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July 22, 2005

Premier Dalton McGuinty
Office of the Premier
Queen's Park
Toronto, Ontario
M7A 1A1

RECEIVED

AUG 02 2005

ALPHA

Re: Niagara Regional Concerns Regarding Artificial Tanning

Dear Premier McGuinty:

On July 21, 2005 Niagara Regional Council received the attached report from its Public Health Department summarizing the use of artificial tanning in Niagara.

The data for 2004 suggests that approximately 11% of Niagara residents reported using artificial tanning equipment in the past year with almost one third (32.4%) of respondents aged 18-24 indicating use. Although we do not have usage data for those under 18 years of age, tanning salon operators anecdotally report that a significant percentage of their clientele consists of individuals under the age of 18.

Without doubt, Mr. Premier, you will recall that in March of this year the World Health Organization issued a report which strongly recommended the banning of artificial tanning for those under the age of 18. This recommendation came about as a result of belief that sun bed use poses a risk of skin cancer. The WHO report drew a link between the use of artificial tanning and the occurrence of cancer.

As the enclosed article from the July 13, 2005 edition of the St. Catharines Standard indicates, tanning salon operators make claims including the suggestion that artificial tanning is a "safe" method by which to tan and meet Vitamin D requirements. Having reviewed the relevant research and literature on artificial tanning, the opinion of our Public Health Department and the position of our Regional Council is that tanned skin is damaged skin and that there is no healthy way to tan.

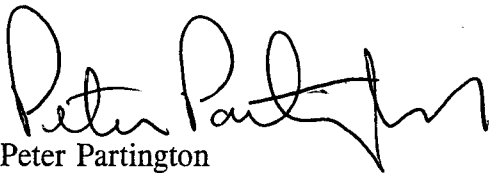
At present, the only regulation of tanning salons is through the Federal government's Radiation Emitting Devices Act. The scope of this act is, however, limited in scope to the

manufacturing, importing and sale/resale of artificial tanning equipment. Health Canada's "Guidelines for Tanning Salon Owners, Operators and Users" does contain the recommendation that no one under 16 years of age use artificial tanning equipment; however, those guidelines are generally unenforceable. No legislation in Ontario currently exists that stipulates that individuals must be of a certain age before utilizing such equipment. Tanning salon clients over 18 years of age would also benefit from assurances that tanning equipment meets safety standards, is operated correctly, and that operators are providing accurate information about the risks and benefits of artificial tanning so they can make better informed decisions.

Mr. Premier, as you know, skin cancer is the most common type of cancer of Ontario. Niagara Regional Council, which also serves as Niagara's Board of Health, therefore urges the Government of Ontario to pass legislation regulating the behaviour of tanning salon owners and operators as well as users, including a ban on the use of artificial tanning for those under 18 years of age and the formulation of enforceable safe operating standards for the tanning industry that will minimize risk to all. Such regulations would assist local efforts directed towards reducing the incidence of skin cancer.

In closing, please accept my best wishes.

Yours truly,



Peter Partington
Regional Chairman

Encl.

c: Mike Trojan, Chief Administrative Officer
Hon. George Smitherman, Minister of Health and Long Term Care
Hon. Jim Watson, Minister of Health Promotion
Dr. Sheila Basrur, Chief Medical Officer of Health
Yvon Deslauriers, Ph.D., Health Canada
Dr. Robin Williams, Medical Officer of Health
Ontario Medical Officers of Health (ALPHA)

PPs131-05

THE REGIONAL MUNICIPALITY OF NIAGARA

REPORT TO: Chair and Members
Public Health Services Committee

SUBJECT: Artificial Tanning Use in Regional Niagara

RECOMMENDATION

That this Committee recommend to Regional Council:

1. That Regional Council receive this report for information; and
2. That Regional Council send a letter to the provincial government urging that they pass legislation to regulate the behaviours of tanning salon owners, operators and users of artificial tanning salons including banning tanning for those under 18 years of age.

EXECUTIVE SUMMARY

The use of artificial tanning equipment to achieve a tan is commonly accepted within Ontario, including Niagara, and actively promoted by the artificial tanning industry. However, this practice exposes skin to ultraviolet (UV) radiation which is known to be a human carcinogen. Recently, new information has been released by the World Health Organization (WHO), Health Canada and the Rapid Risk Factor Surveillance System (RRFSS) that re-emphasizes the need to explore what actions may be taken to restrict the use of artificial tanning equipment across Ontario.

At this time, staff is recommending that the Regional Niagara Board of Health send a letter to the provincial government urging them to pass legislation to regulate the behaviours of tanning salon owners, operators and users of artificial tanning salons including banning tanning for those under 18 years of age. Such a ban would assist local efforts directed toward reducing the incidence of skin cancer in the most vulnerable populations.

PURPOSE

This report is intended to inform Committee and Council of new information about artificial tanning and implications for future programming.

BACKGROUND

The use of artificial tanning equipment as a way to achieve a "healthy and safe" tan is commonly accepted within Ontario, including Niagara, and actively promoted by the artificial tanning industry. However, this practice exposes skin to ultraviolet (UV) radiation which is known to be a human carcinogen. UV exposure causes skin and eye damage and in turn is linked to an increased risk of developing melanoma and other skin cancers later in life. While ultraviolet radiation contributes to the synthesis of Vitamin D and might have other beneficial health effects, these benefits are accompanied by an increased risk of skin cancer and other diseases.

A report to committee (PHD 02-2003) highlighted a campaign which raised awareness of the risks associated with using tanning beds and sunlamps, and dispelled some of the common myths associated with their use. Recently, new information has been released by the WHO, Health Canada and RRFSS that reemphasize the need to explore what actions may be taken to restrict the use of artificial tanning equipment across Ontario by the most vulnerable (youth under 18 years of age) and to maximize safety for all users.

REPORT

The WHO recommends that artificial tanning equipment should not be used for cosmetic purposes and that therapeutic use of artificial tanning equipment should only be used under medical supervision. In March of this year, the WHO recommended that no person under the age of 18 use artificial tanning equipment. Research indicates that the most important years for sun protection are during childhood and adolescence. Exposure to UV radiation during these years greatly increases the chance of developing skin cancer later in life. France has already passed a law prohibiting the use of artificial tanning equipment by those under the age of 18. In Canada, New Brunswick is the first province to pass such a law. Other areas worldwide have proposed similar laws but face opposition from the artificial tanning industry.

Amendments to Radiation Emitting Devices (RED) Act (February 23, 2005)

Health Canada, recently amended the RED Act and recommended against the use of artificial tanning equipment by minors, defined as those under 16 years of age. Health Canada only has jurisdiction over the manufacture of artificial tanning equipment so is not able to legislate age of use. The RED Act requires that manufacturers of tanning equipment provide better information so that users can make more informed decisions when using tanning equipment and so that they are clearly aware of the dangers. Information required includes:

- A maximum exposure time for the user's first exposure
- A maximum number of exposure times per year based on the characteristics of the lamps and type of tanning equipment
- A way to calculate the exposure times that takes into account skin sensitivity and the characteristics of the lamps
- Warnings to consumers related to the use of tanning equipment (including prescribed warning signs permanently affixed to the external surface of the tanning equipment and clearly visible to the user).

These regulations apply only to equipment sold or resold after the amendments came into force; they are not retroactive. Health Canada Inspectors will do compliance monitoring and enforcement under the RED Act but only in response to complaints from the public.

Further regulations of the owners, operators and users of tanning equipment are needed and fall under provincial jurisdiction. An important next step in regulating artificial tanning in Ontario will be to advocate for such provincial legislation. The Ontario Sun Safety Working Group (OSSWG)¹ is currently drafting plans to move this piece forward including the development of a "Tool Kit" for lobbying MPPs, speaking to the media and discussing the issue with health professionals.

Incidence of Artificial Tanning in Niagara

From January 2004 through December 2004 the RRFSS asked a sample of Niagara residents (18-64 years of age) if they had used artificial tanning equipment in the past 12 months. Data collected included (Appendix 1):

- Overall, 11% of respondents reported having used artificial tanning equipment in the year prior to the survey.
- Use was significantly higher in women.
- Almost one-third (32.4%) of respondents aged 18 to 24 had used artificial tanning equipment. Data on youth under 18 years of age is not available.
- The top three reasons respondents gave for using tanning beds were:
 - to get a base tan for vacation (86%)
 - to relax or feel better (71%)
 - to improve their appearance (68%).
- The majority of respondents who used tanning beds (93%) went to tanning salons.
- Most respondents who used tanning beds (91%) used protective eyewear, such as goggles.

A comparison done by Middlesex-London of artificial tanning usage rates in seven Ontario communities shows Niagara has the highest rate of usage by respondents aged 18 to 34

¹ Membership of OSSWG includes the Canadian Dermatology Association, Cancer Care Ontario, Canadian Cancer Society, (Ontario Division), Environment Canada, Health Canada, Ontario Ministry of Health and Long Term Care, Public Health Departments

(Appendix 2). Further examination of the data shows the differential falls within a 11.3% range with the lowest usage rate being 13.2% in Hamilton and the highest usage rate being 24.5% in Niagara. There are only slight differences among the four highest areas with less than 3% separating them. While the data set and methodology do not lend themselves to cause-effect interpretations, one possible explanation for the difference in usage rates could be that Hamilton has a lower percentage because of their higher ethnic population than the other health unit areas surveyed.

MANDATORY GUIDELINES REFERENCE / BUDGETARY IMPLICATIONS

The Mandatory Program Guidelines (15 a) require the board of health to:

- Work with local groups and individuals to provide education and promote policies which reduce the risk of skin cancer. This shall include as a minimum ensuring the provision of community-wide education using a variety of strategies that addresses reducing exposure to ultraviolet radiation from the sun and artificial sources (e.g. tanning beds, lights).

The primary responsibility for meeting this requirement falls to the Chronic Disease Prevention Division which allocates approximately \$4,000 of the approved budget for staff/program costs associated with this work. The Population Health Division's Youth Connection team helps to disseminate information to youth under 18 in the school setting. At present, the Health Protection and Promotion Division only inspects tanning facilities in response to complaints from the public about potential health hazards (e.g. cleanliness, operational issues). Routine inspections are not done because tanning salons are not mentioned in the Personal Services Settings Protocol. If they were identified in the Personal Services Protocol, the Public Health Department would then have a mandate to inspect the facilities on a predetermined frequency.

Work undertaken by the Regional Niagara Public Health Department in this area augments and builds upon the initiatives of other provincial stakeholders such as the Canadian Cancer Society and Cancer Care Ontario who are working to achieve a 75% reduction in the percent of young adults (under 35 years of age) using tanning equipment by 2020. Middlesex-London Health Unit tabled a report (No. 038-05) on this issue to their Board of Health, April 21, 2005 with the recommendation that Public Health now seriously consider:

- Its role in establishment of provincial legislation regulating the operation of tanning salons and its use by youth and in particular young women.
- Ensuring municipal licensing of artificial tanning operators that would include regulations to minimize the health risks to the users.
- Undertaking countermeasures to the industry's advertising which currently misrepresents the health risks of artificial tanning.
- Monitoring of the use of artificial tanning equipment through the RRFSS every two years to monitor local progress on this issue.

This report was widely disseminated to key stakeholders across Ontario, including all Medical Officers of Health for their information.

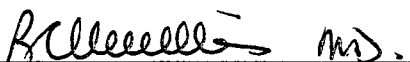
SUMMARY OR CONCLUSION

The use of artificial tanning equipment to achieve a tan is commonly accepted within Ontario, including Niagara, and actively promoted by the artificial tanning industry. However, this practice exposes skin to UV radiation which is known to be a human carcinogen. UV exposure causes skin and eye damage and in turn is linked to an increased risk of developing melanoma and other skin cancers later in life. Recently, new information has been released by the WHO, Health Canada and the RRFSS that re-emphasizes the need to take further action to reduce the use of artificial tanning equipment across Ontario.


At this time, staff is recommending that the Board of Health send a letter to the provincial government urging them to pass legislation to regulate the behaviours of tanning salon owners, operators and users of artificial tanning salons including banning tanning for those under 18 years of age. Such a ban would assist local efforts directed toward reducing the incidence of skin cancer in the most vulnerable populations.

Submitted by:

Approved by:



R. C. Williams, MD, DPH, FRCPC(C)
Medical Officer of Health



Mike Trojan
Chief Administrative Officer

This report was prepared by Ruth Bakker, Public Health Nurse and reviewed by Dianne Coppola, Manager and Ellen Wodchis, Director, Chronic Disease Prevention Division; Andre Laffamme, Manager, and Bjorn Christiansen, Director, Health Protection and Promotion Division.

Appendix 1

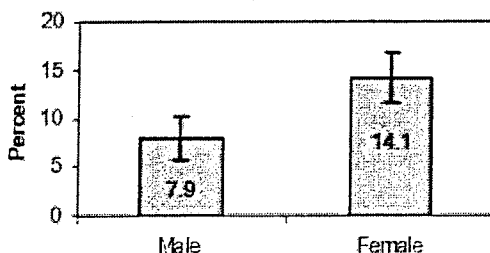


Artificial Tanning in Niagara, 2004

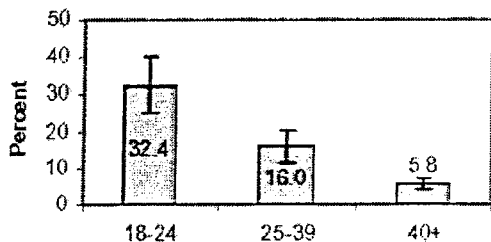
The Rapid Risk Factor Surveillance System (RRFSS) is an ongoing, monthly survey used to monitor community trends in health-related knowledge, attitudes, and behaviour. This mini-report summarizes information collected by the RRFSS from Niagara residents about their use of artificial tanning equipment. Data on use of tanning equipment in the previous 12 months were collected from January to December, 2004; additional questions regarding tanning bed use were asked from July to December, 2004.

History of Artificial Tanning in the Previous Twelve Months

Use of Artificial Tanning Equipment by Sex, Niagara Region 2004



Use of Artificial Tanning Equipment by Age Group, Niagara Region 2004



Interpretation

- RRFSS participants were asked if they had used artificial tanning equipment such as a tanning bed, sunlamp or tanning light in the past 12 months.
- Overall, 11% of respondents reported having used artificial tanning equipment in the past year.
- Females were significantly more likely to report using tanning equipment.
- There was a statistically significant decreasing trend in the use of tanning equipment by age group. Artificial tanning was most common in respondents aged 18 to 24.
- The top three reasons respondents gave for using tanning beds were: to get a base tan for vacation (86%), to relax or feel better (71%) and to improve their appearance (68%). Respondents were able to give more than one reason.
- The majority of respondents who used tanning beds (93%) went to tanning salons.
- Most respondents who used tanning beds (91%) used protective eyewear, such as goggles.

Data Limitations

- Data are only available for Niagara residents aged 18 years and older.
- Results are based on self-reported behaviour.

Statistical Notes

- Error bars in the graphs represent the 95% confidence interval. Where error bars do not overlap, the difference between rates is considered statistically significant.

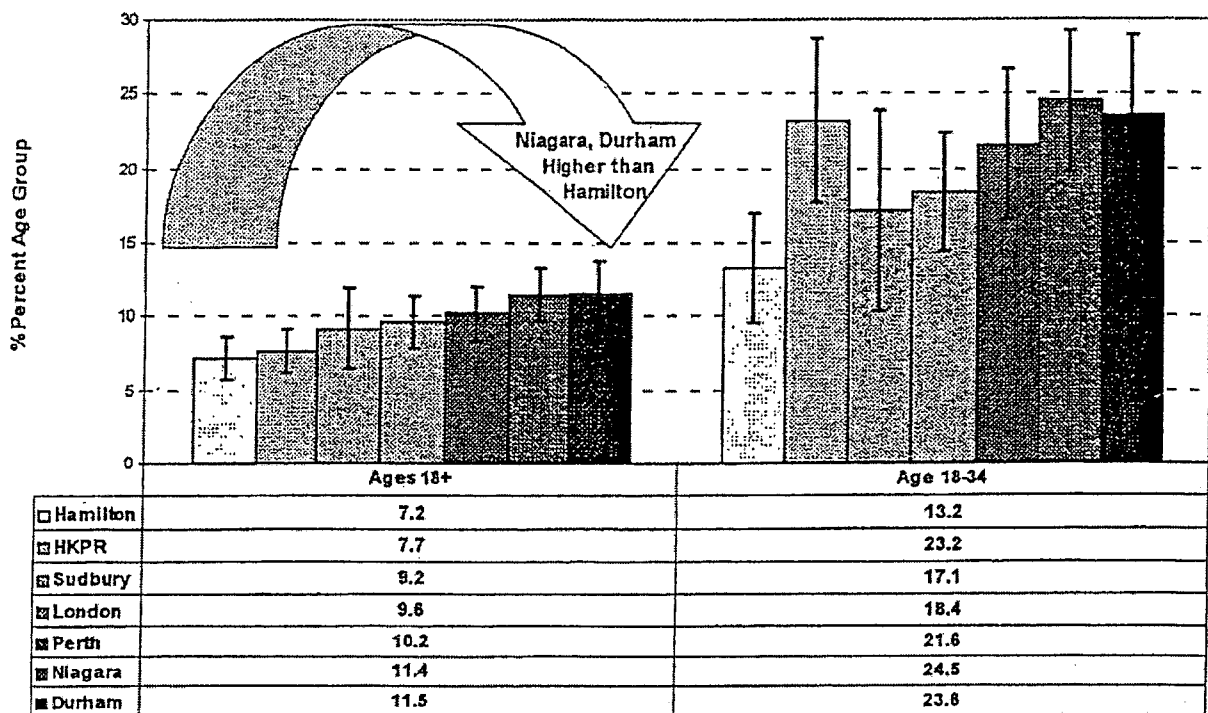
For more information, please contact the Regional Niagara Public Health Department at (905) 688-3752 or visit our website at www.regional.niagara.on.ca

... Dedicated to achieving a healthier Niagara

Appendix 2



**Artificial Tanning Use in the Past Year by Health Unit
for Two Age Groups,
Module Participating Health Units, RRFSS 2004**



Source: RRFSS 2004, Waves 37-48 for all Health Units except Durham (Waves 37-44), Sudbury (Waves 37-41) and Perth (Waves 38-48)



Artificial Tanning Symposium: Myths and Realities April 4, 2005

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Tanning salons safer than sun, say operators

The Standard (St. Catharines - Niagara)
Wed 13 Jul 2005

Page: A4

Section: Local News

Byline: Calvin Reid

Source: The Standard

Edition: Final

Story Type: News

Length: 520 words

Illustration: Photo: Blair Gable, The Standard / Debbie Rose, owner of Turbo Tan, says she makes sure her clients are educated about artificial tans.; Photo: Denis Cahill, The Standard / "There are a lot more dangerous and scary things in the world that they should be warning people about," says Island Heat manager Francesca Infurna-Vergalito.

Restricting artificial tans to people 18 and over will do kids more harm than good, says the operator of a Fourth Avenue tanning salon.

Kids will still seek the golden hue of tanned skin, but will instead accomplish their goal in a way that is less safe than 10 minutes under intense lights in a little booth, said Debbie Rose, owner of Turbo Tan in the plaza at the corner of Fourth Avenue and Vansickle Road.

"If you look at what they're trying to do, they will end up putting kids outside, in an unprotected, uncontrolled environment," she said. "It's about safe tanning."

"If they want to, they can lay outside with baby oil to get a deep, deep, deep tan. But this is a controlled environment, 10 minutes at a time, as opposed to three hours out by the pool."

When Niagara regional council meets July 21, it will consider lobbying for changes to provincial laws to prohibit minors from using tanning salons.

The prohibition on artificial tanning for youth has been recommended by the World Health Organization and has already been implemented in New Brunswick.

But tanning salon operators stand by the safety of their operations. "People concerned about tanning salons don't think anything about going down to the beach in Port Dalhousie and sitting out in the sun all day getting burnt to a crisp," said Phil Caperchione, the franchisee of the Island Heat salon in the Newport Plaza at Lakeport and Lakeshore roads.

Instead of outright banning kids from seeking a tan, the Region should be looking to educate people about safe tanning, said Island Heat manager Francesca Infurna-Vergalito.

"This sun-scare program that's in effect, I personally believe they're going about it the wrong way," Infurna-Vergalito said. "There are a lot more dangerous and scary things in the world that they should be warning people about."

Infurna-Vergalito said there are many benefits of sun tanning, not the least of which is providing the body with vitamins D and E. "They're not teaching people to tan properly," she said. "We're here to provide tanning, safe and smart tanning."

A large portion of the Island Heat clientele are teenagers from local high schools, Infurna-Vergalito said. But she added it's the younger clients who are more aware of proper tanning practices than many of their adult customers. "The younger generation is actually much more informed," she said. "They are the ones asking questions about the benefits and downfalls."

Most tanning salons have a policy requiring parental consent if the customer is under 16, but Infurna-Vergalito said they have some clients as young as nine coming in with their parent's permission.

"Get them to stop doing drugs," she said. "Get them to stop smoking. "Don't get them to stop doing something that will put vitamin D in their bodies."

Turbo Tan also has a large base of youth clients, and Rose feels confident they are safer inside her store than they are exposed to the elements. "They are going to get their colour somewhere," she said. "Stopping them from coming here is ludicrous."

"They should really be thinking about this."



Sunbeds

Is it dangerous to use sunbeds?

An expert in the field of radiation protection has referred to the use of tanning parlours as "an industrial-scale radiation exposure experiment involving significant parts of the populations of Northern Europe and America." Approximately 10 per cent of the population of Northern Europe use sunbeds on a regular basis for tanning purposes. Sunbed radiation can produce adverse health effects similar to those of natural sunlight, most notably in fair-skinned persistent users. In this context it is a subject of great concern that approximately 40 per cent of sunbed users in the United Kingdom have fair skin. The same study identified that 20 per cent of people questioned had more than 100 annual sunbed sessions, and 5 per cent had used sunbeds for 15 to 20 years.

Are sunbeds like sunlight?

Natural UV radiation reaching the Earth's surface consists of approximately 95% UVA and 5% UVB radiation. Tanning parlours use different types of sunbeds, some emitting more, some emitting less UVB as compared to UVA. In the past, there was a trend towards a decrease of UVB and a corresponding increase in UVA. This was based on the experience that excessively UVB-rich sunbeds easily cause intermittent overexposures and risks of acute sunburns with a possible increased melanoma risk. On the other hand, excessive UVA exposure has lately been discussed as a possible melanoma risk factor in the scientific and regulatory community. Many sunbed manufacturers are now returning to relative amounts of UVA and UVB that mimic the natural composition in sunlight.

How do sunbeds produce a tan?

Sunbeds mainly emit UVA radiation which activates the melanin pigment already embedded in the upper skin cells. This immediate tan begins to fade within a few hours after cessation of exposure, but can persist following sufficient and repeated exposure. The small amounts of UVB emitted by sunbeds induce the so-called delayed tanning reaction, where new melanin is produced and distributed between the upper skin cells.

Increasing numbers of people rely on sunbeds for whole-body tanning and to tan beyond their normal complexion. This forced tanning is associated with DNA damage in melanocytes, the cells that produce the dark-coloured melanin pigment in the skin. In genetically dark-skinned individuals, relatively little DNA damage is sufficient to bring about the extra-tanning effect. In contrast forced tanning in fair-skinned individuals is associated with a lot of DNA damage. It is mainly fair-skinned people who are keen to darken their complexion.

Sunbeds are not as successful in producing a tan as the people using them would like them to be. A recent British survey reported that only 2/3 of the regular sunbed users interviewed had achieved moderate tanning, while 1/3 had gained a mild tan; some also reported patchy tanning.

Surely, sunbed use offers protection against sunburn?

A recent survey suggests that 40 per cent of sunbed users believe they can prevent sunburning on holiday by obtaining a tan beforehand. To put things into perspective: a dark tan on a white skin offers a sun protection factor of between 2 and 4. But more importantly, a tan is no defence against long-term UV damage such as skin cancer.

Sunbeds mainly emit UVA radiation, which produces a tanning effect by increasing the amount of melanin pigment in the upper skin layers. Even though this is designed as a defence against further UV damage, the darkening as such provides little extra protection. UVB, on the other hand, stimulates cells to produce a thicker epidermis, which offers slightly more protection against further exposure to UV radiation

What are the risks from sunbed use?

Few studies have been undertaken to systematically assess the dangers of sunbed use, and the picture remains equivocal. Sunbeds for self-tanning purposes have been available for the last two decades and due to the long latency period for skin cancer and eye damage it has been difficult so far to demonstrate any long-term health effects.

The majority of tanning parlours provide inadequate advice to their customers. The use of eye protection such as goggles or sunglasses should be mandatory. However, as sunbed users aim to have an even tan, they often decide against protecting any part of their body.

Users have reported a range of short-term symptoms including itching, dryness and redness of skin, freckling and photosensitivity. Common outcomes in the longer term, especially in fair-skinned people, may involve blistering of the skin. Sagging and wrinkling of the skin are an almost certain price to be paid by frequent sunbed users.

Sunbed use as a melanoma time bomb?

The new technology sunbeds are said to emit "safe" UV radiation. However, the original presumption that UVA is a safe form of UV radiation does not hold. If nothing else, it enhances skin ageing but, most likely, UVA also plays a role in skin cancer promotion. So what about the "healthy tan" that many manufacturers advertise? The results of a few simple measurements and calculations should suffice to put such claims into perspective:

Average UVA levels of sunbeds easily reach midday solar UVA levels in the United Kingdom, but some sunbeds may exceed maximum values up to 20 times.

UVB levels of sunbeds may be as low as 1/20 of the maximum solar UVB levels during the British summer, however, they may also exceed them threefold.

Assuming the average UVA and UVB levels of the sunbeds tested, the carcinogenic effect of sunbed use over a period of 10 minutes corresponds with an exposure to 10 minutes of Mediterranean summer sun. Regular sunbed use therefore contributes significant amounts to the user's annual UV radiation exposure, especially as it involves whole-body exposure - the exposed skin area in sunbed tanning is at least twice as large as the average sunbather's.

Even though the causes of malignant melanoma are not fully understood, tumour development appears to be linked to occasional exposure to intense sunlight. Curiously, tumours are most

frequent on body sites that are rarely exposed to the sun. Sunbeds subject their users to intermittent high exposures of UVA and UVB radiation – this may provide the ideal setting for the development of malignant skin cancer. However, the few epidemiological studies that have been carried out to date have not provided any consistent results.

Tanning beyond the normal complexion is associated with DNA damage in melanocytes, the cells that produce the dark-coloured melanin pigment in the skin. Even a small tanning effect requires a lot of DNA damage in the fair-skinned population. Therefore, regular use of sunbeds will significantly increase your chances of getting skin cancer if you are fair-skinned. The International Commission on Non-Ionizing Radiation Protection states that "the use of sunbeds for cosmetic purposes is not recommended." Regular exposure should not exceed two sessions per week with a maximum of 30 sessions per year. Australian cancer control organizations go even further, calling for tanning salons and advertisements for sunbeds to display health warnings – similar to those required on cigarette packets.

Who should never use sunbeds?

- under 18s
- people who have very fair skin
- people who burn easily or tan poorly
- people with a lot of freckles or moles
- people who have had skin cancer or have a family history of the disease
- people using medication that could make their skin more sensitive to UV
- people who already have extensive "sunlight" damage

Appendix 1

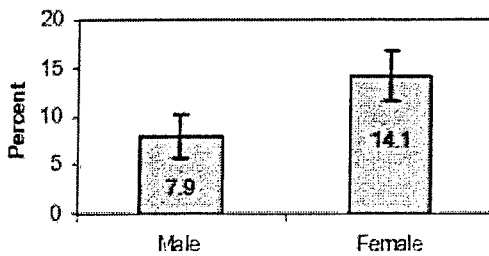


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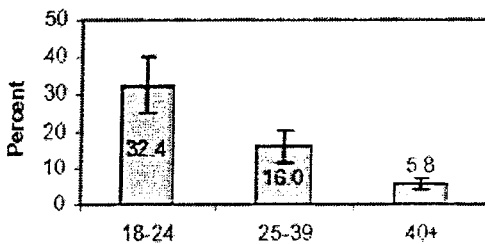
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