities**

- a. Entry into the facility is allowed by card only.
- b. Police and all emergency services will have access to the facility through a key box.
- c. The card will be programmed for the number of minutes the consumer is allowed to tan and may be reprogrammed for an increase in minutes per session only after the consumer has reviewed and re-signed the tanning agreement.



**496.6 (136D) Inspections, violations and injunctions.**

Inspectors shall have access at all reasonable times to inspect the facility

1. A person who operates or uses a tanning device or facility in violation of the rules is guilty of a simple misdemeanor.
2. The department may petition for an injunction against further violations. Permit holder must respond with a corrective action plan and, if applicable, any reasons why the civil penalty should not be imposed or to request a contested case hearing pursuant to 481—Chapter 9.
3. The department will review the corrective action plan and approve it or require that it be modified.