

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3812

To require the Food and Drug Administration to conduct consumer testing to determine the appropriateness of the current labeling requirements for indoor tanning devices and determine whether such requirements provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the skin, including skin cancer, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2006

Mr. ISAKSON (for himself and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To require the Food and Drug Administration to conduct consumer testing to determine the appropriateness of the current labeling requirements for indoor tanning devices and determine whether such requirements provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the skin, including skin cancer, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Tanning Account-  
3 ability and Notification Act of 2006”.

4 **SEC. 2. REPORT BY FOOD AND DRUG ADMINISTRATION RE-**  
5 **GARDING LABELING INFORMATION ON RELA-**  
6 **TIONSHIP BETWEEN USE OF INDOOR TAN-**  
7 **NING DEVICES AND DEVELOPMENT OF SKIN**  
8 **CANCER OR OTHER SKIN DAMAGE.**

9 (a) IN GENERAL.—The Secretary of Health and  
10 Human Services (referred to in this section as the “Sec-  
11 retary”), acting through the Commissioner of Food and  
12 Drugs, shall determine—

13 (1) whether the labeling requirements for in-  
14 door tanning devices, including the positioning re-  
15 quirements, provide sufficient information to con-  
16 sumers regarding the risks that the use of such de-  
17 vices pose for the development of irreversible damage  
18 to the eyes and skin, including skin cancer; and

19 (2)(A) whether adding the warning suggested  
20 by the American Academy of Dermatology to the  
21 current warning label, or any other additional warn-  
22 ing, would communicate the risks of indoor tanning  
23 more effectively; or

24 (B) whether there is no warning that would be  
25 capable of adequately communicating such risks.

1           (b) CONSUMER TESTING.—In making the determina-  
2 tions under subsection (a), the Secretary shall conduct ap-  
3 propriate consumer testing, using the best available meth-  
4 ods for determining consumer understanding of label  
5 warnings.

6           (c) PUBLIC HEARINGS; PUBLIC COMMENT.—The  
7 Secretary shall hold public hearings and solicit comments  
8 from the public in making the determinations under sub-  
9 section (a).

10          (d) REPORT.—Not later than one year after the date  
11 of the enactment of this Act, the Secretary shall submit  
12 to the Congress a report that provides the determinations  
13 under subsection (a). In addition, the Secretary shall in-  
14 clude in the report the measures being implemented by  
15 the Secretary to significantly reduce the risks associated  
16 with indoor tanning devices.

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