

TO: Chair and Members of the Board of Health

FROM: Graham L. Pollett, MD, FRCPC
Medical Officer of Health

DATE: 2012 September 13

PROVINCIAL LEGISLATION TO REGULATE INDOOR TANNING: NEED FOR ACTION

Recommendations

It is recommended that the Board of Health petition Premier Dalton McGuinty and The Honourable Deb Matthews, Minister of Health and Long-Term Care to enact provincial legislation to regulate the tanning industry.

Background Information

Skin cancer accounts for approximately 1/3 of all cancers diagnosed in Ontario, and this cancer is estimated to result in an economic burden of more than \$344 million. Melanoma skin cancer, the most deadly form, is one of the most common forms of cancer in young Ontarians aged 15-29 years. It is largely preventable. Many youth are exposed to ultra violet radiation (UVR) from tanning beds and sun lamps. The 2006 Canadian National Sun Survey results indicated that 21% of Ontario youth in grade 12 and 11% of Ontario youth in grade 11 are using artificial tanning equipment. Studies show that using artificial tanning equipment before the age of 35 raises the risk of melanoma by 75%. In July 2009, the World Health Organization's (WHO) International Agency for Research on Cancer (IARC) classified UVR from tanning beds as a Group 1 carcinogen; that is, UVR from tanning beds causes skin cancer in humans.

The Health Unit has been involved in promotion and advocacy activities related to the health risks associated with the use of artificial tanning equipment since 1998. Staff members have provided leadership in the development of tanning legislation since 2005 when the Health Unit hosted the first International Symposium on Artificial Tanning. Most recently, Cancer Care Nova Scotia fully sponsored Health Unit Public Health Nurse, Ms. Kaylene McKinnon, to attend and present at a Pan-Canadian Knowledge Exchange Workshop entitled, Tanning Bed Legislation: Protecting Youth from Coast to Coast.

Board of Health Actions to Date

The Board of Health has received many reports over the years related to the issue of the negative health effects of tanning including Report No. 088-98 re Tanning Salon Survey; Report No. 095-01 re Artificial Tanning Initiative; and Report No. 038-05 re Artificial Tanning Use in London-Middlesex. In June 2006, the Board passed the following resolution (the WHO recommended criteria is attached as [Appendix A](#)):

That the provincial government be petitioned to pass legislation requiring artificial tanning equipment be operated in a manner consistent with the World Health Organization (WHO) recommended criteria.

In January 2009, the Board passed the following resolutions:

1. *That the Board of Health endorse the intent and purpose of private member's Bill 83 entitled "An Act to Help Prevent Skin Cancer" introduced by Mr. Khalil Ramal, MPP, London-Fanshawe; and further*
2. *That the Board of Health urge the Minister of Health Promotion to reintroduce the legislation as a government priority at the first opportunity;*

Co-sponsored by then Liberal MPP Mr. Khalil Ramal and NDP MPP, Ms. France G  linas, a Private Member's Bill was submitted in April 2010, calling on the Ontario Government to restrict youth under 19 years of age from accessing tanning equipment. This Bill was not passed. On April 26, 2012, Ms. G  linas again submitted a Private Member's s Bill, entitled 'An Act to Help Prevent Skin Cancer' ([Appendix B](#)). The Bill calls for a moratorium on tanning sales and marketing to anyone under 18 years old, along with rules governing employee training and warning-sign placement. This Bill has received first reading.

Other provinces are taking action to protect children and youth from melanoma skin cancer and other risks posed by the use of artificial tanning equipment. Effective May 31, 2011, Nova Scotia enacted provincial legislation banning children under the age of 19 years from using tanning beds. British Columbia and Quebec are following suit and aim to pass similar regulations in the fall for children less than 18 years of age. In August 2012, Oakville passed the first municipal bylaw in Ontario that bans indoor tanning for anyone under the age of 18. Other municipalities in Ontario are considering similar regulations until province-wide protection is achieved.

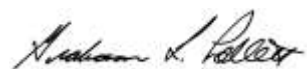
There is significant public support for Ontario legislation. An Ipsos Reid poll commissioned by the Canadian Cancer Society in June 2011 showed that:

- 83% of Ontarians support a ban on indoor tanning by youth under 18 years;
- 77% said youth should be prevented from using tanning beds;
- 73% of Ontarians polled said the tanning industry cannot be trusted to regulate itself and government legislation is needed; and that
- 80% of Ontarians support legislation to regulate the tanning industry

Conclusion

Most people receive much of their lifetime exposure of UVR through natural contact with the sun during childhood and adolescence. It is therefore imperative that they avoid the additional burden of artificial UVR from tanning equipment. The World Health Organization, the International Agency for Research on Cancer, the Ontario Medical Association, the Canadian Medical Association, Canadian Pediatric Society, and the Canadian Dermatology Association all support legislation that would prohibit the use of artificial tanning equipment by people younger than 18 years of age. Just as the Ontario government has taken legislative action to protect youth from other harmful products and services such as access to and use of alcohol and tobacco, action must be taken to protect children and youth from melanoma skin cancer and other risks posed by the use of artificial tanning equipment.

This Report was prepared by Ms. Kaylene McKinnon, Public Health Nurse, and Ms. Linda Stobo, Manager, Chronic Disease Prevention & Tobacco Control Team.



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<p>This report addresses the following requirement(s) of the Ontario Public Health Standards: Foundations: Principles-1, 2, 4; Foundational Standard: 3, 8, 9, 10, 11, 12, 13; Chronic Disease Prevention – Ultraviolet Radiation Exposure: 1, 6, 7, 11</p>
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