

ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515-6115

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June 16, 2014

The Honorable Margaret A. Hamburg, M.D.
Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20903

Dear Commissioner Hamburg:

We commend the Agency for issuing the final order on May 29, 2014, reclassifying sunlamp products as class II devices and requiring them to carry a visible black-box warning explicitly stating that the sunlamp product should not be used on persons under the age of 18 years. We think such reclassification and warning is an important step to help reduce the incidence of melanoma, particularly among young people in America.

The steps you have taken are consistent with the March 2010 recommendations of the federal advisory panel FDA established to review sunlamps. The advisory panel, however, also made additional recommendations that FDA has not yet considered to mitigate the potential risks associated with the use of tanning beds by children. As we wrote you on August 7, 2013, one important recommendation from the advisory committee is an age restriction for tanning, a step that has been taken by several states, including New Jersey, Nevada, Vermont, and California. We hope you will consider these additional recommendations expeditiously.

The public health risks associated with tanning beds appear to be significant. According to the Centers for Disease Control and Prevention, "using a tanning bed is particularly dangerous for younger users."¹ A new study in *JAMA Dermatology* found that in the United States there are almost 420,000 cases a year of skin cancer attributable to indoor tanning, of which more than 6,000 cases are melanoma.² If the new study is accurate, the number of skin cancer cases due to indoor tanning may now be higher than the number of lung cancer cases due to smoking.³

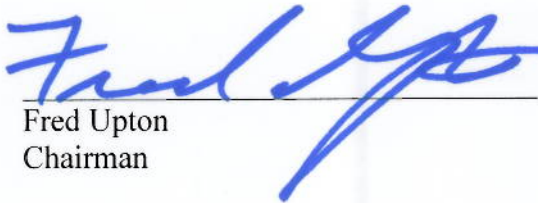
Thank you for considering our views.

¹ CDC, *Is Indoor Tanning Safe?* (online at http://www.cdc.gov/cancer/skin/basic_info/indoor_tanning.htm).

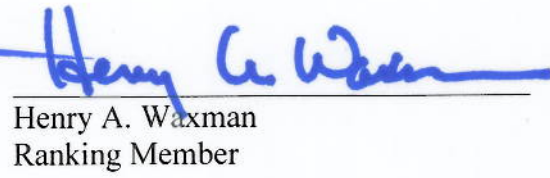
² Wehner R Mackenzie et al., *International Prevalence of Indoor Tanning: A Systematic Review and Meta-analysis* *JAMA Dermatology* (January 29, 2014).

³ *Id.*

Sincerely,



Fred Upton
Chairman



Henry A. Waxman
Ranking Member