

DO YOU KNOW YOUR STATE EYEWEAR REGS?

By Brenda Fishbaugh

With 30 years of tan biz experience, I can say that most salons don't know their state's tanning regulations. I'm going to review them this month;

but if you don't have a copy of your state tanning laws, email Brenda@WinkEase.com and I'll send you the latest version.

Did you know that Kentucky salon operators can NOT offer shared goggles? KY tanners are required to have their own eyewear or the salon has to provide disposables (not required to be free). Iowa is my favorite: eyewear cannot be reused, it can't be altered, and your staff must ask each guest to show their eyewear before they enter a tanning room. In addition, the salon must provide disposable eyewear in the tanning rooms at all times with a sign posted stating disposables are available and must be worn. In addition, the staff must instruct on the proper way to wear eye protection. I consider Iowa's law to be excellent! It ensures that the tanner shows their own eyewear, but still has access to clean eyewear in the tanning room. And there is no chance the tanner will use improperly cleaned goggles, or not know how to fold a pair of disposables.

I tried to confirm that New Hampshire tanning centers also do not allow goggles to be worn by multiple tanners (shared). The latest version of their law may allow community goggles. At this writing, New Hampshire Board of Health is closed due to COVID; I wrote two letters without a response. In both versions, NH law still asserts that goggles cannot be altered in any manner that changes it from the manufacturer's intended use, such as removing elastic straps included in the packaging.



The salon must sell eyewear to the tanner, or they may sell OR provide disposables.

Some states go the opposite route. Currently, Pennsylvania is in process of changing their law to copy Iowa's law. However, the current PA law requires salons to provide free, sanitized eyewear. Tanners may also use their own FDA-compliant eyewear. New York requires the salon to provide eyewear at no charge if the tanner does not have their own. Eyewear must be sanitized between uses, unless disposables are provided. Texas deregulated salons – this means they don't have to be licensed, but the law still applies. I doubled-checked with their radiation offices: a salon still must provide free, sanitized eye protection and it must be provided in the tanning rooms.

Disagree with any of this info? Email Brenda@WinkEase.com - I'll research it and report back here.

Two states recently changed their laws. New Jersey no longer requires providing free eye protection, according to Tim Smith at the Department of Health. The new regulation requires salon operators to ensure that guests have eyewear and make a reasonable effort to ensure that

they use it. This means that NJ salons can sell or provide shared goggles. Ohio also removed the "eyewear provided for free" clause in their latest regulation update. The new language reads, "Eyewear owned by an individual may be cleaned and disinfected before each use either by the individual prior to arriving to the facility or by the facility before the individual's session. To meet the requirement that eyewear shall be disinfected prior to use, a facility may offer disposable eyewear for one-time use."

Massachusetts is one of the newest states to change their eye protection regulations, going the way of most states: it's mandatory. Salons must provide it, but it doesn't have to be free; they can choose to disinfect goggles, or require tanners to buy their own. The salons can choose to sell disposables or give them for free with each tan.

If your state is not mentioned above, then you are one of the lucky salon owners who gets to choose whether you sell goggles and disposable eye protection or provide shared goggles and disposables. ■



About the Author:

Tanning industry veteran Brenda Fishbaugh is president of Eye Pro, Inc., makers of disposable eyewear. She travels extensively training salons on the effects of UV light on vision.