



Guidance document

Solarium

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Guidance document on the use of solariums

based on the Ordinance to the Federal Act on Protection against Non-Ionising Radiation and Sound (O-NIRSA) SR 814.711

1 Introduction

1.1 Legal basis

This guidance document explains to operators of solariums (referred to in the following as "operators") how they can comply with the requirements of the "Federal Act of 16 June 2017¹ on Protection against Non-Ionising Radiation and Sound" (NIRSA) and the implementing provisions of the "Ordinance of 27 February 2019² to the Federal Act on Protection against Non-Ionising Radiation and Sound" (O-NIRSA).

The provisions of O-NIRSA explain on the basis of Article 3 para. 1 NIRSA how operators solariums can follow the manufacturer's safety instructions with respect to the installation, use and maintenance of these devices. These safety instructions must correspond to the radiation-relevant requirements of standard EN 60335-2-27 "Household and similar electrical appliances – Safety – Part 2-27: Particular requirements

for appliances for skin exposure to ultraviolet and infrared radiation"³ in the version published in 2013 (referred to below as the indoor tanning device standard). These requirements in the indoor tanning device standard were incorporated into O-NIRSA and are binding for all operators.

Operators who operate their solariums in compliance with this guidance document can assume that inspections by the cantonal enforcement agencies will not result in any complaints.

The regulations of NIRSA and O-NIRSA pertaining to solariums come into force on 1 June 2020. This does not apply to the regulations concerning restrictions on access to persons under 18 years of age, which come into force on 1 January 2022.

1 SR 814.71

2 SR 814.711

3 This standard can be obtained for a fee from the Swiss Association for Standardisation (SNV), Bürglistrasse 29, 8400 Winterthur, www.snv.ch.

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1.2 Definition of solariums

“Solarium” is the name given in Switzerland to an indoor tanning device, i.e. a device or installation designed and constructed to emit ultraviolet light for the purpose of irradiating the skin. This definition encompasses the “sunbed” type of device, in which the person lies down (Figure 1), booths used in a standing (Figure 2) or sitting position, and rooms designed and constructed to be equipped with artificial sources of UV light.



Figure 1: Sunbed used lying down.



Figure 2: Sunbed used standing up.

Some installations are marketed under the name “Collarium”. In addition to emitting ultraviolet light, these installations emit infrared (IR) light intended to stimu-

late the production of collagen and promote the circulation of blood in the skin. For the purpose of implementing NIRSA, these installations are considered to be solariums. This guidance document therefore applies both to solariums and to Collariums.

1.3 Commercial, professional, public and private use of solariums

The provisions of NIRSA and O-NIRSA apply to the commercial, professional, public and private use of solariums.

Private individuals who use solariums exclusively within their families and within the domain protected by the Constitution (e.g. in the protected domain of self-determined personal development or inviolability of the home) must fulfil their obligations according to Article 3 para. 1 NIRSA on their own responsibility.

1.4 Purpose of use

O-NIRSA is applicable to solariums that are offered or promoted for tanning purposes (as foreseen in the solarium standard) or other non-medical purposes (vitamin D synthesis, bone strengthening, warmth, relaxation, etc.).

UV radiation devices that generate ultraviolet radiation specifically for medical purposes such as photochemotherapy (PUVA) or photodynamic therapies (PDT), on the other hand, are medical devices and as such do not fall within the remit of the solarium standard and O-NIRSA.

This exception does not apply to UV type 4 solariums, which emit very powerful UV-B radiation. Although these devices can only be used with a doctor’s recommendation, they are not considered to be medical devices and are therefore covered by O-NIRSA.

2 General requirements for solariums

2.1 Age verification

From 1.1.2022, operators of solariums must ensure that persons under 18 years of age are not able to use these devices. This guidance document does not yet contain a description of the ways in which operators can ensure that a user’s age is verified. The Swiss solarium association Photomed is currently developing possible solutions.

2.2 Provision of information

2.2.1 Information about high-risk groups

Operators of solariums must provide posters informing customers about the following high-risk groups:

- People who have or have had skin cancer;
- People with an increased risk of developing skin cancer, particularly if:
 - a. malignant melanoma has developed in their first-degree relatives;
 - b. they repeatedly suffered severe sunburn during childhood;
 - c. they have moles indicative of an increased risk of skin cancer (more than 16 moles, moles with an asymmetric or irregular shape and margins, moles more than 5 millimetres in diameter or with altered pigmentation);
- People sensitive to UV radiation who:
 - a. suffer from sunburn;
 - b. don’t tan at all in the sun or who respond rapidly with sunburn;
 - c. tend to develop freckles;
 - d. have areas of skin with unusual depigmentation;
 - e. naturally have red hair;
 - f. are being treated for light sensitivity;
 - g. are taking light-sensitive medication.

The posters must meet the following requirements:

- They must be placed where they can easily be seen in the entrance area of the solarium;
- If the layout of the building is such that there is no entrance area, operators must place the posters where they can easily be seen at the entrance of the rooms in which the solariums are located (e.g. hotel solarium);
- The size of the typeface must be at least 60 typographical points (font size 20 mm);
- They must be in A1 format (594 × 841 mm) or larger;
- They must be produced in the official languages of the canton concerned and in English. A poster may be in one or more languages. Multilingual posters must be easily legible.
- The minimum information that they must contain is shown by way of example in a separate annex of this guidance document.
- The statements do not need to be identically worded but must convey the meaning of annex 1.3 of O-NIRSA.

2.2.2 Information for customers concerning the risks associated with UV radiation and measures for minimising them

Operators must display posters to inform customers that:

- UV radiation can cause irreversible skin or eye damage, such as skin cancer or cataracts;
- exposure to UV radiation at any age, and particularly in younger years, increases the risk of skin damage later in life;
- after excessive exposure to UV radiation, the skin can react with sunburn, and premature ageing of the skin and an increased risk of skin cancer can result;
- certain medicines can increase sensitivity to UV radiation and, in case of doubt, a doctor or pharmacist can provide information about this;
- there should be at least 48 hours between the first two exposures to UV radiation;
- if erythema (reddening of the skin) occurs after exposure to UV radiation, one week must be allowed to elapse before any further exposure according to an exposure schedule;
- they should not sunbathe and use a solarium on the same day;
- when using a solarium they should:
 - a. remove cosmetics and not use any form of sun protection or products that accelerate tanning;
 - b. always wear suitable protective goggles and protect sensitive areas of skin, such as scars, tattoos and genitals, against radiation;
- they should consult a doctor before exposing themselves to radiation if:
 - a. they are sensitive to UV radiation or react allergically to it;
 - b. unexpected effects occur, such as itching within 48 hours after the first exposure to UV radiation;

- c. persistent swellings or sores develop on the skin or pigmented moles change their appearance.

The posters must meet the following requirements:

- They must be placed no further than 2 metres away from a solarium where they can easily be seen;
- Operators who operate several devices must position them in such a way that customers can see them from every single device. In some circumstances, depending on the specific layout of the building, several posters must be used to ensure that they can easily be seen.
- The size of the typeface must be at least 30 typographical points (font size 10 mm);
- They must be in A1 format (594 × 841 mm) or larger;
- They must be produced in the official languages of the canton concerned and in English. A poster may be in one or more languages. Multilingual posters must fulfil the requirements for good legibility.
- The minimum information that they must contain is shown by way of example in a separate annex of this guidance document.
- The statements do not need to be identically worded but must convey the meaning of annex 1.4 of O-NIRSA.

2.3 Protective goggles

2.3.1 Provision of protective goggles and requirements they must fulfil

Operators of solariums must provide at all times protective goggles with UV light filters for customers' use. The type of goggles provided must correspond to the type of UV protection mentioned in the operating and installation manual. The type marking of the goggles must be visible on each pair of goggles and must comply with standard EN 170. Protective goggles without visible marking are considered non-compliant and must not be offered to customers.

Type marking according to the SN EN 170 standard: Filter code number (combination of numbers and letters separated by a hyphen "-") - Manufacturer (one or two letters) - Optical class - Mechanical resistance - CE marking

The element to be checked by the enforcement authorities is the filter code number. The first digit must be a 2 or 3, indicating that the glass is UV filtering. This number may at most be followed by the letter "C", which indicates that the glass does not distort colour perception. The number after the hyphen indicates the attenuation of visible radiation. This number can be a 3, 4 or 5. A marking beginning with "2-5", for example, is compliant. However, a marking beginning with "4-5" is not compliant.

Type marking according to the SN EN 60335-2-27 standard:

The SN EN 60335-2-27 standard stipulates that the maximum transmittance of the glass, depending on the wavelength λ , must not exceed the following values (Table 101 of the standard):

250 nm < λ ≤ 320 nm: Maximum transmittance 0.1 %

320 nm < λ ≤ 400 nm: Maximum transmittance 1 %.

400 nm < λ ≤ 550 nm: Maximum transmission 0.1 %.

2.3.2 Charging/not charging for goggles

Operators are not required to provide these protective goggles to customers free of charge. They may charge for them.

3 Requirements for unsupervised solariums

3.1 UV type 3 solariums

If solariums are unsupervised, operators may only offer UV type 3 devices.

3.2 Marking on solariums

In unsupervised solariums, each solarium must be marked with the words "UV type 3" on its outer surface; this marking must be easily visible to customers and the enforcement agencies and easily legible at a distance of 2 metres (type size at least 45 typographical points or 15.8 mm). It is not sufficient to show the UV type on the identification label of the device or inside the device. Rather, it must be indicated separately.

3.3 UV-A and UV-B irradiance

The erythemal effective irradiance level of a solarium labelled as UV type 3 must comply with the threshold values for UV-B and UV-A of below 0.15 W/m² in each case.

3.4 Maximum irradiance

The sum of erythemal effective irradiance levels for UV-B and UV-A of a solarium may not exceed the threshold value of 0.3 W/m² in accordance with O-NIRSA.

If operators are not able to take the necessary actions to achieve this themselves, they must involve the manufacturer, distributor or a qualified specialist.

4 Requirements for supervised solariums

4.1 UV types 1, 2, 3 and 4

If solariums are supervised, operators may offer UV type 1, 2, 3 and 4 devices

4.2 Marking on solariums

In supervised solariums, each solarium must be marked as appropriate with the words "UV type 1", "UV type 2", "UV type 3" or "UV type 4" on its outer surface; this marking must be easily visible to customers and the enforcement bodies and easily legible at a dis-

tance of 2 metres (type size at least 45 typographical points or 15.8 mm). It is not sufficient to show the UV type on the identification label of the device or inside the device. Rather, it must be indicated separately.

4.3 UV-A and UV-B irradiance

The erythemal effective irradiance levels for UV-A and UV-B of a solarium labelled as UV type 1, UV type 2, UV type 3 or UV type 4 may not exceed the threshold values for UV-B and UV-A shown in Table 1.

Table 1 UV types of solariums

UV type of solariums	Effective irradiance [W/m ²]	
	UV-B content 250 nm < λ ≤ 320 nm	UV-A content 320 nm < λ ≤ 400 nm
1	< 0,0005	≥ 0,15
2	0,0005 to 0,15	≥ 0,15
3	< 0,15	< 0,15
4	≥ 0,15	< 0,15

4.4 Maximum irradiance

The sum of the erythemal effective irradiance levels of UV-B and UV-A of a UV type 1, 2, 3 or 4 solarium may not exceed the threshold value of 0.3 W/m² in accordance with O-NIRSA.

4.5 Medical recommendation for UV type 4

A UV type 4 solarium may only be used by a person who has a written recommendation for this from a doctor. A document of this type contains at least the following information:

- Name and address of the person for whom it was issued;
- A recommendation for the person named in the document to be allowed to use a UV type 4 solarium;
- Name and address of the doctor;
- Date of issue and signature of the doctor;

Measures taken by operators are considered to be sufficient if they

- draw customers' attention to the need for a medical recommendation, and
- ask the customer to show the medical recommendation before using the solarium (referred to below as a session) and check it for correctness and completeness;
- prevent customers from using solariums of this type without supervision.

The latter point can be achieved if UV type 4 solariums

- are located in controlled-access rooms to which staff must grant access, or
- are remotely controlled by staff, or
- can be operated by inserting tokens or other items that customers in possession of a medical recommendation are given by staff before each session.

The following are not sufficient: Mechanical, electronic or software-based confirmation by individuals that they are in possession of a medical recommendation for use of a UV type 4 solarium.

4.6 Staff training

4.6.1 Training requirements

Operators of UV type 1, 2 and 4 solariums must employ trained staff on the premises. The theoretical and practical training required for this purpose contains the knowledge stated in standards EN 16489-1:2014 (Professional indoor UV exposure services – Part 1: Requirements for the provision of training) and EN 16489-2:2015 (Professional indoor UV exposure services – Part 2: Required qualification and competence of the indoor UV exposure consultant). Indoor exposure consultants are considered to be trained if they have a certificate showing them to have been trained as an "Indoor UV exposure consultant certified in Europe". Providers of training in Switzerland or the European Union must obtain certification as trainers.

4.6.2 Presence

Trained staff must be *on the premises* during the opening hours of the solarium. *On the premises* means:

- For tanning salons: Staff are present on the premises in which the solariums are operated;
- For operators who provide solariums as an ancillary service: Staff are constantly present on premises immediately adjacent to the rooms in which the solariums are operated. Staff always have the rooms where the solariums are located under supervision.

It is not sufficient for operators to employ just one person with a training certificate, while the other persons who operate the solariums do not have a training certificate.

5 Exposure schedule requirements

5.1 Principles

Operators must provide each user with an exposure schedule. The exposure schedule defines the level of exposure to radiation during the first use of the solariums (referred to below as a "session") with untanned skin, the second session with untanned skin, the subsequent sessions, the total dose (total radiation exposure) of a series of sessions, the total annual dose of all series of sessions and the intervals between the individual sessions. An exposure schedule consists of two parts:

- A document completed by the individual (referred to below as a personal exposure schedule) that the operator must provide for customers in

printed form. It basically contains information about the level of exposure to which customers are exposed cumulatively in the course of their sessions and instructions for the customer on how to use this document. Operators can also call the personal exposure schedule "Personal tanning plan".

- Instructions from the operator concerning the exposure times for each solarium operated by this operator, information about the resulting amount of radiation to which the customer is exposed during a single session and information on the proportion of the annual dose accounted for by a single session. This information must be easily

visible and legibly displayed on the device or in the immediate vicinity of the device or the associated payment system/coin-operated machine. Operators may also call this information “cabin plan” or “tanning plan for this cabin”.

The exposure level is the product of irradiance multiplied by exposure time. While irradiance is a fixed parameter, the exposure time can be set variably on the solarium.

In unsupervised solariums this task is done by the customer, who sets the exposure time on the solarium independently. The customer independently notes the irradiance levels shown on the individual solariums in their personal exposure schedule so that the cumulative total exposure over the course of the sessions can be determined. This enables the customer to temporarily stop using solariums when certain values are exceeded in order to avoid harming their health.

In supervised tanning facilities, the facility operator either sets the exposure time on the solarium for the customer, or personally instructs the customer how to do this. The operator enters the cumulative exposure in the customer’s personal exposure schedule, or personally instructs the customer how to do this.

Further points:

- Operators may additionally offer customers a personal exposure schedule in the form of a personal smartphone app.
- Personal exposure schedules are not dependent on skin type; they apply to all individuals who do not belong to the high-risk groups listed in section 2.2.1 of this guidance document.

It is not necessary for the customer or operator to determine the customer’s skin type.

5.2 Personal exposure schedule / tanning plan requirements

5.2.1 Provision of exposure schedules

Unsupervised solariums

A sufficient number of personal exposure schedules in paper form must be available in the immediate vicinity of the individual solariums or in a place that is easily visible for customers. Around 50 copies per solarium is considered to be a sufficient number.

It is not sufficient simply to point out that an exposure schedule is available as a smartphone app since it cannot be assumed that every customer will have a smartphone or will want to install an app of this kind.

Supervised solariums

Paper copies of the personal exposure schedule must be available in the reception area, on the counter, at the cash desk or in other locations at which staff are present.

It is not sufficient simply to point out that an exposure schedule is available as a smartphone app since it cannot be assumed that every customer will have a smartphone or will want to install an app of this kind.

5.2.2 Required form of the personal exposure schedule / tanning plan

The personal exposure schedules provided for customers must contain at least the following fields as shown in Table 2:

Table 2 Personal exposure schedule / tanning plan: Document for users

Session series [start date]	Session	Amount of radiation emitted by the solarium in J/m ²	Waiting period until next session	Contribution to annual dose in J/m ²
1	1st session for untanned skin		48 hours	
	2nd session for untanned skin		48 hours	
	Subsequent session 1		48 hours	
	Subsequent session 2		48 hours	
	Subsequent session ...		48 hours	
	Total for session series 1		48 hours	
2	Total for session series 2		–	
All session series	Total		–	

Further requirements are as follows:

- The fields in the personal exposure schedule that are specific to the device are blank in the copies provided for customers. This allows the details for various solariums provided by various operators to be entered;
- The exposure schedule must be structured in such a way that the erythemat effective irradiance levels in the individual sessions can be added to give the total for a series of sessions;
- The exposure schedule must point out that customers should interrupt a series of sessions if the total erythemat effective irradiance level exceeds 3000 J/m². It is appropriate in this context to state that if this threshold is reached, customers should not use a solarium for three weeks and should then start a new series of sessions;
- The exposure schedule must be structured in such a way that the NMSC (non-melanoma skin cancer)-effective exposure levels in the individual sessions can be added together to give the annual dose;
- The exposure schedule must point out that customers should temporarily stop using solariums if the NMSC-effective annual dose exceeds

25,000 J/m². It is appropriate in this context to state that, if this threshold is reached, customers should stop using solariums until one year after the first session in the series. The contribution to the annual dose can additionally be stated as a percentage to make it easier for customers to add up the figures.

- For better comprehensibility for customers, it is permissible to use the terms “exposure level” or “annual dose” instead of “erythemat effective irradiance level” or “NMSC-effective exposure level” on the personal exposure schedule / tanning plan.

5.2.3 Requirements to be met by the information about exposure levels of each solarium (cabin plan)

The figures in the columns “Exposure time”, “Exposure level” and “contribution to annual dose” must be provided by the operator for every individual solarium device and must be displayed easily visible on the device or in immediate vicinity of the device or the corresponding payment system / coin machine as shown in Table 3.

Table 3 Exposure schedule: information on solarium (cabin plan)

Session	Exposure time	Exposure level	Contribution to annual dose in J/m ²
1st session for untanned skin		Max 100 J/m ²	
2nd session for untanned skin	Min. 10 minutes	Max 250 J/m ²	
Subsequent session 1	Min. 10 minutes	Max 600 J/m ²	
Subsequent session 2	Min. 10 minutes	Max 600 J/m ²	
Subsequent session ...	Min. 10 minutes	Max 600 J/m ²	

Further device-specific requirements:

- The exposure levels may not exceed the values in Table 4.
- From the 2nd session in a series, the exposure time must be at least 10 minutes.
- The contribution to the annual dose must be given as an absolute figure. The contribution to the annual dose can additionally be stated as a percentage to make it easier for customers to add up the figures.
- For better comprehensibility for customers, it is permissible to use the terms “exposure level” or “annual dose” instead of “erythemat effective irradiance level” or “NMSC-effective exposure level” on the personal exposure schedule / tanning plan.

5.2.4 Simplified personal exposure schedule / tanning plan

In addition to the exposure schedule described in section 5.2.2, which customers can use for various types of solariums offered by various providers of such devices, operators can provide a simplified personal exposure schedule for use with a specific model of solarium offered by that operator. These simplified schedules are structured as shown in Table 4:

These simplified personal exposure schedules are not suitable for customers who use multiple types of solarium. The provision of this type of simplified schedule does not release the operator from the obligation to offer exposure schedules as described in section 5.2.2 and to display information about the exposure level in accordance with section 5.2.3 on the individual devices.

Table 4 Simplified pre-printed personal exposure schedule / tanning plan

Session series and date on which the series started	Session		Exposure time [minutes]	Waiting period until next session
Session series 1	1st session for untanned skin	*	entered by operator	48 hours
	2nd session for untanned skin	*	entered by operator	48 hours
	Subsequent session 1	*	entered by operator	48 hours
	Subsequent session 2	*	entered by operator	48 hours
	Subsequent session x, during which total erythema effective irradiance level of all sessions in the series reached 3000 J/m ² and sunbed use must be stopped temporarily	*	entered by operator	–
Session series 2	Ditto for session series 1			
Session series x, during which the sum of NMSC-effective exposure level from all session series reached 25,000 J/m ² and sunbed use must be stopped until one year has passed since the start of the 1st session series	Ditto for session series 1			

* Confirmation box that customer can tick after the session.

5.2.5 Requirements for setting the dose by means of a timer / regulating the dose of the device

It must be possible to adjust the exposure times stipulated by the manufacturer that are displayed on solariums individually for each device. If these exposure times can be regulated by insertion of coins, the device for inserting the coins must accept the corresponding coins.

5.2.6 Correct examples of exposure schedules

In the separate appendix to this guideline, an example of the personal exposure schedule developed by the Swiss solarium Association Photomed is shown, as well as an example of the information displayed on solariums concerning exposure times, exposure levels and contributions to the annual dose. Operators who use these templates developed by Photomed fulfil the requirements of the O-NIRSA for the exposure schedule / tanning plan.

6 Cantonal enforcement

6.1 Principle

Enforcement of the regulations in O-NIRSA for the use of solariums is the responsibility of the cantons. The cantonal enforcement agencies inspect compliance with the requirements for solariums and instructions for operators as described in detail in sections 2–5 of this guidance document.

6.2 Affected operators

The cantonal enforcement agencies inspect the following operators who offer solariums on a commercial or public basis or use them privately within an organised social entity:

- Commercial operators whose main source of income is solariums: tanning salons
- Commercial operators who provide solariums as an ancillary service: hotels, motels, guest houses, bed & breakfast accommodation, holiday apartments, other forms of accommodation, sports facilities, swimming pools, wellness facilities, spa facilities, fitness studios, cosmetic salons, beauty salons, hairdressing salons, private training institutions, rental and hire companies and more. They are within the remit of this Ordinance. The provision of solariums for promotional or trial purposes is also considered to constitute commercial use.
- Public operators: public swimming pools and other public institutions.
- Private operators of an organised, non-profit social entity who provide solariums for the use of their members or visitors: associations, clubs, societies and other operators who provide solariums at a charge or free of charge.

6.3 Administrative proceedings and sanctions

The enforcement agencies must instigate administrative proceedings according to Article 9 para. 3 NIRSA if the installation, use and maintenance of a solarium are not compliant with NIRSA and O-NIRSA and cus-

tomers' health is at risk. The following administrative proceedings are available:

- The enforcement agencies may inspect the installation, use and maintenance of products and the implementation of measures on the premises.
- They may order suitable measures, also on the premises, if inspection shows that the regulations or the manufacturer's safety instructions are not being observed.
- If necessary to protect the health of customers or third parties, they may in particular:
 - order a public warning of the danger associated with use;
 - confiscate the product if the manufacturer's safety instructions are ignored during commercial or professional installation, use or maintenance, and destroy it or render it unusable;
 - order the immediate cessation of exposure that is harmful to health;
 - if products with the potential to harm health are repeatedly used inappropriately in a commercial or professional context, order the revocation of the certificate of competence.
 - warn the public about dangerous use if the operator does not employ effective measures, or does not employ them in a timely manner.

Should the enforcement agencies establish that operators are not acting in compliance with NIRSA and O-NIRSA, they also report the issue to the cantonal law enforcement authorities. According to Article 13 NIRSA, the following sanctions may be imposed for violations of this kind:

- Any person who wilfully fails to follow the manufacturer's safety instructions when installing, using or maintaining solariums in a commercial or professional capacity is liable to a fine of up to CHF 40,000.
- Offenders who act through negligence are liable to a fine of up to CHF 20,000.