



PROPOSED VERMONT H.500 AMENDMENT: DEFINITION OF “SUNLAMP”

The American Suntanning Association appreciates the opportunity to offer an amendment to H.500 to correctly align with the definition of “sunlamp” or “sunlamp product” as is already recognized, exists on all packaging, and is already used universally in the United States, including in Vermont.

H.500 as introduced contains a list of exemptions from the proposed law for six types of lamps that emit ultraviolet light, including sunlamp products used for suntanning in professional suntanning facilities. But the definition of sunlamp in the bill as introduced does not match the U.S. definition used for the manufacture of these products in the United States. We suggest the following revision to Section (i)(7)(B)(vi):

(i) Exemptions.
(7) The prohibition in subsection (g) of this section shall not apply to the following compact fluorescent lamps and linear fluorescent lamps:
(B) (vi): Any lamp intended for use in a sunlamp product, as defined by United States Code of Federal Regulations, 21CFR 1040.20.

Rationale:

1. Sunlamp products manufactured anywhere in the world for distribution in the United States are regulated by the U.S. Food and Drug Administration and are already marked 21CFR1040.20 – this amendment would make identification of sunlamp products subject to this exemption simple.
2. The definition in the bill as introduced of “lamps used for sun-tanning beds” (~~“(i)(7)(B)(vi) lamps used for sun-tanning beds where the radiation power emitted is between 250-400 nanometers represents ≥80% of the total radiation power emitted is between 250-800 nanometers.”~~) is not the correct term for “sunlamp product,” does not exist anywhere in the United States to identify a sunlamp product, and would only lead to enforcement confusion.
3. Lawmakers in California are already considering an amendment to CA AB2208 with this same language.

Thank you for your consideration of this amendment to H.500.