



DESERT SUN TANNING AND THE POSTER “WHY TANNING IS SMART” DISPLAYED IN ITS FRONT WINDOW

such an advertisement and, after an inquiry from Corporate Counsel, said the sign would be promptly removed.

“If the FDA or AG says I can’t advertise Vitamin D, I’m not going to do that. We don’t advertise that, period,” Swerland says. “If you work for me, you’re not a doctor. ... We’re in the vanity business.” However, on Desert Sun Tanning’s corporate site, visitors will still find under the heading of “Sunbed Tanning” multiple benefits of regular exposure to sunlight, including regulated blood pressure, reduced stress and healthier hair, skin and nails. Swerland later clarified that he stands behind his website, and does not view the Web page as an advertisement but as a source of information.

The “Why Tanning Is Smart” poster is sold on the website of the trade group International Smart Tan Network for \$14.95. It is not known how many salons display it, aside from Desert Sun, but online dozens of tanning salons have shared the image on their websites, including Ultimate Sun in Milwaukee, Versa Tan in Montana and Rock Star Tanning in California. Some salons have been more cautious with their language online. They avoid making claims on



their own. Instead, they provide links on their websites for consumers to find additional information through TanningTruth.com or the Smart Tan Network, which has 6,000 salon members and emphasizes moderation, warning customers against overexposure. Both websites are packed with research and blog posts in favor of indoor tanning.

Sun Tan City is not a Smart Tan member, but Sternberg says his salons share a similar philosophy. “Unfortunately,

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