



Notification Number: 2014/151/F

## Order relating to the traceability of tanning devices and establishing inspection procedures for these devices and conditions for the accreditation of inspection bodies.

Date received : 28/03/2014

End of Standstill : 30/06/2014

Issue of comments by : Commission

### Message

Message 002

Communication from the Commission - TRIS/(2014) 00924

Directive 98/34/EC

Translation of the message 001

Notification: 2014/0151/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201400924.EN)

#### 1. Structured Information Line

MSG 002 IND 2014 0151 F EN 28-03-2014 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

Délégué interministériel aux normes – SQUALPI – Bât. Sieyès -Teledoc 151 – 61, Bd Vincent Auriol - 75703  
PARIS Cedex 13  
d9834.france@finances.gouv.fr  
tél : 01 44 97 24 55

#### 3. Originating Department

Ministère des Affaires sociales et de la santé



Direction générale de la santé  
DDUAJE  
14, avenue Duquesne  
75350 Paris 07 SP  
Tél. 01.40.56.65.34  
Mél. [claire.zemp-ricchiuto@sante.gouv.fr](mailto:claire.zemp-ricchiuto@sante.gouv.fr)

#### **4. Notification Number**

2014/0151/F - X00M

#### **5. Title**

Order relating to the traceability of tanning devices and establishing inspection procedures for these devices and conditions for the accreditation of inspection bodies.

#### **6. Products Concerned**

Artificial tanning devices and services using these devices

#### **7. Notification Under Another Act**

-

#### **8. Main Content**

This draft Order sets out the measures established under Decree No 2013-1261 of 27 December 2013 on the sale and public availability of certain tanning devices that use artificial ultraviolet radiation, notified to the Commission on 29 January 2013 pursuant to Directive 98/34/EC (No 2013/056/F of 29 January 2013). The regulatory system of which this Order is a part replaces the regulatory system in force in France since 1997 (Decree No 97-617 of 31 May 1997 on the sale and public availability of certain tanning devices which use ultraviolet radiation and its implementation texts, the Order of 9 December 1997 on conditions for the approval of bodies authorised to conduct inspections of tanning installations which use ultraviolet radiation, circular DGS SD7/DGCCRF No 2002/486 of 16 September 2002 on the technical guide for inspection of tanning installations by approved bodies).

This draft Order is intended to clarify the provisions of Decree 2013 concerning:

- the incorporation of requirements regulated by the European technical product safety standard in force for tanning devices (EN 60335-2-27), with particular regard to the marking of ultraviolet emitters. The latest edition of the standard (2010) implements the recommendations of the European Union Scientific Committee on Consumer Products (SCCP) and fulfils the mandate granted to the European Committee for Electrotechnical Standardization (CENELEC) by the European Commission (M397EN, 2006);
- the content of inspections undertaken by bodies accredited by the national accreditation body (Cofrac), or by any other member body of the European Cooperation for Accreditation signatory to the multilateral mutual recognition agreements;
- the management procedures for these devices, pursuant to national provisions on the management of waste electrical and electronic equipment (WEEE) resulting from the transposition of the European Union Directive on WEEE management.

#### **9. Brief Statement of Grounds**

The International Centre for Cancer Research definitively classified artificial ultraviolet radiation (UV) as



carcinogenic to humans in July 2009, having calculated that the risk of developing a cutaneous melanoma was increased by 75% for individuals under 30 years old who had used tanning booths at least once. In France, the Institut national de veille sanitaire (National Institute for Health Surveillance, InVS) estimated 9 780 new cases of cutaneous melanoma annually, causing 1 620 deaths in 2011, rising over the last five years. The French Institut national du cancer (National Cancer Institute, INCa) indicates that this artificial radiation cannot be considered risk-free, whatever the frequency of exposure or the dose received, from the first moment of use. INCa also warns that, based on current scientific knowledge, the risk/benefit balance for repeated exposure to the artificial UV of tanning booths can only be negative and against the use of this radiation. Furthermore, the administration reported a reduction in the quality of tanning centres, at least since 2006 (high levels of non-compliance, particularly relating to: absence of declarations for the devices, in place since 1997; failure to provide eye protection; failure to respect UV categories for tanning devices and unqualified supervision staff). It would therefore appear imperative to tighten the regulations concerning tanning devices and their inspection, in the interests of public health and safety, a fortiori minors, thus reducing the risk of burns and, in the long term, the incidence of cutaneous cancers, especially melanomas.

#### 10. Reference Documents - Basic Texts

References to basic texts: Decree No 2013-1261 of 27 December 2013 on the sale and public availability of certain tanning devices that use artificial ultraviolet radiation, notified to the Commission on 29 January 2013 pursuant to Directive 98/34/EC.

The reference texts were forwarded with an earlier notification: 2013/056/F

#### 11. Invocation of the Emergency Procedure

No

#### 12. Grounds for the Emergency

-

#### 13. Confidentiality

No

#### 14. Fiscal measures

No

#### 15. Impact assessment

-

#### 16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft is not a sanitary or phytosanitary measure.



**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers

\*\*\*\*\*

European Commission

Contact point Directive 98/34

Fax: +32 229 98043

email: [dir83-189-central@ec.europa.eu](mailto:dir83-189-central@ec.europa.eu)