

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.13403 Statement; contents; display of poster; claim or distribution of promotional materials; prohibition.

Sec. 13403. (1) Before allowing an individual to use a tanning device in any tanning facility, the owner, operator, or an employee of the tanning facility shall provide the individual with a written statement that contains all of the following information:

(a) Not wearing either his or her own eye protection or eye protection made available to the individual by the tanning facility while using a tanning device may cause damage to the eyes.

(b) Overexposure to the ultraviolet radiation produced by the tanning devices used in the tanning facility causes burns.

(c) Repeated exposure to the ultraviolet radiation produced by the tanning devices used in the tanning facility may cause premature aging of the skin or skin cancer, or both.

(d) Abnormal skin sensitivity to ultraviolet radiation or burning may be caused by certain foods, cosmetics, and medication. The medication includes, but is not limited to, all of the following:

(i) Tranquilizers.

(ii) Diuretics.

(iii) Antibiotics.

(iv) High blood pressure medication.

(v) Birth control medication.

(e) An individual who is taking a prescription drug or over-the-counter drug should consult a physician before using a tanning device.

(f) An individual that suffers an injury while using a tanning device at a tanning facility must report the injury to the owner or operator of the tanning facility.

(g) That any skin-related treatment involving microdermabrasion, including, but not limited to, facials, waxing, or skin peels, may cause abnormal sensitivity to ultraviolet radiation.

(2) The owner or operator of a tanning facility shall conspicuously display a poster in an area frequented by customers. The poster shall be printed in at least 32-point boldfaced type and in substantially the following form:

"DANGER: ULTRAVIOLET RADIATION

1. Follow instructions.

2. Avoid too frequent or too lengthy exposure. As with natural sunlight, exposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause chronic sun damage, characterized by wrinkling, dryness, fragility, and bruising of the skin, and skin cancer.

3. Wear protective eyewear.

**FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT IN SEVERE
BURNS AND LONG-TERM INJURY TO THE EYES**

4. Ultraviolet radiation from sunlamps will intensify the effects of the sun. Therefore, do not sunbathe before or after exposure to ultraviolet radiation.

5. Some oral or skin medications or cosmetics may increase your sensitivity to ultraviolet radiation. Consult your physician before using a tanning device if you are using medications, have a history of skin problems, or believe you are especially sensitive to sunlight. Pregnant women or women on birth control pills who use this tanning device may develop discolored skin.

6. If you do not tan in the sun, you are unlikely to tan from use of this tanning device.

7. If you suffered an injury while using a tanning device at this tanning facility, you must report the injury to the owner or operator.

8. Any skin-related treatment involving microdermabrasion, including, but not limited to, facials, waxing, or skin peels, may cause abnormal sensitivity to ultraviolet radiation."

(3) The owner or operator or an employee of a tanning facility shall not claim or distribute printed promotional materials that claim or otherwise advertise that using a tanning device is safe, nonburning, or free from risk.

History: Add. 2008, Act 368, Imd. Eff. Dec. 23, 2008.

Popular name: Act 368