

**641—46.2(136D) Definitions.** The definitions set forth in Iowa Code section 136D.2 are incorporated herein by reference.

“*Board of health*” means a county, city, or district board of health that has a 28E agreement with the department to perform inspections under this chapter.

“*Cleansing*” means to remove soil, dirt, oils or other residues from the surface of the tanning unit which may come into contact with the skin.

“*Cleansing agent*” means a substance capable of producing the effect of “cleansing.” These agents shall not adversely affect the equipment or the health of the consumer and be acceptable to the department or board of health.

“*Consumer*” means any member of the public who is provided access to a tanning facility in exchange for a fee or other compensation, or any individual who, in exchange for a fee or other compensation, is afforded use of a tanning facility as a condition or benefit of membership or access.

“*Exposure position*” means any position, distance, orientation, or location relative to the radiation surfaces of a tanning device at which the user is intended to be exposed to ultraviolet radiation from the product, as recommended by the manufacturer.

“*Formal training*” means a course of instruction approved by the department for operators of tanning facilities.

“*Health care professional*” means an individual, licensed by the state of Iowa, who has received formal medical training in the use of phototherapy.

“*Inspection*” means an official examination or observation to determine compliance with statutes, rules, orders, or other applicable conditions.

“*Manufacturer’s recommendations*” means written guidelines established by a manufacturer and approved by the U.S. Food and Drug Administration for the installation and operation of the manufacturer’s equipment.

“*Operator*” means an individual designated to control operation of the tanning facility and to instruct and assist the consumer in the proper operation of the tanning devices.

“*Permit*” or “*permit to operate*” means a document issued by the department that authorizes a person to operate a tanning facility in Iowa.

“*Person*” means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state, or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, but does not include federal government agencies.

“*Ultraviolet radiation*” means electromagnetic radiation with wavelengths in air between 200 and 400 nanometers.

[ARC 7834C, IAB 4/17/24, effective 5/22/24]