April 7, 2022

Robert M. Califf, M.D., Commissioner
Food and Drug Administration
U.S. Department of Health and Human Services
10903 New Hampshire Avenue
Silver Spring, MD 20993

RE: Finalization of Sunlamp Rule and Amendment to Performance Standard

Dear Commissioner Califf:

The National Council on Skin Cancer Prevention (NCSCP) applauds the Food and Drug Administration’s response to Congresswoman Carolyn Maloney’s letter of August 6, 2021 in which the Congresswoman and her colleagues requested that FDA finalize the proposed rules entitled General and Plastic Surgery Devices: Restricted Sale, Distribution, and Use of Sunlamp Products (Docket No. FDA-2015-N-1765); and the Sunlamp Products; Proposed Amendment to Performance Standard (Docket No. FDA-1998-N-0880). The FDA expressly stated that “the proposed rulemaking continues to be a priority for both the Agency and the administration, and it is currently listed as part of the administration’s Unified Agenda with a target date for a final rule in May 2022.”

The NCSCP, which represents the nation’s premier researchers, clinicians, and advocates for melanoma and nonmelanoma skin cancer prevention from more than 40 organizations and associations devoted to educating the public about skin cancer and the risks of ultraviolet light exposure, strongly support the Food and Drug Administration and its commitment to finalize the proposed sunlamp rules and will communicate its strong support to our champions in Congress.

We again commend the FDA for issuing the proposed rule prohibiting minors under age 18 throughout the U.S. from using tanning beds and requiring that adult tanning bed users be informed about the serious health risks of indoor tanning through a risk acknowledgement certification – including the increased risk of developing potentially fatal melanoma and other skin cancers. As stated in many past comment letters from our members, parental consent is inadequate to protect children and adolescents from the risks of indoor tanning, particularly exposure to ultraviolet (UV) radiation – a known human carcinogen.

More Than Two People Die of Skin Cancer in the U.S. Every Hour

Skin cancer is the most commonly occurring cancer and current estimates are that one in five Americans will develop skin cancer in their lifetime. Melanoma is the most common form of cancer for young adults ages 25-29 and the second most common form of cancer for adolescents and young adults 15-25 years old. Exposure to UV radiation from tanning beds at young ages contributes to the development of skin cancer, including the potentially deadly melanoma, in young people. The cost of treating all skin cancers in the U.S. is estimated at $8.1 billion each year. Clearly, swift action must be taken to reduce the risks associated with skin cancer.

Sunlamp Products Increase Users’ Risk of Developing Skin Cancer

Sunlamp products, otherwise known as indoor tanning beds and booths, emit ultraviolet (UV) radiation that is a known human carcinogen. Studies have found that indoor tanning devices can emit UV radiation in amounts 10 to 15 times higher than the sun at its peak intensity. Evidence from several studies has shown that exposure to UV radiation from indoor tanning devices is associated with an increased risk of melanoma and nonmelanoma skin cancer (NMSC), including squamous cell carcinoma and basal cell carcinoma. Each year, more than 419,000 cases of skin cancer, including both melanoma and NMSC, are linked to indoor tanning in the U.S. alone. Other studies have found a 59 percent increase in
the risk of melanoma in those who have been exposed to UV radiation from indoor tanning, and the risk increases with each use. Even a single indoor tanning session can increase users’ risk of developing squamous cell carcinoma by 67 percent and basal cell carcinoma by 29 percent. Despite these significant risks, approximately 7.8 million adults in the United States still engage in indoor tanning.

Currently, 22 states plus the District of Columbia prohibit people younger than 18 from using indoor tanning devices. Globally, 13 countries have banned indoor tanning for people younger than age 18 and two countries have banned indoor tanning altogether.

FDA is in a unique position to finish what was started several years ago with the indoor tanning ban for minors and the proposed rule that was published, but not finalized. Finalizing the proposed sunlamp rules will have a significant impact in reducing the incidence of melanoma and other skin cancers in the United States. The NCSCP urges FDA to stay true to the stated timeline and finalize the rules in May 2022.

The endorsing National Council organizations listed below thank you for considering our views.

We look forward to continuing to collaborate with the FDA in furtherance of protecting the public’s health. Should you have any questions, please contact me, at 301.801.4422 or antonishak@skincancerprevention.org.

Sincerely,

John D. Antonishak
NCSCP Executive Director

Endorsing Organizations:

AIM at Melanoma
American Academy of Dermatology Association
American Academy of Pediatrics
American Cancer Society – Cancer Action Network
American College of Mohs Surgery
American Society for Dermatologic Surgery Association
American Society for Mohs Surgery
Colette Coyne Melanoma Awareness Campaign
Dermatology Nurses’ Association
F Cancer
IMPACT Melanoma
Jack H. Marson II Melanoma Foundation
Jason Farley All In For A Cure Foundation
Melanoma Research Alliance
Melanoma Research Foundation
Out Run the Sun
Polka Dot Mama
Prevent Cancer Foundation
Society for Pediatric Dermatology
Society of Behavioral Medicine
Sun Safety for Kids
The Skin Cancer Foundation
Warriors Against Melanoma


Surveillance, Epidemiology, and End Results (SEER) program 18 registries. Data run July 25, 2018.


