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**Statement of the Karen Bentlage, Future Industries, Milford, Connecticut
Senate Bill 872
March 15, 2013**

Sen. Gerratana, Rep. Johnson and members of the committee:

We appreciate the opportunity to offer comments in regard to Senate Bill 872, *An Act Concerning the Use of Indoor Tanning Devices by Persons Under Eighteen Years of Age*. As drafted, the bill would prohibit minors from using indoor tanning facilities in the state of Connecticut. The indoor tanning sector opposes the bill as drafted. However, we believe there is a middle ground on this issue and offer a major compromise for you to consider.

Indoor tanning salons provide a legal and regulated service that is desired by consumers in Connecticut and elsewhere. We have a presence in Connecticut that should be noted: Future Industries, a major national distributor of air brush tanning and indoor sun tanning products, employs 40 people at its Milford facility.

After months of discussion, nearly 100 tanning salons and businesses that have tanning as an ancillary service, adopted a minors' protocol on January 2 of this year. The protocol is being implemented throughout the state at member facilities right now. The elements of our protocol include:

- Teens under the age of 16 may not tan. There is an exception for a teenager who has a doctor's order, typically for treatment of psoriasis, eczema or severe acne.¹
- Teens age 16 and 17 may tan if they have written consent from a parent or guardian.
- A copy of this policy is prominently displayed in the facility.

I would suggest that our members are doing the right thing. They have listened to you and are self-regulating. They are taking steps to limit tanning by minors. They are meeting the other

¹ I would note that the underlying bill also contains a similar exception for medical treatment. At your hearing on a similar bill last year, Dr. Philip Kerr, a Dermatologist and president of the Connecticut Dermatology Society, specifically told you that he has referred patients to tanning salons for treatment of psoriasis. This is important as it shows a justification for the exception contained in our protocol as well as SB 872. Dr. Kerr's comments are the following: "And in fact, I have prescribed for my own patients, on occasion, who was not nearby our units to be able to use them, to prescribe them that they actually go to a tanning salon again with information on how to properly use them. So they are used for inflammatory skin conditions in a medical setting." Public Health Committee transcript, hearing on Senate Bill 54, March 7, 2012.

side on this question half way. They are offering you a very valid and legitimate compromise and middle ground on this issue and we'd ask you to recognize that fact.

We would like to have one full year in which to implement our minors' protocol without any legislation from the state. We will report back to you on January 2, 2014, as to the implementation of this initiative in all facilities in Connecticut. If you would so desire, you could still move forward with legislation in the 2014 session that convenes one month later.

As an alternative, if you want to move legislation on this issue this session, we would request that you take our minors' protocol and substitute it into Senate Bill 872. We believe our approach to limiting and regulating teen tanning will be more effective than the total ban contained in that bill.

We believe the tanning process our members utilize means our customers are not over-exposed or burned. Our member salons work with customers day-in and day-out to ensure that their tanning services are done responsibly and in moderation. The "Smart Tan Educational Program" is an industry model for providing detailed information to our customers. Joe Levy from the American Suntanning Association is a nationally recognized expert on this issue and will testify to you today.

We worked closely with your committee in the 2006 session to develop legislation that implemented a parental consent law for individuals under 16 years of age who wish to sun tan. This legislation (PA 06-195) was enacted and our member salons have implemented it effectively. We mention this simply to reiterate that we have a track record of working with you, not against you, on key public health issues relating to indoor tanning. We stand ready to do so again this session with regard to SB 872.

We believe indoor sun tanning can be done responsibly and that it is inappropriate for all minors to be prohibited from doing so. This decision, for older teens, should be made by the parent and guardian in discussions with the minor. There is also a very simple solution that doesn't require the state to get involved. The parent can say NO at anytime.

The best legislation that stands the test of time is that which is the result of a compromise. That is precisely what we are proposing to you today. Thank you.