

July 13, 2023

Robert M. Califf, MD  
Commissioner  
Food and Drug Administration  
U.S. Department of Health and Human Services  
10903 New Hampshire Avenue  
Silver Spring, MD 20993

RE: Finalization of Sunlamp Rule and Amendment to Performance Standard

Dear Commissioner Califf:

The National Council on Skin Cancer Prevention (NCSCP)—representing more than 45 organizations, agencies and associations devoted to educating the public about skin cancer and the risks of ultraviolet light exposure—would like to thank the Food and Drug Administration, working with the Department of Health and Human Services, for including the proposed rules entitled *General and Plastic Surgery Devices: Restricted Sale, Distribution, and Use of Sunlamp Products* (Docket No. FDA-2015-N-1765); and the *Sunlamp Products; Proposed Amendment to Performance Standard* (Docket No. FDA-1998-N-0880) published by the FDA in the Federal Register on December 22, 2015 (80 Fed. Reg. 79493 and 80 Fed. Reg. 79505 et seq.) in the **June 2023 Unified Agenda**. Sunlamp regulation is a high priority for the NCSCP.

NCSCP members represent the nation’s premier researchers, clinicians, and advocates for melanoma and nonmelanoma skin cancer prevention. As such, we remain very concerned that the public’s health continues to be at risk from the current state of insufficient sunlamp regulation. Therefore, we encourage the FDA’s expeditious finalization of rules restricting minors’ use of sunlamps, requiring risk acknowledgement certification from adults, and strengthening the sunlamp performance standards.

The NCSCP strongly opposes indoor tanning for anyone, and especially for minors. Additionally, educating the public about the health risks of indoor tanning is extremely important to help tackle the serious epidemic of skin cancer in the U.S. Banning the use of tanning beds by individuals younger than 18 will result in reduced incidence of skin cancer particularly among young women. This is completely consistent with the goal of the President’s Cancer Moonshot and its target of reducing the death rate from cancer by at least 50 percent over the next 25 years through better treatment outcomes and prevention efforts.<sup>1</sup>

We again commend the FDA for issuing the proposed rule prohibiting minors under age 18 throughout the U.S. from using tanning beds and requiring that adult tanning bed users be informed about the serious health risks of indoor tanning through a risk acknowledgement certification – including the increased risk of developing potentially fatal melanoma and other skin cancers.

---

<sup>1</sup> The White House, “Fact Sheet: President Biden Reignites Cancer Moonshot to End Cancer as We Know it,” February 02, 2022, Statements and Releases

The FDA is in a unique position to finish what was started several years ago with the indoor tanning ban for minors. Finalizing the proposed sunlamp rules will have a significant impact on reducing the incidence of melanoma and other skin cancers in the United States and will be an important step towards achieving President Biden's Cancer Moonshot goals. The NCSCP urges FDA to stay true to the stated timeline and finalize the rules in **December 2023**.

We appreciate the FDA's leadership on this issue and look forward to continuing to collaborate with the FDA in furtherance of protecting the public's health. Should you have any questions, please contact me, at 301.801.4422 or [antonishak@skincancerprvention.org](mailto:antonishak@skincancerprvention.org).

The endorsing NCSCP organizations listed below thank you for considering our views.

Sincerely,



John D. Antonishak  
NCSCP Executive Director



Boris D. Lushniak, MD, MPH  
NCSCP Co-Chair  
University of Maryland  
Former Acting U.S. Surgeon General



Becky Kamowitz  
NCSCP Co-Chair  
The Skin Cancer Foundation

Endorsing Organizations:

AIM at Melanoma  
American Academy of Dermatology Association  
American Academy of Pediatrics  
American College of Mohs Surgery  
American Society for Dermatologic Surgery Association  
American Society for Mohs Surgery  
Arizona Skin Cancer Foundation  
Colette Coyne Memorial Melanoma Fund  
Connect Melanoma  
Dermatology Nurses' Association  
F Cancer  
IMPACT Melanoma  
Jack H. Marston II Melanoma Fund  
Jason Farley All In For A Cure Foundation  
Melanoma Research Alliance  
Melanoma Research Foundation  
Outrun the Sun  
Prevent Cancer Foundation  
Society of Behavioral Medicine  
Society of Dermatology Physician Assistants  
Society for Pediatric Dermatology  
Sun Safety for Kids  
The Skin Cancer Foundation  
Warriors Against Melanoma