December 13, 2012

The Honorable Kathleen Sebelius
U.S. Secretary of Health and Human Services
200 Independence Ave, SW
Washington, D.C. 20201

Dear Secretary Sebelius:

On behalf of the American Cancer Society (the Society), the American Cancer Society Cancer Action Network (ACS CAN), and millions of cancer patients, survivors, and their families across the country, we ask the U.S. Department of Health and Human Services (HHS) to expedite its review of the current tanning bed classification at the Food and Drug Administration (FDA).

Skin cancer is the most common form of cancer in the United States with more than 2 million cases diagnosed each year. More importantly, melanoma, the most deadly form of skin cancer, has had increasing incidence rates for at least thirty years in the United States. This is in part due to the increased use of indoor tanning beds. Exposure to UV radiation, either from sunlight or indoor tanning beds, is the most important, avoidable known risk factor for skin cancer.

Using a tanning bed increases the risk of two types of skin cancer, squamous and basal cell carcinomas, by 67% and 29% respectively. For melanoma, the risk is even higher with a75% increased risk when first use is prior to age 35. Indoor tanning beds are not safe and not appropriately regulated. Sunlamps used for tanning are currently regulated by FDA as Class I medical devices. This classification is reserved for the lowest risk products such as tongue depressors and bandages and is inappropriate for a product that has been elevated by the International Agency for Research on Cancer (IARC) to its highest cancer risk category – "carcinogenic to humans."

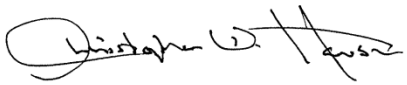
Concerns about the link between exposure to the ultraviolet radiation in tanning beds and skin cancer led the FDA to convene a review of these devices by the agency's General and Plastic Surgery Devices Panel on March 25, 2010. The FDA advisory panel unanimously recommended that FDA reclassify tanning beds and impose greater control over their manufacture and distribution. Nearly two years have passed since the panel issued its recommendations, yet the Agency has not yet acted on the evidence and taken the steps needed to protect the public.

These dangerous devices are still widely available, and salons do not provide accurate warnings or guidance. The Society and ACS CAN urge HHS to act upon the findings and recommendations of the FDA's General and Plastic Surgery Devices Panel to protect the public health from dangers of artificial ultraviolet radiation exposure.

If we can provide any additional information or you have any questions, please contact Sarah Bogdan at sarah.bogdan@cancer.org / 202-585-3211 or Adriane Burke at adriane.burke@cancer.org / 202-585-3289 at ACS CAN.

Thank you in advance for your prompt action on this matter.

Sincerely,



Len Lichtenfeld, MD
Deputy Chief Medical Officer
American Cancer Society

Christopher W. Hansen
President
American Cancer Society Cancer Action Network

Cc: Dr. Howard K. Koh
Margaret Hamburg