

*****DRAFT - NOT FOR FILING*****

4713-19-02 Definitions.

As used in Chapter 4713-19 of the Administrative Code:

- (A) An “attendant” means any employee designated by the permit holder for the facility to assist with the cleaning, sanitation and disinfection of all equipment, items and the floors around the sunlamp equipment.
- (B) A “certified operator” means an employee of a tanning facility who has successfully completed and successfully passed, with a minimum score of seventy-five per cent, a board approved training course and holds a board approved and provided certificate. An attendant, who is under the age of eighteen, shall be under the immediate supervision of a certified operator, who is at least eighteen years of age.
- (C) "Consumer" or ~~"patron"~~ "individual" ~~or "client"~~ means any member of the public who is ~~provided access to a~~ seeking to use a tanning facility for free or in exchange for a fee or other compensation or any individual, who is afforded use of a tanning facility as a condition or benefit of membership or access;
- (D) ~~“~~Formal training” means a course of instruction approved by the board conducted or presented under either classroom conditions, via internet or correspondence course by a company employing persons possessing adequate knowledge and experience to offer a curriculum, associated training and certification testing pertaining to and associated with the correct use of tanning equipment. Training shall cover ultraviolet radiation and effects on the skin, photosensitivity, skin typing, FDA and state regulation, eye protection, and equipment and maintenance. A “trainee” is an individual enrolled in an approved course of instruction.
- (E) "Other compensation" means the payment or exchange of goods, services, or anything of value for use of the tanning facility or facilities;
- (F) “Sunlamp product” means any electronic product designed to incorporate one or more ultraviolet lamps and intended for irradiation of any part of the living human body by the production and transfer of ultraviolet radiation with wavelengths in air between two hundred and four hundred nanometers, to induce skin tanning. A sunlamp product is used for tanning human skin, but shall not be a light based medical device used for medical purposes. The term sunlamp product includes within its definition the terms “tanning booth” or “tanning bed”, Sunlamp products are regulated by the food and drug administration, as set forth in 21 CFR part, 1040, Section 1040.20(b)(9) revised as of April 1, 2012 and cited as 21 CFR 1040.20.
- (1) “Tanning Booth” means ~~a booth~~ an enclosure fitted with ~~ultra-violet~~ ultraviolet lamps in which an individual seeking to use stands.
- (2) “Tanning Bed” means a structure fitted with ~~ultra-violet~~ ultraviolet lights in which ~~one~~ an individual reclines.
- (G) “Tanning equipment” means sunlamp products, and ultraviolet lamps or any other mechanisms used intended to induce skin tanning through the irradiation of any part of the living human body;
- (H) ~~"Tanning facility" or "tanning facilities"~~ "Tanning facilities" ~~means a business that contains a room or a booth open to the public which houses ultraviolet lamps or products containing such lamps intended for the irradiation of any part of the living human body for cosmetic or nonmedical-related purposes~~ has the same meaning as "tanning facility" as defined under section 4713.01;

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(I) "Ultraviolet radiation" for purposes of this chapter shall be referred to as follows:

- (1) "UVA (ultraviolet A) radiation" means radiation in the wavelength between three hundred twenty to four hundred nanometers (one-billionth).
- (2) "UVB (ultraviolet B) radiation" means radiation in the wavelength between two hundred eighty to three hundred twenty nanometers (one-billionth).
- (3) "UVC (ultraviolet C) radiation" means radiation in the wavelength between two hundred and two hundred eighty nanometers (one-billionth).

(J) "Tanning Operator's Certificate" means a certificate issued by an authorized provider to each person who successfully completes and passes the tanning test following a formal training course and is valid for four years from the date of issuance. Certificates issued by subsequently approved authorized providers prior to the commencement of this requirement shall also be valid.

(K) "Visible light" means the application of light rays in the visible spectrum to the skin for cosmetic purposes.

(L) "Skin typing" means a numerical classification of skin to determine the length of exposure to UVA and UVB lights.