



Health and  
Social Services  
Haldimand and Norfolk

# Tanning Salons DISCLOSURE GUIDE



## Letter from the Medical Officer of Health

Dear Owner/Operator:

The Ontario Public Health Standards requires public disclosure of inspection results of restaurants, public pools and spas, daycare centers, as well as personal services settings such as tattoo parlours, hair salons and more.

As of January 1, 2019, these results will be posted on the Haldimand-Norfolk Health Unit's InspectOUR Community website at <https://inspectourcommunity.hnhss.ca>.

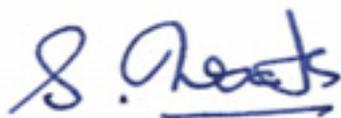
In addition, all establishments in Ontario will be required to post notices related to results of inspections. After an inspection is completed, establishments will be required to post the certificate of inspection as requested by the public health inspector. The goal of the disclosure program is to improve transparency and ensure accountability.

This guide book was created to highlight the changes under the new legislation, provide additional information about the disclosure program and outline your responsibility as a business owner. Please review this guide book carefully.

The public health inspectors at the Haldimand-Norfolk Health Unit are available to answer any questions you may have. Our public health inspectors are available Monday to Friday between 8:30am – 4:30pm and can be reached at 519-426-6170 or 905-318-6623.

Thank you for your cooperation. We look forward to continue working with you to keep our community safe and healthy.

Sincerely,



Dr. Shanker Nesathurai, MD, MPH, FRCPC(C)





# Tanning Salons: DISCLOSURE GUIDE

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### Introduction

The local inspection, monitoring of compliance, and enforcement of tanning bed facilities is governed by the Skin Cancer Prevention Act (Tanning Beds), 2013 and by the Ontario Regulation 99/14: General. As a tanning bed facility operator, it is your legal responsibility to ensure that your facility complies with all of the necessary legislation and operating standards.

To assist you in meeting the updated requirements of the Tanning Beds Protocol, the Haldimand-Norfolk Health Unit (HNHU) has created this Tanning Salon Disclosure Guide which highlights some of the changes made to the regulation. It is important to note that this guide does not discuss all requirements in the regulation, and following this guide does not exempt owners or operators from any regulatory

responsibilities. Ontario Regulation 99/14: General can be found in on-line at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca). Should you require additional signage or have a question regarding the operation of your facility, please call the HNHU at 519-426-6170 or 905-378-6623 and ask to speak to a public health inspector (PHI).





### Role of the Public Health Inspector

Public health inspectors (PHIs) regularly inspect certain facilities and follow-up on public complaints to ensure public health safety and compliance to relevant legislation. Facilities inspected by PHIs include tanning facilities to ensure they are in compliance with the requirements set out by the Ontario Regulation 99/14: General under the Skin Cancer Prevention Act (Tanning Beds), 2013. The Act was developed in 2014, banning the use of tanning beds for those under the age of 18. Tanning facilities that do not follow the legislation and operating standards may subject individuals to harm.

The Act provides the PHI authority under which enforcement measures can be taken if a tanning facility

is found to contravene any of the regulations under the Act. At the end of an inspection, your PHI will issue a report listing any contraventions of the Act. Enforcement measures may include a set fine.

Your PHI can help you operate and maintain your tanning facility in accordance to the Act. For more information on inspections, any enforcement actions or to speak to a PHI, please contact the HNHU at 519-426-6170 or 905-318-6623 from Monday to Friday between 8:30am – 4:30pm.

# Disclosure

### What is it?

The public disclosure program is a new requirement from the Ministry of Health and Long-Term Care (MOHLTC) for every board of health to display the results of the inspections conducted in their jurisdiction.

While this program is not new in the province of Ontario, it is new to Haldimand and Norfolk counties. As of January 1<sup>st</sup> 2019, all complaint-based inspections conducted by our PHIs will be disclosed to the Haldimand-Norfolk Health Unit's webpage.

### Why is it being implemented?

The Haldimand-Norfolk Health Unit supports the MOHLTC's goal of improving transparency and reporting practices.

The disclosure program allows anyone to access inspection information, which will allow them to make informed decisions that may affect their health.

For more information about the disclosure program, you may consult the Ontario Public Health Standards or visit our website at [www.hnhss.ca](http://www.hnhss.ca).

### DID YOU KNOW?

The Haldimand Norfolk Health Unit is working on an online disclosure website, named "InspectOUR Community." Any inspection conducted after January 1 2019 will be publicly available on <https://inspectourcommunity.hnhss.ca>

## Disclosure: What Does It Mean for You

### What information will be disclosed?

The following information will be disclosed to the public:

1. All infractions noted during complaint inspections: Inspections that are conducted due to a complaint will only be posted if the PHI observes infractions at the time of their visit.
2. Actions taken by the PHI. For example, closing the premise.

### What information will not be disclosed?

Opening comments, closing remarks, and any other comments that are manually typed within the inspection report by the PHI will not show up on the website. These comments will be documented on the hard copy of the inspection report provided to you by your PHI.

### Where will the inspection results be disclosed?

On our disclosure website **InspectOUR Community** at <https://inspectourcommunity.hnhss.ca>.

### Who can see those results?

Anyone visiting the InspectOUR Community website will be able to access the information posted for inspections as of January 1, 2019. For inspections prior to this date, please contact the HNHU at 519-426-6170 or 905-318-6623.



### What is a certificate of inspection?

It is a certificate that allows any patrons entering your facility to see that it was inspected by a PHI from the Haldimand-Norfolk Health Unit. The certificate of inspection will include the name of the facility, the address, the date of the inspection and the name of the website where they can get more information about the inspection results if they wish to know. You are required to post this certificate of inspection in an area that is clearly visible to the public, until the next visit from your PHI. An example of the certificate of inspection can be found in Appendix B.

Stand-alone tanning salons or salons that are part of a gymnasium are not required to post the certificate of inspection. On the other hand, if a tanning bed is found within a personal service setting that is routinely inspected by a PHI, the personal service setting is required to post a certificate of inspection.

### What if I correct an infraction during the inspection?

Any infractions that are corrected during the inspection (CDI) are still documented as an infraction on your inspection report and on the disclosure website; but both the report and the website will reflect that the infraction was corrected.

### What if I correct an infraction after the inspection, will the website be updated to reflect that the infraction has been corrected?

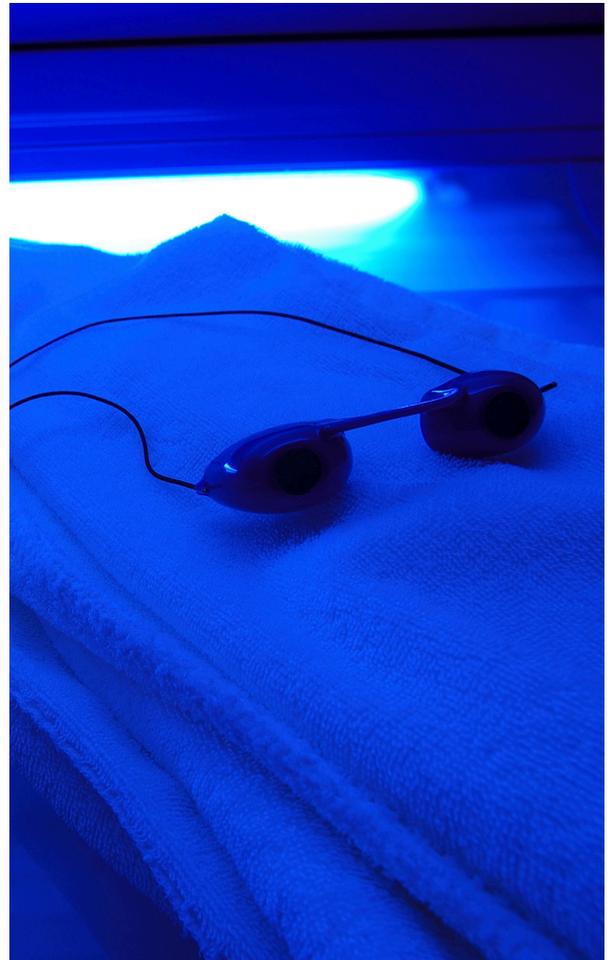
No. Once an inspection report is signed by a PHI, they cannot edit the report. Closed inspections will be sent to the disclosure website, if they meet the above mentioned criteria. If a re-inspection is required, the PHI will conduct a re-inspection. If you have corrected the infractions your re-inspection report will be posted on the website.

**Note:** Re-inspections are conducted at the discretion of the PHI. Issues that are deemed critical but not an immediate health hazard, and that cannot be eliminated at the time of the inspection will require

a re-inspection. In situations like this, your PHI will conduct a risk assessment of the situation and take actions to mitigate the risk and will conduct a re-inspection to ensure the safety of the public and compliance with the legislation. The time frame will vary depending on the type of infractions noted and the risk assessment conducted by the PHI.

### For how long will the inspection results be posted on the website?

As required by the MOHLTC, the results will be posted for a minimum of two years on our disclosure website.



## Type of Inspection and Frequency

Tanning bed facilities may be subject to inspection(s) in locations where tanning services or ultraviolet light treatments for tanning are offered for sale, which includes tanning salons as part of personal services settings and other locations that may offer tanning services (e.g., beauty salons and gyms).

Inspections at a tanning bed facility will be done under the following conditions:

- When the HNHU is notified of a new facility or an existing facility that was not inspected previously. Assessments will be conducted by the PHI to ensure compliance with the regulation.
- During routine compliance inspections at personal service setting where a tanning bed is present.
- If the HNHU receives complaints about a tanning facility's service or operations.

Inspections are conducted during regular business hours, unless the facility is operated on odd days or hours.

### Types of Infractions

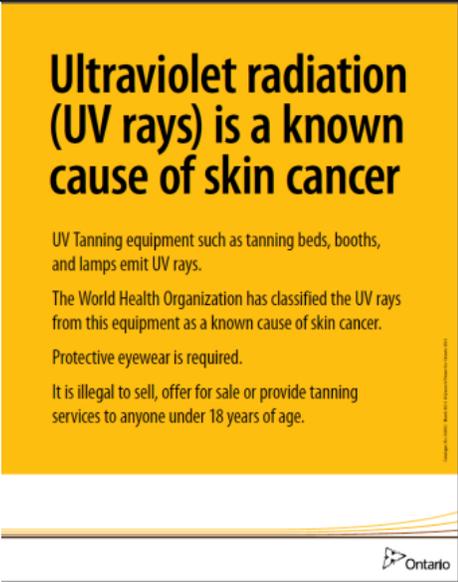
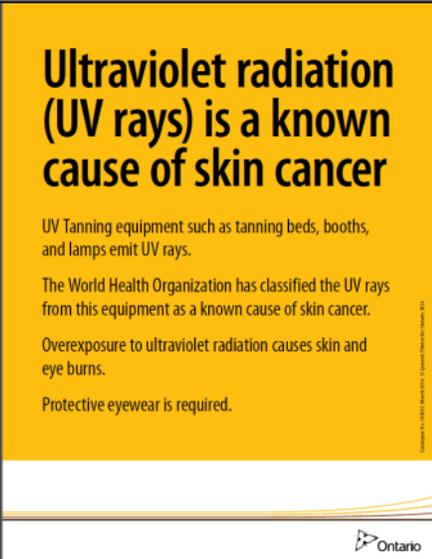
- Offer for sale, sell or provide tanning services or ultraviolet (UV) light treatments for tanning to an individual who is less than 18 years old.
- Offer for sale, sell or provide tanning services or UV light treatments to an individual who appears to be less than 25 years old unless attendant has required the individual to produce identification.
- Advertising or marketing directed towards persons who are less than 18 years old.
- Offer for sale or sell services/treatments provided by a device that does not require the presence of an attendant (self-tanning).
- Improper signage and non-compliance with signage requirements of the Ontario Regulation 99/14 under the Skin Cancer Prevention Act (Tanning Beds), 2013 (Refer to Appendix A).
- Provide tanning services or UV light treatments without protective eyewear that meets standards.
- Failure to provide notice of operation to the medical officer of health.

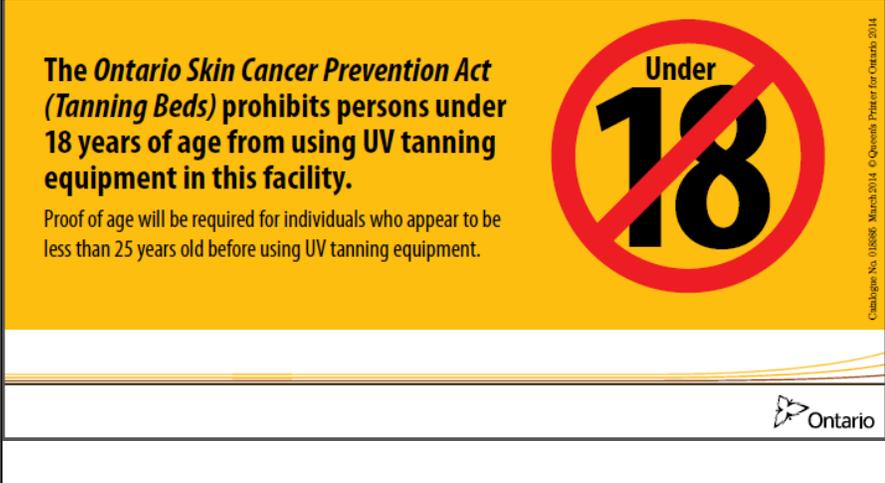
#### DID YOU KNOW?

Everyone who sells or provides tanning services must make sure that their clients are provided with protective eyewear.

## Appendix A: Signage as Required by Ontario Regulation 99/14

Effective May 1 2014, all tanning bed owners or operators are required to display four different types of signs under the Skin Cancer Prevention Act (Tanning Beds), 2013 including the following. Prescribed signage can be accessed electronically at: <http://www.health.gov.on.ca/en/public/programs/tanning>.

Sign Type	Required Signage		Location to be Posted
Point of Sale			Clearly displayed within 1 meter of each cash register where tanning services or UV light treatments are sold
Health Warning Sign			Must be displayed in rooms where tanning beds are located

Sign Type	Required Signage	Location to be Posted
<p>Age Restriction and Identification Decal</p>	 <p><b>The Ontario Skin Cancer Prevention Act (Tanning Beds) prohibits persons under 18 years of age from using UV tanning equipment in this facility.</b></p> <p>Proof of age will be required for individuals who appear to be less than 25 years old before using UV tanning equipment.</p> <p><b>Under 18</b></p> <p>Ontario</p>	<p>All entrance doors of tanning facility where there is UV tanning equipment in the facility</p>
<p>Employee Reminder Decal</p>	 <p><b>It is illegal to sell, offer for sale or provide tanning services to anyone under 18 years of age.</b></p> <p>Proof of age is required for individuals who appear to be less than 25 years old. Protective eyewear is required.</p> <p>Ontario</p>	<p>Stuck to the counter top at the cash register/service desk</p> <p>Sign is to face employee, not patron</p>

## Appendix B: Copy of Certificate of Inspection



Inspect **OUR** Community

### CERTIFICATE OF INSPECTION

This certificate of inspection confirms that:

NAME OF PREMISE

located at

ADDRESS OF PREMISE

was inspected by a public health inspector of the Haldimand-Norfolk Health Unit on

DATE OF INSPECTION

Under the authority of Ontario's Health Protection and Promotion Act and applicable regulations

Re-inspection required

Dr. Shanker Nesathurai, (Acting) Medical Officer of Health

For more information about the inspection conducted on this day, visit our disclosure website: InspectOUR Community.

Simcoe: 519-426-6170 • Caledonia: 905-318-6623 • <https://inspectourcommunity.hnhss.ca>



All inspection results are based on observations made by the public health inspector at the time of inspection.

This certificate is the property of Haldimand-Norfolk Health Unit. Removal, altering or damaging of this certificate may result in enforcement action.

## References

Ministry of Health and Long-Term Care (MOHLTC). (2014a). O Reg. 99/14: General, under the Skin Cancer Prevention Act (Tanning Beds), 2013, S.O. 2013, c. 5. Accessed October 18 2018, from <https://www.ontario.ca/laws/regulation/r14099>

Ministry of Health and Long-Term Care (MOHLTC). (2014b). Skin Cancer Prevention Act (Tanning Beds), 2013, S.O. 2013, c 5. Accessed on October 18 2018, from <https://www.ontario.ca/laws/statute/13s054>

Ministry of Health and Long-Term Care (MOHLTC). (2018). Ontario Public Health Standards: Requirements for Programs, Services, and Accountability. Toronto, ON. Accessed on October 18 2018, from [http://www.health.gov.on.ca/en/pro/programs/publichealth/oph\\_standards/docs/protocols\\_guidelines/Ontario\\_Public\\_Health\\_Standards\\_2018\\_en.pdf](http://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/docs/protocols_guidelines/Ontario_Public_Health_Standards_2018_en.pdf)

Note: This booklet is only intended to be a guide and does not replace any legislative requirements.

## **Inspect** **OUR** Community

For more information about the disclosure program and the InspectOur Community disclosure website, please contact the Haldimand-Norfolk Health Unit at 519-426-6170 or 905-318-6623 or visit <https://inspectourcommunity.hnhss.ca>

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