



TO: Chair and Members of the Board of Health

FROM: Bryna Warshawsky, Acting Medical Officer of Health

DATE: 2012 October 18

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**PROVINCIAL GOVERNMENT ANNOUNCEMENT TO REGULATE INDOOR  
TANNING: CALL FOR SUPPORT & ENDORSEMENT OF BILL 74**

***Recommendations***

***It is recommended:***

- 1. That the Board of Health endorse the Ontario Government announcement to enact provincial tanning industry legislation by sending a letter (attached as Appendix A to Report No. 118-12) to The Right Honourable Dalton McGuinty, Premier of Ontario; and further***
- 2. That the Board of Health communicates its support for provincial tanning industry legislation to The Honourable Deb Matthews, Minister of Health and Long-Term Care; the Association of Local Public Agencies (ALPHA); local Members of Provincial Parliament and all Boards of Health in Ontario.***

**Background Information**

The World Health Organization has classified ultraviolet radiation (UVR) from tanning beds in its highest cancer-risk category, which puts it in the same category as asbestos and tobacco. At the September 13, 2012 Board of Health meeting, [Report No. 097-12 re “Provincial Legislation To Regulate Indoor Tanning: Need For Action”](#) was submitted recommending that the Board of Health petition The Right Honourable Dalton McGuinty, Premier of Ontario, and The Honourable Deb Matthews, Minister of Health and Long-Term Care, to enact provincial legislation to regulate the tanning industry. At the Board of Health meeting, it was also suggested that in the absence of provincial legislation, municipal bylaws could be explored to regulate the tanning industry, as other municipalities within Ontario are choosing to enact their own bylaws.

**Ontario Legislation Update**

On Friday September 14, 2012, Premier Dalton McGuinty announced that Ontario will ban the use of tanning beds by people under the age of 18 to protect them from skin cancer. The Canadian Press reported that the minority Liberal government will adopt Bill 74 ( *Skin Cancer Prevention Act, 2012*), a private members' Bill introduced by New Democrat Ms. France Gelinias in April 2012, which aims to restrict youth under 18 years of age from using tanning beds. On September 19, 2012, the Board of Health for the Simcoe Muskoka District Health Unit wrote a letter to Premier Dalton McGuinty commending him on his announcement to support Bill 74 (attached as [Appendix B](#)).

**Municipal Bylaw Update**

On September 27, 2012, Peel Region, which is one of the largest municipalities in Ontario, unanimously passed an indoor tanning bylaw. Regional councilors voted in favour of a recommendation by public health officials to regulate commercial tanning operations in Peel, including prohibiting minors from using the equipment. It is a strong bylaw with enforcement and fines clearly outlined. Individual

municipal bylaw development is a labour intensive process. A consistent approach to prohibiting tanning beds for minors could be more efficiently achieved through provincial legislation.

Since the media announcement regarding provincial legislation, Health Unit staff members have not explored local bylaw options further. Staff members recommend that we advocate for provincial legislation. Local bylaw development can be explored if the Ontario Government delays in implementing provincial legislation, and/or if the provincial legislation as enacted does not meet local community need.

## Conclusion

There is strong and growing support for comprehensive, provincial tanning industry legislation from a number of organizations including local Health Units, the Canadian Cancer Society, the Melanoma Network of Canada, the Canadian Dermatology Association, the Ontario Medical Association, the Canadian Medical Association and the Canadian Paediatric Society. Therefore, it is recommended that a letter of support from the Middlesex-London Board of Health be sent to The Right Honourable Dalton McGuinty, Premier of Ontario (attached as [Appendix A](#)), with copies sent to The Honourable Deb Matthews, Minister of Health and Long-Term Care; local Members of Provincial Parliament; the Association of Local Public Health Agencies (alPHA), and all Boards of Health to ensure that Bill 74, the *Skin Cancer Prevention Act, 2012*, progresses through the Ontario Government to become provincial law.

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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Acting Medical Officer of Health

<p><b>This report addresses</b> 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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