

1 10A NCAC 15 .1415 is proposed for amendment as follows:

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3 **10A NCAC 15 .1415 EQUIPMENT AND CONSTRUCTION REQUIREMENTS**

4 (a) The registrant shall use only tanning equipment manufactured in accordance with the specifications set forth in
5 21 Code of Federal Regulations (CFR) Part 1040, Section 1040.20, "Sunlamp products and ultraviolet lamps intended
6 for use in sunlamp ~~products~~": products," and with 21 CFR Part 878.4635 "Sunlamp Products". The standard of
7 compliance shall be the standards in effect at the time of manufacture as shown on the equipment identification label
8 required by 21 CFR Part 1010, Section 1010.3. The registrant shall place an additional label on the bed which states
9 "North Carolina state law prohibits the use of this device by persons under 18 years of age".

10 (b) Each assembly of tanning equipment shall be designed for use by only one consumer at a time.

11 (c) Each assembly of tanning equipment shall be equipped with a timer which complies with the requirements of 21
12 CFR Part 1040, Section 1040.20(c)(2). The maximum timer interval shall not exceed the manufacturer's maximum
13 recommended exposure time. No timer interval shall have an error exceeding plus or minus 10 percent of the
14 maximum timer interval for the product.

15 (d) Tanning equipment shall include physical barriers to protect consumers from injury induced by touching or
16 breaking the lamps.

17 (e) All tanning equipment labeling required in Paragraph (a) of this Rule by 21 CFR 1010, Section 1010.3 and 21
18 CFR Part 878.4635 shall be legible and accessible to view; easily read by the consumer while in the proximity of the
19 tanning bed.

20 (f) The timer intervals shall be numerically indicated on the face of the timer.

21 (g) The timer shall not automatically reset and cause radiation emission to resume for a period greater than the unused
22 portion of the timer ~~eyele,~~ cycle when emission from the tanning device has been interrupted.

23 (h) Each assembly of tanning equipment shall be provided with a control on the equipment to enable the consumer to
24 manually terminate radiation emission from the equipment at any time without disconnecting the electrical plug or
25 removing any ultraviolet lamp.

26 (i) The timer for the tanning devices shall be remotely located outside the room where the tanning equipment is
27 located. The remote timer shall be set by a certified tanning operator. ~~Effective August 1, 2004, all tanning facilities~~
28 ~~shall be equipped with remote timers.~~

29 (j) The registrant shall ensure that timer tests are performed annually on each assembly of tanning equipment and
30 documented in writing for agency review during inspections to ensure the timer is accurate to within 10 percent as
31 specified in Paragraph (c) of this Rule .1415 of this Section and the consumer is able to terminate the radiation
32 manually in accordance with Paragraph (h) of this Rule.

33 (k) Medical lamps shall not be used for commercial cosmetic tanning purposes.

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35 *History Note: Authority G.S. 104E-7(a)(7); 104E-9.1;*
36 *Eff. June 1, 1989;*
37 *Amended Eff. August 1, 2002; June 1, 1993;*

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*Transferred and Recodified from 15A NCAC 11 .1415 Eff. February 1, ~~2015~~ 2015;
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