Republic of Latvia

Cabinet

Regulation No. 13

Adopted 15 January 2019

**Requirements for the Provision of Cosmetic Tanning Service**

*Issued pursuant to*

*Section 38.1, Paragraphs one and three of the Epidemiological Safety Law,*

*Section 7, Paragraph one of the law On Conformity Assessment and*

*Section 7, Paragraph two of the Advertising Law*

**I. General Provisions**

1. This Regulation prescribes:

1.1. hygiene requirements for the providers of the cosmetic tanning service (hereinafter – the service);

1.2. essential requirements and supervisory mechanism for compliance with such requirements for ultraviolet radiation devices;

1.3. additional requirements for the content and design of the advertisement of the service;

1.4. competence requirements in the field of hygiene for the persons employed by the service provider who use ultraviolet radiation devices in the provision of the service (hereinafter – the employee);

1.5. the procedures by which the employees are trained in the field of hygiene and requirements for a training programme;

1.6. the procedures by which certificates for the acquisition of a training programme in the field of hygiene are issued, requirements for the certificate issuer, and also a sample certificate.

2. Terms used in this Regulation:

2.1. ultraviolet radiation device – a device necessary for the provision of the service and which complies with the requirements laid down in Chapter III of this Regulation;

2.2. ultraviolet radiation – radiation under the influence of which the skin pigmentation changes and cosmetic tanning is being acquired.

3. The service provider shall be responsible for compliance with the requirements of this Regulation.

4. The enforcement of this Regulation shall be controlled by the Health Inspectorate (except for the requirements laid down in Paragraphs 13 and 14 of this Regulation).

5. The fulfilment of the requirements laid down in Paragraphs 13 and 14 of this Regulation shall be controlled by the Consumer Rights Protection Centre.

**II. Requirements for the Service Provision, Informing of Consumers, and Additional Requirements for Advertising Content and Design of the Service**

6. The service shall be provided to adult persons only.

7. Prior to the provision of the service, the employee shall ascertain the age of the consumer, inspecting his or her personal identification document.

8. In order to ensure safe provision of services that is not harmful to human health, the service provider, prior to the provision of the service, shall inform the consumer orally of the conditions for the receipt of the service and risks to health caused by ultraviolet radiation.

9. Prior to the provision of the service, the service provider shall ensure that:

9.1. the consumer fills in the consumer questionnaire form wherein the service provider has included the information specified in Annex 1 to this Regulation. The questionnaire filled in with one service provider shall be valid for a period of six months from the date of completion thereof;

9.2. the employee issues an attendance card to the consumer containing given name, surname of the consumer, date and time of visit, conditions for the provision of the service, and information on risks to health caused by ultraviolet radiation (Annex 2);

9.3. the employee assesses the skin phototype of the consumer and, taking into account the information specified in the consumer questionnaire form, draws up a tanning plan. The plan shall be appended to the attendance card.

10. If the consumer refuses to fill in and sign the consumer questionnaire form, the service provider has the right to refuse the provision of the service.

11. Attendance card shall be kept by the consumer. If the attendance card is lost, the service provider shall issue a new attendance card to the consumer.

12. The service provider shall display the information specified in Annex 2 to this Regulation in the waiting room or area and also near the ultraviolet radiation device, indicating each requirement separately on a surface with dimensions of at least 21 x 30 cm so that this information would occupy the largest technically available part of the area intended for the text and so that this information would be clearly visible and easily legible for the consumer.

13. The service advertisement shall include information that the service is provided to adult persons only and that excessive use of ultraviolet radiation device is harmful to human health. At least 10 per cent of the amount of the particular advertisement shall be allocated for such information. The size of letters shall be such that the information would take up the largest technically available part of the area intended for the text.

14. It is prohibited to advertise in the service advertisement the benefits of the use of ultraviolet radiation device to human health and overall effects of ultraviolet radiation, including production of vitamin D.

**III. Hygiene Requirements for the Premises for the Provision of Service, Ultraviolet Radiation Devices, and Equipment**

15. At least the following premises shall be arranged at the place for the provision of service:

15.1. a waiting room or place for the consumer;

15.2. a room or separated space where the ultraviolet radiation device is located and space for the personal items and clothing of the consumer;

15.3. place for the storage of cleaning equipment;

15.4. toilet facilities intended for employees and consumers.

16. The place for the provision of the service shall be equipped with natural or mechanical ventilation, air temperature shall not be lower than +18 ºC, floors shall be easy to clean and disinfect.

17. Premises, ultraviolet radiation device, and equipment shall be cleaned on a regular basis in accordance with the cleaning and disinfection plan of the premises and equipment developed by the service provider.

18. Ultraviolet radiation devices shall be equipped with the working hour and sunbathing time meters, ventilation systems and an automatic disconnection system.

19. Maximum efficient ultraviolet radiation level caused by the ultraviolet radiation device shall not exceed 0.3 W/m2.

20. Maximum efficient ultraviolet radiation level caused by the ultraviolet radiation device shall be confirmed by the technical documentation of the ultraviolet radiation device, declaration of conformity issued by the manufacturer of lamps or measurement results.

21. Measurements of radiation caused by the ultraviolet radiation device shall be performed with a calibrated measuring equipment which, according to the instructions for use of the manufacturer, shall be suitable for measuring the respective ultraviolet radiation by:

21.1. a laboratory accredited in accordance with the laws and regulations governing the field of the assessment, accreditation, and supervision of conformity assessment bodies;

21.2. a body accredited in other Member States of the European Union entitled to perform measurements of optical radiation;

21.3. a person with qualification that is relevant for the performance of measurements.

22. The service provider shall ensure the making of entries (in electronic or paper format) on change of the lamps of ultraviolet radiation devices, degree of wear thereof, and also any technical tests. These data shall be available to the consumers and Health Inspectorate upon request.

23. The service provider shall provide for each consumer the following:

23.1. UV glasses;

23.2. napkins or other means for the removal of make-up.

24. The service provider shall ensure that the employee cleans and disinfects the ultraviolet radiation device and UV glasses after each time of use thereof, using proper cleaning products and disinfectants.

**IV. Requirements for the Competence of the Employees and Training Procedures in the Field of Hygiene**

25. The service provider shall be responsible for ensuring that the employees would have appropriate theoretical and practical knowledge on composition, types and physiology of skin, physical characterisation of the ultraviolet radiation, physiological and therapeutic impact of the ultraviolet radiation on human body, indications, contra-indications, complications, possibilities of use of ultraviolet radiation devices, facilities, labour safety and first aid in case of health disorders caused by ultraviolet radiation, in order to provide service which is safe and harmless to human health. Such knowledge shall be attested by a document of medical education, a document of the relevant education or professional qualification acquired abroad that has been recognised in Latvia in accordance with the law On the Regulated Professions and the Recognition of Professional Qualifications or a certificate on acquisition of the training programme “Hygiene requirements determined for the cosmetic tanning service” (hereinafter – the certificate) (Annex 3).

26. The certificate shall be issued by an institution entitled to provide such training, if the person has acquired the six-hour training programme “Hygiene requirements determined for the cosmetic tanning service” (Annex 4) and has passed the examination of knowledge. The certificate issuer shall ensure the participation of a certified dermatologist or certified oncologist in teaching the topics comprised in the general part of the training programme.

27. The certificate shall be valid for five years from the date of the issue thereof. The training programme must be acquired repeatedly and a new certificate must be received after the end of the validity period of the certificate.

**V. Closing Provisions**

28. Cabinet Regulation No. 834 of 7 September 2010, Regulations Regarding Hygiene and Harmlessness Requirements for the Cosmetic Tanning Acquisition Service and Procedures for the Supervision of such Requirements (*Latvijas Vēstnesis*, 2010, No. 144), is repealed.

29. This Regulation shall come into force on 1 April 2019.

Prime Minister Māris Kučinskis

Minister for Health Anda Čakša

**Annex 1**

Cabinet Regulation No. 13

15 January 2019

**Consumer Questionnaire Form**

Please, confirm:

1. I am an adult person.

2. I am not pregnant (females).

3. I will not use ultraviolet radiation devices if the period passed between the previous bathing in the sun or ultraviolet radiation device is less than 48 hours.

4. Please mark one of the following, if this applies to you:

4.1. I do not have and have never had skin cancer or other skin diseases due to which sunbathing is prohibited and I have consulted a physician about the receipt of the cosmetic tanning service;

4.2. I do not have and have never had skin cancer or other skin diseases due to which sunbathing is prohibited and I have not consulted a physician about the receipt of the cosmetic tanning service;

4.3. I have skin problems, but I have consulted a physician who has allowed to receive the cosmetic tanning service;

4.4. I have skin problems and I have not consulted a physician.

5. I have received information on the cosmetic tanning service and the related risks to health.

6. I am aware of the risks which could potentially occur as a result of acquiring cosmetic tanning – changes in hair structure and eye health, premature skin ageing, irreversible changes in skin pigmentation, benign neoplasms, precancerous and skin cancer formations with all the resulting consequences that could affect my health and life expectancy.

7. I hereby undertake to comply with safety requirements while using ultraviolet radiation device in order to minimise potential risks to health (to use UV glasses, to cover the sensitive parts of skin, not to exceed the determined tanning duration, to consult a physician if itching of the skin, swelling, rash, changes in skin pigmentation irregularities are observed after tanning).

|  |
| --- |
|   |
| (given name, surname, signature of the consumer) |

|  |  |  |
| --- | --- | --- |
| Date |   |   |

Minister for Health Anda Čakša

**Annex 2**

Cabinet Regulation No. 13

15 January 2019

**Information to be Provided to Consumers Regarding Health Risks Caused by the Ultraviolet Radiation and Conditions for the Provision of the Cosmetic Tanning Service**

1. The cosmetic tanning service shall be provided to adult persons only.

2. The International Agency for Research on Cancer has classified ultraviolet radiation devices in category I for carcinogenicity which means that there is sufficient evidence to justify the causal link between ultraviolet radiation and the development of a malignant neoplasm.

3. Too frequent and intensive influence of the ultraviolet radiation promotes ageing of the skin and development of skin cancer. Ultraviolet radiation has a cumulative effect, radiation caused by sun and ultraviolet radiation device builds up and accumulates in the human body.

4. Ultraviolet radiation devices must not be used:

4.1. by persons with skin phototype I (reddening of the skin if exposed to ultraviolet radiation, does not tan);

4.2. by persons who have had sunburns during childhood;

4.3. by persons with a large number of skin pigmentation irregularities (total number >100) or congenital irregularities on the skin which are larger than 1.5 cm;

4.4. by persons who notice any of the following indications with regard to a skin irregularity: the irregularity has become asymmetrical, with uneven edges, different colour variations within the same irregularity, progressive changes in size, surface (eschars, scaling skin, bleeding);

4.5. by persons to whom changes in skin pigmentation are observed – dark or light coloured spots anywhere on the body;

4.6. by persons to whom changes in pigmentation are observed in parts of body exposed to sun (face, ears, neck, neckline, forearm, lower leg) – dark or light coloured spots (sunspots) and also red spots with or without scaling (actinic keratosis);

4.7. by persons with medical problems (who are suffering or have suffered from skin cancer or precancerous skin conditions, who are under the physicians’ supervision due to illnesses related to skin photosensitivity (sensitivity to the impact of radiation energy) or who are taking photosensitive medication, persons after organ transplantations, persons with congenital genetic skin diseases, persons with autoimmune skin diseases);

4.8. by persons whose blood relatives (father, mother, brother, sister) have suffered from skin cancer conditions (any type of skin cancer);

4.9. by persons who have connective tissue disorders or dermatological diseases caused by ultraviolet radiation and the course of the disease can be adversely affected by ultraviolet radiation;

4.10. by persons with congenital genetic skin diseases;

4.11. if the period passed between the previous bathing in the sun or ultraviolet radiation device is less than 48 hours;

4.12. in case of pregnancy.

5. Ultraviolet radiation devices are not recommended for use by persons who are older than 40 years due to a significantly higher skin cancer development risk.

6. The following safety measures must be taken in order to avoid the adverse effect of ultraviolet radiation while using ultraviolet radiation device:

6.1. UV glasses must be used at all times (contact lenses or sunglasses shall not replace UV glasses);

6.2. make-up must be removed before sunbathing. It is prohibited to use sunscreen or tanning intensifiers without consulting with the employee of the provider of the cosmetic tanning service;

6.3. recommendations given by the person employed by the provider of the cosmetic tanning service regarding duration of each sunbathing (8–12 minutes), intervals between sunbathing sessions and distance from lamps, and also the maximum allowed number of sunbathing sessions annually without exceeding the minimal erythema dose (MED) for a person must be complied with;

6.4. sensitive parts of skin (for example, scars, tattoos, and also genitals and nipples) must be covered to protect from the impact of ultraviolet radiation.

7. It is necessary to consult a physician regarding possible health risks caused by ultraviolet radiation:

7.1. upon receipt of the cosmetic tanning service for the first time in life or after a year or a longer period;

7.2. in case of explicit sensitivity or allergic reactions to ultraviolet radiation;

7.3. if skin irritation, burning, skin swelling, skin damages, rash occur or changes in the pigmented irregularities and other unusual skin changes are observed in the course of 48 hours after sunbathing;

7.4. in case of taking any medication;

7.5. if working outdoors on a daily basis.

8. Characterisation of skin types according to Fitzpatrick classification scale:

8.1. Type I – pale white skin, blond or red hair, blue eyes, tendency of freckles. Always have sunburns, never tans;

8.2. Type II – fair skin. Usually burns, tans minimally;

8.3. Type III – darker white (beige) skin. Rarely burns, always tans;

8.4. Type IV – light brown skin. Burns minimally, always tans well;

8.5. Types V and VI – brown and dark brown skin. Never burns, pigmentation gets more intense.

Minister for Health Anda Čakša

**Annex 3**

Cabinet Regulation No. 13

15 January 2019

**Certificate for the Acquisition of the Training Programme “Hygiene Requirements Determined for the Cosmetic Tanning Service”**

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| --- | --- | --- | --- |
| Issued to |   |   |   |
|   | (given name) |  | (surname) |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Personal identity number |   |   |   |   |   |   | – |   |   |   |   |   |   |

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| --- | --- | --- | --- |
| Head of the training programme |   |   |   |
|   | (given name) |  | (surname) |

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| Personal identity number |   |   |   |   |   |   | – |   |   |   |   |   |   |

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| Date of issue |   |   |

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| Signature of the head of the training programme |   |   |

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| --- | --- |
| Institution which has issued the certificate |   |
|   | (name of the institution, |
|   |
| address, registration number) |

|  |  |  |
| --- | --- | --- |
| Signature of the head of the institution |   |   |

Place for a seal

Certificate issued in accordance with Cabinet Regulation No. 13 of 15 January 2019, Requirements for the Provision of Cosmetic Tanning Service.

Minister for Health Anda Čakša

**Annex 4**

Cabinet Regulation No. 13

15 January 2019

**Training Programme “Hygiene Requirements Determined for the Cosmetic Tanning Service”**

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| No. | Topic | Duration of a lecture (minutes) |
| 1. | General part | 130 |
| 1.1. | Physical and biophysical properties of ultraviolet radiation | 30 |
| 1.2. | Human skin composition, structure and functions, skin phototypes | 30 |
| 1.3. | Impact of ultraviolet radiation on human body, tanning process and melanin formation | 20 |
| 1.4. | Acute and chronic effects of ultraviolet radiation, carcinogenic effects | 30 |
| 1.5. | Risk groups and contra-indications for cosmetic tanning services | 20 |
| 2. | Basic hygiene requirements determined for the cosmetic tanning service | 110 |
| 2.1. | Laws and regulations governing the cosmetic tanning service in Latvia and the European Union | 20 |
| 2.2. | Requirements for ultraviolet radiation devices and equipment | 20 |
| 2.3. | Arrangement of the premises intended for the provision of the cosmetic tanning service | 20 |
| 2.4. | Maintenance and disinfection of the premises, devices, and equipment intended for the provision of the cosmetic tanning service | 20 |
| 2.5. | Requirements for employees in the field of the provision of the cosmetic tanning service | 30 |
| 3. | Provision of a service for the acquisition of cosmetic tanning | 120 |
| 3.1. | Regimes for the acquisition of cosmetic tanning, drawing up of a tanning plan depending on the skin phototype, identification of the minimal erythema dose (MED) | 20 |
| 3.2. | Conditions for the acquisition of cosmetic tan | 25 |
| 3.3. | Labour safety conditions for the use of ultraviolet radiation device | 20 |
| 3.4. | Informing consumers regarding the use of ultraviolet radiation devices | 30 |
| 3.5. | Provision of first aid in cases of health disorders caused by ultraviolet radiation | 25 |
| 4. | Examination of the acquired knowledge | 60 |

Minister for Health Anda Čakša