

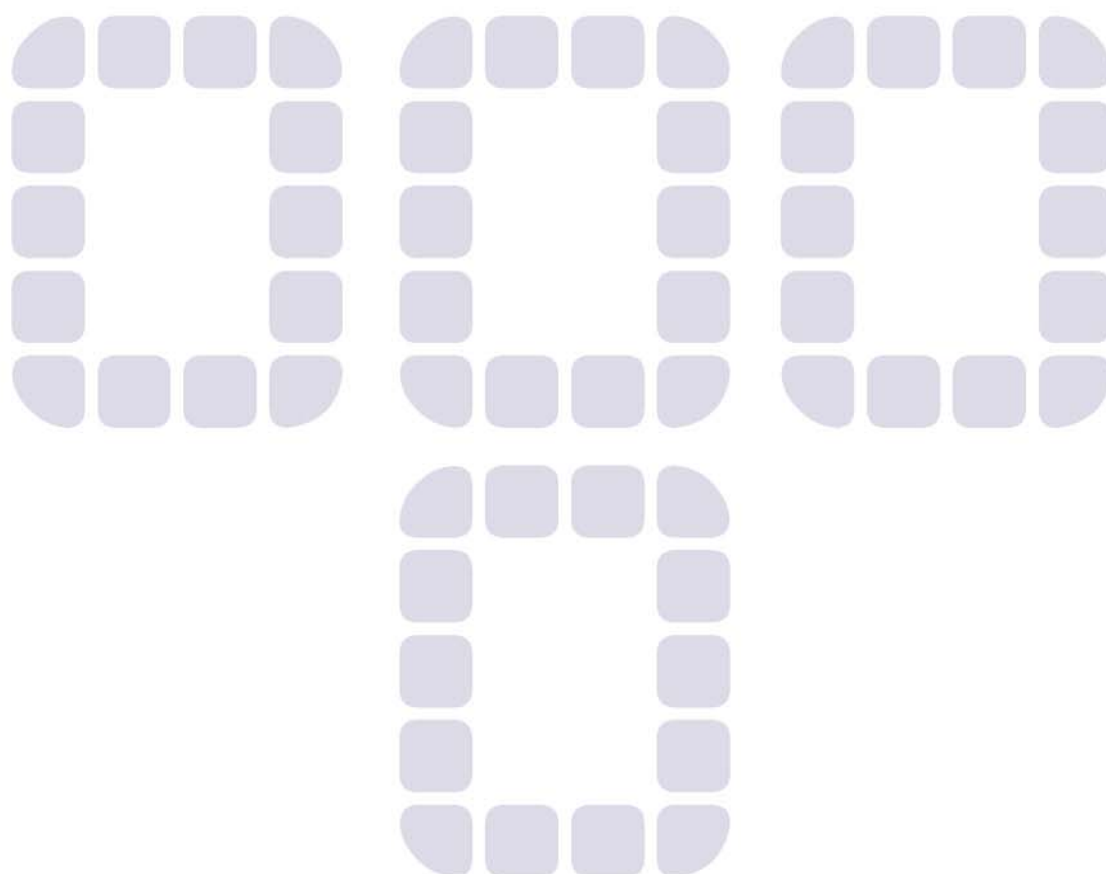
# A SURVEY OF THE SOLARIA INDUSTRY

## Western Australia

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Environmental Health Directorate



## TABLE OF CONTENTS

<b>A</b>	<b>SURVEY OF THE SOLARIUM INDUSTRY IN WESTERN AUSTRALIA</b>	ii
<b>1.0</b>	<b>INTRODUCTION</b>	1
<b>2.0</b>	<b>BACKGROUND</b>	1
<b>3.0</b>	<b>FINDINGS OF THE SURVEY SERIES</b>	2
3.1	Summary of Survey I & Survey II	2
3.2	Survey Results	4
3.2.1	<i>Solarium Promotion and Advertising</i>	4
3.2.2	<i>Training</i>	5
3.2.3	<i>Supervision</i>	5
3.2.4	<i>Consent Forms</i>	5
3.2.5	<i>Warning Notices</i>	5
<b>4.0</b>	<b>LEGISLATION</b>	6
<b>5.0</b>	<b>CONCLUSION</b>	6
<b>6.0</b>	<b>REFERENCES</b>	7
	<b>APPENDIX 1 - Explanation of Survey Questions</b>	8

## A SURVEY OF THE SOLARIUM INDUSTRY IN WESTERN AUSTRALIA

Solaria or sunbeds are known to emit UV radiation that is up to five times stronger than the midday summer sun<sup>9</sup>, yet research undertaken in 2003 by the Australian Cancer Council<sup>10</sup> and the World Health Organisation<sup>9</sup> shows that many people are not being warned about the possible dangers to their skin and their health. The solarium industry in Australia is unregulated and without mandatory operator training requirements. This may increase public health risks of overexposure to UV radiation<sup>11</sup>. Skin cancers account for around 80% of all new cancers diagnosed each year<sup>2</sup> and are a significant cost burden to the Australian health system<sup>2</sup>.

The Australian Competition and Consumer Commission<sup>3</sup> ruled in 2001 that solarium operators may not advertise their services as being safe or healthy. Under the *Trade Practices Act 1974* the proprietors have a duty of responsibility to ensure that the consumers are adequately informed of the risk of solarium use.

The Australian and New Zealand Standard *AS/NZS 2635:2002 Solaria for Cosmetic Purposes* details the requirements for the solarium industry. While the National Cancer Prevention Policy for UV Radiation (2004-2006), the Cancer Council Australia<sup>10</sup>, and the Australian Government Radiation Health Committee (2004)<sup>1</sup> recommend that to reduce the harmful effects of cosmetic uses of solarium, all solarium operators must comply fully with the Standard. The Department of Health's Solarium Working Party (WA) had concerns about levels of awareness and implementation of the standard and recommended the Survey Series in order to investigate the industry in WA. Two surveys were conducted; one before (in 2003) and one after (in 2004) the target group were provided with an educational booklet outlining the Standard.

The results of the surveys showed that, at the time of the surveys, the majority of solarium operators were not appropriately educated or aware of the requirements set out in the Standard. The main issues identified were:

- the lack of proprietor awareness of *AS/NZS 2635:2002 solaria for cosmetic purposes*
- the lack of warning notices displayed within premises
- the lack of knowledge of minimum age requirements
- failure to prevent people with Skin type 1 from using solarium
- the need for training of solarium operators that includes appropriate supervision of clients, knowledge of the Standard and avoidance of misleading promotion or claims about solarium.

Overall, the results indicate that there is a clear need to increase the awareness of, and adherence to the Standard within the solarium industry. Further discussion with stakeholders is recommended to investigate methods to progress possible solutions to protect the health of people utilising solarium who could be overexposed to UV radiation. A media and education campaign undertaken by the relevant agencies is one approach. Alternatively, the regulation of the industry through the *Public Health Bill* (currently in draft form) may also be an effective approach.

## 1.0 INTRODUCTION

A media release by the Cancer Council, WA (2004) revealed that over 290,000 Australians have been exposed to UV radiation from solarium use, and there has been an explosion in the number of solaria in Australia over the past ten years. Also research undertaken by the Cancer Council, Victoria indicated that the requirements of *AS/NZS 2635:2002 Solaria for Cosmetic Purposes* are not being met, particularly in restricting access to minors and unsupervised solarium users.

This paper outlines the results of two surveys conducted by Department of Health, (WA) to investigate the current awareness and implementation of the Standard throughout the industry. The target group participating in the survey series (Survey I - 2003, Survey II - 2004) consisted of 50 metropolitan and rural beauty parlours/hairdressing salons, fitness centres and tanning salons. The surveys were undertaken before and after supplying the operators with an educational booklet outlining the Standard. The Department of Health Solarium Working Party initiated the Survey Series due to health concerns raised in documents by the Cancer Council of Australia, WHO<sup>9-12</sup>, NHMR<sup>8</sup>, the ACCC<sup>3</sup>, and the Australian Cancer Society's National Skin Cancer Steering Committee<sup>4</sup>.

## 2.0 BACKGROUND

The *AS/NZS 2635-2002 Solaria for Cosmetic Purposes* provides requirements for installing, maintaining and the operation of solaria. The Standard also includes requirements for the training of operators, the content of warning notices, appropriate supervision requirements, client consent forms and promotion of solarium use. There is no other standardisation or formal regulation of equipment performance and day-to-day procedures in the large number of commercial solarium establishments operating within Australia. Endorsement of intentional exposure to ultraviolet radiation is a rationale behind this non-regulation of the industry by governing bodies in Australia and overseas. However, the acknowledgement of the continuing popularity of solaria use has been highlighted by organisations such as the State Cancer Council WA (2004), and the Australian Cancer Society's National Skin Cancer Steering Committee<sup>4</sup>.

According to the Australian Institute of Health and Welfare and Australasian Association of Cancer Registries, 2001<sup>2</sup>, over 382,000 people are treated for non-melanoma skin cancer and melanoma each year in Australia, and over 1300 die. Every year, doctors remove around 720,000 lesions from the skins of Australians because they are suspected skin cancers<sup>2</sup>. Melanoma, the most dangerous type of skin cancer, is the most common cancer in people aged 15 to 44 years<sup>2</sup>. Overall, it is the third most common cancer in women, and the fourth most common in men. Skin cancer is the most costly burden to the Australian health system<sup>2</sup>. Melanoma is relatively common in Western Australia. In 2003 it ranked second in males and third in females among the most common major cancer types in either sex (*WA Cancer Registry's Draft Report for 2003*). Skin Cancer Incidence (Melanoma, SCC, BCC), Mortality and Hospital Admissions in Western Australia (2003) can be viewed on the Environmental Health Directorate's Website under Solaria.

Solariums emit UV radiation up to five times stronger than the midday summer sun<sup>9</sup>, yet research shows that many people are not being warned about the possible dangers to their skin and their health<sup>10</sup>. Research on the industry's compliance with the Standard undertaken by the Cancer Council, Victoria (2003) stated that the industry is neglecting its duty to protect customers from the dangers of solarium use.

The Australian Competition and Consumer Commission (ACCC) ruled in 2001<sup>3</sup> that under the *Trade Practices Act 1974*, solaria operators may not advertise their services as being safe or healthy and they have a duty of responsibility to ensure that consumers are adequately informed of the risk of solarium use. The ACCC has since taken action against two promoters of solaria.

WHO<sup>9</sup> recognised the importance of sunbeds as a major public health issue due to the size of the industry and the number of people using them and also the limited controls governing sunbed use. The *Artificial Tanning Sunbeds, Risks and Guidance (2003)*<sup>9</sup> has been produced by WHO as a practical guide intended for government health authorities to assist in the development of public health policy in relation to sunbeds. WHO recognises that over-exposure to UV radiation from the sun and artificial sources is of considerable public health concern and plays an important role in the development of skin cancer and premature skin ageing.

In 1994 WHO released a major scientific review<sup>12</sup> that stated there are adverse health effects associated with sunbed use. The findings of this report have been supported since by a number of key authorities including the International Commission on Non Ionizing Radiation Protection<sup>6</sup>, The National Toxicology Program of the Department of Health and Human Services, the National Radiological Protection Board (UK), the National Health and Medical Research Council (Australia)<sup>8</sup>, and The European Society of Skin Cancer Prevention<sup>5</sup>. Precancerous actinic keratoses and Bowen's disease have also been reported in sunbed-exposed skin in fair skinned users after two to three years of regular sunbed use<sup>9</sup>. Consequences of regular sunbed use could include pain and suffering, early death, and disfigurement, as well as substantial costs to national health systems for screening, treating and monitoring skin cancer patients<sup>9</sup>. Unlike some commercial sectors, the sunbed industry has not shown significant capacity to self-regulate effectively<sup>9</sup>.

The *National Cancer Prevention Policy for UV Radiation (2004-2006)*, Cancer Council Australia<sup>10</sup>, also recognise one of our greatest challenges is to counter the growing influence of solariums as agencies that promote the desirability of a tan and potentially expose users to dangerous UV radiation. The Cancer Council, Australia<sup>10</sup> recommend and encourage state and territory governments to implement and monitor legislation to control solarium operations and promotion. The Australian Government Radiation Health Committee (2004)<sup>1</sup> recommends that to reduce the risk from the harmful effects of cosmetic uses of solarium, all solarium operators comply fully with the Standard.

In 2002, the Department of Health Solarium Working Party was formed with representatives from the Department of Health, the solarium industry and the Cancer Council WA.

The Working Party's objectives being:

- To determine if there were any uniform procedures for training, operating and maintaining solariums;
- To increase awareness of, and adherence to the AS2635:2002; and
- To establish a need, or possibility of regulating the industry by adopting the standards in regulations under the *Health Act 1911* or the (proposed Public Health Bill) to ensure public awareness and appropriate use of the product.

The Department of Health Solarium Working Party (WA) recognised that the Standard sets out requirements that, if complied with, would reduce the risk of overexposure to UV radiation by those who used solarium for cosmetic purposes.

## 3.0 FINDINGS OF THE SURVEY SERIES

### 3.1 Summary of Survey I & Survey II

Department of Health, Scientific Officers conducted a survey of 50 solarium facilities in Perth metropolitan and country regions. Educational material outlining *AS/NZS 2635:2002 Solarium for Cosmetic Purposes* was distributed to the same target group after the initial survey (Survey I) with the aim of raising awareness and implementation of the Standard before conducting Survey II. In order to observe if there was a level of increased awareness and implementation of the Standard, the same questions were answered along with additional questions in Survey II. A Scientific Officer from the Applied Environmental Health Branch was responsible for visiting the various premises and conducting the surveys.

Table 1. below gives the percentage of positive results for the questions answered in Survey I and Survey II. The percentage of awareness and implementation of the Standards within the target group is also highlighted. The premises participating in the survey series (Survey I - 2003, Survey II - 2004) consisted of beauty parlours/hairdressing salons, fitness centres and tanning salons. A total of 12 establishments had either sold the business or solarium units during the survey series and the percentages are adjusted accordingly in Survey II. Table 2. gives the percentage of positive results for additional questions and observations made in Survey II.

**Table 1. Percentage of Positive Results - Survey I, Survey II and percentage change in Level of Awareness**

Questions	Survey I %	Survey II %	Level of Awareness %
*Awareness of the Standard	62	84	> 20
Copy of Standard on Premises	32	63	> 31
A consent form to sign by new client	84	81	< 2
**Warning notices displayed	22	68	> 46
Clients required to wear goggles	100	97	< 3
Aware of min. age for use of solarium	34	41	> 8
Time restriction of 48hrs between uses	82	87	> 5
Allow Skin Type 1 use of solarium	40	34	< 6
Are solarium clients supervised	100	92	< 8
***Staff trained in the operation and use	80	87	> 7
Monitor exposure times based on skin types	98	18	<80
♠ Disinfection of solariums after each use	98	100	> 2
Can UVA increase the risk of skin cancer	84 (8% unsure)	97 (2%unsure)	> 13

\*Result is biased due to Survey Notification Letter advising of the Standard sent to all participating premises prior to commencement of survey.  
 \*\* 22% of Warning Signs displayed in Survey I were not in accordance with the Standard, Survey II - 7% complied with Standard.  
 \*\*\*Majority of training is conducted by solarium distributors, then by beauty school, some by a certificate level training course. The 7% increase in Survey II indicated no difference in the training methods from Survey I.  
 ♠ Approx. 30% of premises that answered 'Yes' to this question required the client to disinfect prior and after use and not a staff member.

**Table 2. Additional Questions Answered in Survey II - Percentage of Positive Results**

Questions	Yes%
2B Was a copy of AS/NZS 2635:2002 Sighted	16.7
3B Was a copy of the consent form available for appraisal	41.0
3C Did the consent form comply with AS/NZS 2635:2002	69.2
4B Do the warning signs comply with AS/NZS 2635:2002	7.7
6B Operators were asked to name the minimum age permitted	41.2
13 Who Services the solariums -	
• Distributor	68.4
• Staff	10.5
• Both	5.3
• Electrician	15.8
14 How often are the solariums serviced -	
• Monthly	7.9
• 3 Monthly	15.8
• 6 Monthly	44.7
• Annually	5.3
• Tube needs changing and filter needs cleaning	5.3
• Do not know	21.0
15 Is protective screening in place to protect staff and other occupiers from UV light emitting from the solarium unit ie, unit is confined in a separate room	89.5
16 Are Lamps Protected with Mechanical Screening	100
17 Are automatic termination devices within easy reach of the client for termination of session at any time	97.4

## 3.2 Survey Results

The results conclude the solarium operators were initially not fully aware of the Standard and the Standard requirements. After the educational material was received by the target group a rise in awareness and implementation in some aspects are recorded, in particular, the displaying of warning notices.

The main issues identified with solarium operators include:

- the lack of proprietor awareness of *AS/NZS 2635:2002 solaria for cosmetic purposes*
- the lack of warning notices displayed within premises
- the lack of knowledge of minimum age requirements
- failure to prevent people with Skin type 1 from using solaria
- the need for training of solaria operators that includes appropriate supervision of clients, knowledge of the Standard and avoidance of misleading promotion or claims about solaria.

There are a number of positive aspects about practices among solarium operators that may be drawn from the surveys being:

- the operators are highly aware of the severe eye damage which can result from a short exposure to ultraviolet light.
- the majority of respondents indicated they monitored clients exposure times based on skin type.
- the disinfection of solariums after each use is being conducted.
- the industry does respond to educational material.

There are health conditions (that are not covered in the Standard) that may put a person, or parts of that person's body at risk when using a solarium such as:

- Cosmetics or prescription drugs,
- People with pre-cancerous lesions,
- Conditions such as; pregnancy, asthmatics, back problems, diabetics, heart conditions, cold sores, migraines, epilepsy, allergies, eye infections, blood pressure, kidney/urinary problems, giddiness/fainting or hyperaction of the thyroid gland.
- Sensitive areas that lack protective melanin (ie. under arm, nose, genitalia, ears and lips).

(Department of Health, WA & The Cancer Council WA, 2004 *Additional Explanatory notes for the AS/NZS 2635:2002*) <http://www.health.wa.gov.au/envirohealth/bodyart/solaria.cfm>

The above information was provided to the solarium operators in the educational booklet before conducting Survey II, however it was noted that no visual evidence that this additional information was in fact being conveyed to the prospective clients.

### 3.2.1 Solarium Promotion and Advertising

Department Officer's in Survey Report II, reported solaria advertisements in Perth have included phrases such as - '*indoor tanning beds are safe and worry free*'. The *Additional Explanatory Notes for the Australian Standard* states you can not lead people to believe that solariums offer a 'safe alternative to sunbaking' and it gives a lists of words and illegal claims that can not be made according to advice given by the Anti-Cancer Council of Victoria .

Misleading claims or deceptive conduct is prohibited by the *Trades Practices Act 1974* and in 2001 the solarium industry was addressed by the ACCC. The ACCC based the address on advice and medical evidence given by the Victorian Anti-Cancer Council. The ACCC stated that claims which deny the health risks associated with solarium use or give assurances of safety will attract the Commission's attention. A claim that 'solarium use is safe' would lead many consumers to believe that sunbed use carries no risks. The ACCC considered such claims as misleading given the weight of medical opinion is that solarium use increases the risk of skin cancer and skin ageing<sup>3</sup>.

In WA the Department of Consumer and Employment Protection (DOCEP) supports the need to address the lack of 'health risk information' being provided to potential customers (including home sales) and misleading or deceptive claims regarding solarium use should be brought to their attention for further investigation.

### 3.2.2 Training

Clause 2.11 in Standard states:

Any person who is supervising the operation of a solarium or sun-tanning unit shall be properly trained in the following:

- (a) Requirements of this Standard and their practical implementation.
- (b) Proper determination of skin types and exposure times.
- (c) Proper screening for potentially exposure limiting conditions
- (d) Emergency procedures in case of over-exposure to UV light.
- (e) Types and wavelength of UV light.
- (f) Proper procedures for sanitising protective eye wear and tanning equipments.

The survey series indicated that the training in the use and the servicing of solarium units is primarily undertaken by the distributor.

A lack of training in determining client's skin types is also raised in both surveys. At the time of this survey series there were no Australian certified or formally recognised training course for solarium operators (and staff) that could be named or cited. However beauticians do incorporate safe solarium use and training is provided in their qualification course. International online training courses and certificates are available, but are not endorsed by a Registered Training Organisation (RTO) in Australia.

Although the Survey results indicated a high level of supervision, it should be noted that the supervision may not be conducted by appropriately trained persons.

### 3.2.3 Supervision

Supervision is also to be undertaken by a trained operator (clause 2.11 above) and unsupervised, self-service solariums do not conform to the standard.

### 3.2.4 Consent Forms

The majority of solarium operators in both surveys (84% & 81% respectively) advised they had consent forms. However in Survey II when asked to view the forms by the Scientific Officer 58.1% were unable to produce the consent form. Of the 41.9% that produced the form - 69.2% generally complied with the Standard requirement.

### 3.2.5 Warning Notices

Although 22% of the premises in Survey I responded 'yes' to displaying warning notices, none of these warning notices (when viewed) were in accordance to the Standard. There was a 46% improvement in the number of warning signs displayed after the premises received the educational booklet. However, only 7% (or 2) of the warning notices complied with the Standard. Refer to below requirements for warning notices.

#### **AS/NZS2635:2002 Clause 3.5 Warning Notices**

In a commercial establishment one or more notices, each with minimum dimensions of 21cm x 30cm (A4) and presenting the following information in legible print, shall be placed so as to be within the immediate view of every client entering the establishment and each sun-tanning unit cubicle:

- (a) Exposure to ultraviolet radiation such as from a sun-tanning unit contributes to the skin ageing process and may cause skin cancer.
- (b) People with fair skin and who are unable to tan shall not use a sun-tanning unit.
- (c) Intentional exposure to sunlight or sun-tanning unit should be avoided for 48 hours after sun-tanning unit exposure.
- (d) Protective goggles must be worn at all times while undergoing sun-tanning unit exposure.
- (e) No person under the age of 18 shall use a sun-tanning unit without parental consent.

## 4.0 LEGISLATION

There are questions as to whether provisions exist under the current *Health Act 1911* for solarium premises to be legally regulated and the standard adopted in WA. However, under the new *Public Health Bill* (currently being drafted) the use of solariums for gain or reward could be determined to be a public health risk (if so declared by CEO or Chief Health officer). If this is the case then other parts of the Act would then apply, such as the general duty to minimise risks to health by operators. Subordinate legislation can also be developed to address specific risks for Solarium operations, use and management requirements. This may include the adoption or creation of standards of operation and competencies for operators. Licensing and Enforcement to ensure operator compliance would also be captured. As yet, this has not been fully discussed from a policy direction.

It is acknowledged that this course of action such as regulating the industry in WA could be conceived as endorsing the use of ultraviolet light for cosmetic purposes. If this is the view taken by decision makers, then there is a definitive need for a health promotion campaign to increase public health awareness of solarium use for cosmetic purposes.

## 5.0 CONCLUSIONS

Based on the Survey results it may be perceived there is a lack of uniform procedures for appropriate staff training and client information within the solarium industry. Although the survey results indicated a high level of supervision, it must be noted that the supervision may not be conducted by appropriately trained persons.

Whether or not client information is adequate for potential clients to make an informed decision based on known health risks associated with UV radiation exposure and using a solarium for cosmetic purposes may also be questioned. The lack of Warning Notices posted within premises surveyed and the level of knowledge of the staff attending to potential clients may reduce the clients awareness and ability to make an educated decision as to whether cosmetic tanning is for them.

The results indicate there is a demonstrated need to increase the awareness of, and adherence to the AS2635:2002 within the solarium industry. Further discussion with stakeholders is recommended to investigate methods to progress possible solutions to protect the health of those people who could be overexposed to UV radiation. A joint media release and education campaign supported by the Cancer Council WA, DOCEP and WA Health could be an option. Another approach may be to regulate the industry under the new *Public Health Bill*.

## 6.0 REFERENCES

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## APPENDIX 1 - Explanation of Survey Questions

1.	Are you aware of the Australian Standards AS/NZS 2635:2002 for solarium for cosmetic purposes?	The Australian Standard (AS/NZS 2635:2002) on Solarium for cosmetic purposes, was released in April 2002, superseding AS 2635 - 1983. The standard sets out guidelines for the installation, maintenance and operation of solarium and seeks to increase the safety associated with their use. It introduces an age restriction, staff training requirements, and incorporates more consumer health warnings, bringing the Australian Standard into line with international standards.
2.	Is there a copy of the Australian Standard in the premises?	If the environmental health officer can physically see the Standard in the premises this will reinforce the fact that the operator is more likely aware of the standard and its contents.
3.	Do you give your clients a consent form to sign?	It is a requirement of the solarium operator to give the client a consent form to read and sign prior to the commencement of a course of tanning. This ensures that the client is aware of the risks associated with sun tanning use. The solarium operator shall further ensure: <ul style="list-style-type: none"> <li>• that the client signs and dates the form;</li> <li>• that the client returns the signed and dated form prior to commencement of first tanning session in the establishment;</li> <li>• that the original signed and dated form is filed in the records of the establishment for a period of not less than 2 years; and</li> <li>• that a copy of the signed and dated form is handed to the client.</li> </ul>
4.	Are warning notices displayed?	In a commercial establishment one or more warning notices, each with minimum dimensions of 21cm x 30cm (i.e. approximately A4 paper size) shall be placed in the immediate view of every client entering the establishment and each sun-tanning unit cubicle with the following information; <ul style="list-style-type: none"> <li>• Exposure to ultraviolet radiation such as from a sun-tanning unit contributes to the skin ageing process and may cause skin cancer.</li> <li>• People with fair skin and who are unable to tan shall not use a sun-tanning unit.</li> <li>• Intentional exposure to sunlight or sun-tanning unit should be avoided for 48 hours after sun-tanning exposure.</li> <li>• Protective goggles must be worn at all times while undergoing sun-tanning unit exposure.</li> <li>• No person under the age of 18 shall use a sun-tanning unit without parental consent.</li> </ul>
5.	Are clients required to wear goggles?	Protective goggles are to be worn by every user of a sun tanning unit while the tanning unit is in operation.
6.	Are you aware of the minimum age for people to use a solarium unit?	Persons between 15 and 18 years of age must have parental or guardian consent before using a sun-tanning unit. Persons under the age of 15 shall not be permitted to use a sun-tanning unit. Adolescents have a greater sensitivity towards sunlight during puberty. 6A. If yes what is it?

		We are interested to find out if the operator can actually state the minimum age limit for people to use a solarium unit. The answer is 15.
7.	Do you ensure clients wait 48 hours between solarium exposures?	A client should not use a solarium unit no sooner than 48 hours after the previous exposure. From general discussions during the solarium working party waiting 48 hours may not be common practice.
8.	Do you allow people with skin type 1 to use the solariums?	A person with Skin type 1 (Fair skin, which always burns, never tans and is often accompanied by red hair and freckles) are not permitted to use a sun tanning unit.
9.	Are solarium clients supervised?	There must be a trained operator supervising the client while they are using a sun tanning unit.
10.	Are solarium staff trained in the operation and use of solariums?	All solarium operators should be trained in operating the sun tanning unit properly. This includes training in the following: <ul style="list-style-type: none"> <li>• Requirements of this Standard and their practical implementation.</li> <li>• Proper determination of skin types and exposure times.</li> <li>• Proper screening for potentially exposure limiting condition.</li> <li>• Emergency procedures in case of over-exposure to UV light.</li> <li>• Types and wavelength of UV light.</li> <li>• Proper procedures for sanitising protective eyewear and tanning equipment.</li> </ul>
11.	Do you monitor exposure times based on skin types? (the time spent in the solarium based on clients skin type)	The Standard has technical exposure limits based on various skin types. These are to ensure that no person suffers erythema (skin reddening) as a result of ultraviolet exposure in a solarium.
12.	Do you disinfect solariums after each use?	Any surface of a sun-tanning unit subjected to human body contact, including protective goggles, shall be disinfected or disposed of after each use and at the end of each day.
13.	Can UVA increase the risk of developing skin cancer?	According to the Cancer Council WA (2005) - UVA and solariums can significantly increase the risk of developing skin cancer.

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# Delivering a Healthy WA

