

Sunbeds

safe UV irradiance limits

Trading Standards information

www.southwark.gov.uk

1.0 Introduction

If you own or operate UV tanning equipment, usually known as sunbeds, then you should be aware of the legal requirements in relation to UV irradiance. This is the potentially harmful ultraviolet radiation that comes from sunbeds.

If your sunbeds were made before April 2009 they are unlikely to comply with current standards.

2.0 Safe UV limits for your clients

The European safe limit for UV irradiation from tanning equipment is 0.3 wlm². This limit is equivalent to the intensity of the noon sun in the summer at tropical latitudes including Darwin, Australia, and Colombo, Sri Lanka.

The World Health Organisation terms this UV intensity as "extreme". In other words this safe limit is intended to match sunbed output to the maximum that human Caucasians have biologically evolved to cope with.

3.0 Beware of older sunbeds

Older sunbeds, manufactured before April 2009 that have not been refurbished or professionally converted to 0.3 wlm² standards, are very unlikely to comply with current safety requirements. Older unconverted sunbeds will typically have an output of 0.6 -0.9 wlm², which is an intensity of ultraviolet not naturally found anywhere on the surface of the earth.

Unless you purchased your sunbeds from a professional supplier since April 2009, or unless you have entered into a hire agreement with a sunbed business since that date, you should check the specification of your equipment with your sunbed engineer. Unless you are able to get an assurance that your sunbeds meet current safety standards with regard to UV irradiance, you should seek a quotation from a reputable sunbed engineer for '0.3-conversion'. There are various factors that can influence the levels of UV irradiation, including the lamps (tubes), filters, ballasts, and the sunbed's embedded software, or any combination thereof.

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4.0. What happens if I don't comply with these requirements?

These requirements stem from the General Product Safety Regulations 2005. Failure to comply could be an offence and any business persons in the chain of supply are liable for prosecution. On conviction the courts may impose a fine of up to £20,000 and/or imprisonment.

Under the regulations Trading Standards can issue certain notices requiring you to do things. Failure to comply with a safety notice is an offence. Goods can also be seized by Trading Standards Officers and forfeited by the courts.

Your business may also be subject to licensing conditions and health and safety requirements. It is also an offence to breach these.

5.0 Enforcement and your liability

Your local trading standards are responsible for enforcing the safety requirements relating to UV irradiance from sunbeds.

It is your responsibility as the business operator to ensure that the products you supply to consumers are safe. If you are in any doubt you should therefore take positive steps to have your sunbeds surveyed, and if necessary converted to safe standards.

You must also consider the civil liability of your business in the law of personal injury or negligence if operating a sunbed in excess of the European safe limit of 0.3 wlm².

In this connection you should consider whether your public liability insurance would be invalidated as a result of an illegal level of UV irradiance. Should a client suffer burns as a result of tanning in your salon, any investigation by health and safety inspectors from the local authority would take into consideration how you manage the relevant risks, including the UV irradiance of your sunbeds.

6.0 Restriction on use of sunbeds by person under 18s

Since April 2011 it has been illegal to allow anyone under 18 to use UV tanning equipment or to allow them in the area where the sunbed is located. For further guidance please see our Licensing Team's web pages.

7.0 Further information

If you require further assistance on these requirements, or would like additional information leaflets, please contact us at the address given.