



Connecticut SB872 Opposition Testimony
Joseph Levy, American Suntanning Association
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Thank you, Mr. Chairman and Members of the Committee. I am Joseph Levy, scientific advisor to the American Suntanning Association and executive director of the International Smart Tan Network, the training and educational institute for the North American sunbed community.

For 21 years I have developed UV training materials for thousands of professional sunbed centers and state regulators and serve as our chief scientific liaison as a long-time member of the American Society for Photobiology.

Melanoma researcher and professor of dermatology Dr. Jonathon Rees from Newcastle University once wrote that melanoma is an example of politics and science becoming tragically intertwined and that an amicable separation is required.

That's because melanoma is more common in INDOOR workers than it is in OUTDOOR workers, according to the World Health Organization. And it's most common on parts of the body that DON'T get regular UV exposure. The nature of its relationship with UV light from ANY source is not understood, and clearly is not straightforward.

The proponents of this bill have not effectively respected that very important piece of science. It is NOT disputed. It is part of the nuance of sun care that is missing in their campaign. And while we ALL agree on sunburn prevention, this important caveat about practical sun care is our biggest source of disagreement.

And that's the problem. That's what Rees was talking about.

And THAT's why research dermatologist Dr. Bernard Ackerman -- the man largely credited with founding the field of dermatopathology and who trained more dermatopathologists than anyone else on the planet -- supports what I'm telling you. He wrote in his last book "Paradoxically, business sometimes is more academic than academe. Smart Tan got it! But the Skin Cancer Foundation, like the American Cancer Society and the American Academy of Dermatology, does not get it." Ackerman promoted sunburn prevention - not sun avoidance - and that suntans are natural. And he's not alone.

That's why Dr. Sam Shuster, a British Professor of Dermatology, has written if you think a tan is "damage" to the skin you should tell that to Charles Darwin: That a tan is part of nature's intended design to prevent sunburn. Calling it "damage" is like calling exercise "damage" to muscle tissue.

That's why melanoma researcher Dr. Arthur Rhodes, a dermatology professor from Chicago wrote an essay in the Mayo Clinic Proceedings titled "Melanoma's Public Message" telling his peers that over-playing the "sun causes melanoma message" may be doing more harm than good. That the number of moles, red hair and hereditary factors are the biggest risks.

In other words: This ISN'T straightforward. Saying that UV exposure from any source is harmful and should be avoided is like saying that water causes drowning, and therefore we should avoid water. It misrepresents the complex and intended relationship that all living things have with UV light.

Professional sunbed salons are perfectly willing to teach that balanced message. And we do. With warning signs and consent forms that are already part of the standard here in Connecticut and which are accepted nationwide. We teach balance and responsibility in a CREDIBLE fashion - one that respects the intelligence of the consumer.

The proponents of this bill, however, have misled you about the nature of the word "carcinogen" as it relates to UV exposure and sunbeds and what it actually means to be a "level one carcinogen" according to the federal government.

They have said UV is in the same category as tobacco, arsenic and even plutonium to scare you. What they DIDN'T tell you is that, also in that same Level one category, are BIRTH CONTROL PILLS, salted fish, red wine, even sawdust and many other things we DO experience in our daily lives. What they didn't tell you is that, on that list of carcinogens, only ONE stands out as something every human on this planet NEEDS in order to live. UV light.

Comparing UV exposure to cigarettes? As Rep. Ed Henry said last week in a public health committee in Alabama to a dermatologist who said tanning was as dangerous as tobacco, "You don't walk outside and get TOBACCO naturally."

(3) Proponents of this bill have failed to disclose a very important caveat about research into the risk of sunbeds -- most of it does NOT actually study tanning salons. For example, fully HALF of the subjects in the WHO report -- the one they claim showed a 75 percent increase in melanoma risk for under-35 users -- HALF were home unit users or used sunbeds in dermatology offices to treat psoriasis. If you remove the home units and the dermatology units, 75 percent becomes just 6 percent. It's their own data.

They didn't tell you that removing Skin Type I subjects from the data -- fair skin people who DO NOT TAN IN SALONS in the United States, but who are in the studies from solarium in Europe used for therapeutic reasons -- removes the increase in risk.

In the United States trained operators screen them out using screening we developed with Dr. Thomas Fitzpatrick (the Harvard University dermatologist who DEVELOPED the Fitzpatrick Skin Type System). Removing them from the studies ELIMINATES reported risk for people with skin that can tan.

All of which begs the question: According to the World Health Organization's own data, MEDICAL USE of sunbeds in a dermatologist's office for the treatment of cosmetic skin conditions is 16 TIMES -- that's 1,600 percent -- greater as a relative risk as compared to commercial sunbeds.

So if sunbeds are really such a risk, why are the bill sponsors standing here today asking you to allow DERMATOLOGY to continue to use sunbeds to treat purely cosmetic skin conditions that kill no one? Dig deeper and you'll find that dermatologists often refer to their own sunbeds as "safe" even though the government considers them a Class 1 Carcinogen and are actually lobbying to increase client access to their use of UV sunbeds to treat purely cosmetic skin disease.

That's a contradiction, and we believe it deserves further discussion before anyone acts on this type of legislation.

(4) Professional sunbed centers in the U.S. today are trained to use FDA-created exposure schedules to gradually induce a suntan while minimizing the risk of sunburn. This is not a random procedure. Our market has strived to improve that protocol through constructive cooperation with state and federal regulators and through even more aggressive self-regulation. Combined, that differentiates us from most of the rest of the world where sunbeds are frequently used in unmonitored settings without trained operators to prevent sunburn.

Bottom line: If teenage access to sunbed salons is unnecessarily restricted, three out of every four teenagers who today use sunbeds in professional tanning centers with their parents' permission will purchase or use unregulated HOME tanning equipment and will simply tan more aggressively outdoors, leading to an INCREASE in injury.

International Communications Research, a firm that does public health surveys for the Harvard School of Public Health, did that survey. It will happen. Check EBAY or CRAIGSLIST yourself -- the units are out there. That would simply create an underground, unregulated, uncontrolled "garage tanning industry" and you will be CREATING a problem - not solving one.

In conclusion, we are here to be part of the solution and to discuss this issue constructively. And if the bill sponsors would like to work with us to discuss the science and real-world solutions to the issue of sun care education, we're here. We'll do that. Wouldn't we ALL be better served by that?

That is why we ask you to reject this bill and to consider the proposal Connecticut salons have delivered to you today. You CAN send a balanced message to this state and your constituents that sun care is serious business WITHOUT over-reaching and going beyond the data. I am delighted to answer any of your questions in greater detail.