



THE WEBSITES OF MANY SALONS FEATURE STUDIES AND STATISTICS ASSERTING THE BENEFITS OF TANNING.

shared stories of melanoma survivors on its website, where it made statements like: “Tanning=Skin Damage.” Seven Nebraska tanning salons sued the NCC last summer for defamation and deceptive trade practices. The suit called into question some of the scientific claims made in The Bed Is Dead campaign, such as “tanning is linked to more skin cancers than cigarettes to lung cancers.” The salons also disputed the NCC’s statement that “tanning before age 35 increases your risk of melanoma by nearly 60 percent.”

The NCC as well as the CDC believe that the American Suntanning Association has mischaracterized their comments. The NCC’s executive director, Kirby Simmering, declined to comment for this article, but the group responded in court records that said: “The statements made on NC2’s website are about the relationship between UV radiation/tanning and cancer, not about the plaintiffs or their businesses.” The CDC’s associate director for science, Greta Massetti, said that her organization stands behind the research that Sternberg suggested had been changed as a result of the scientific evidence provided by the indoor tanning industry. The CDC changed the wording, she said, only because it was being misrepresented in articles and studies. She also stressed that her group’s meeting with the ASA focused only on sun exposure, and “indoor tanning was not mentioned or discussed.”

Beyond the disputes with its critics, the tanning industry faces plenty of challenges, says public relations and crisis expert Richard Levick, chairman and CEO of Levick in Washington, D.C. Levick’s firm has handled many high-profile campaigns, such as the sexual abuse scandal within the Catholic Church and the BP oil spill. He says that there must be a positive for an industry or group to survive a crisis. With the tanning industry, there isn’t a clear benefit for the public, he says. Plus, Levick conducted a social analysis on the industry during a 24-hour period in early May. Granted, it was a short time frame, but he found only 132 tweets about tanning, many of

which he says were negative. “They don’t have any allies,” Levick says. “They don’t have enough support from the salons, they don’t have customers as allies. They certainly don’t have support from the government,” he says.

James Haggerty, a public relations expert with CrisisResponsePro (and a former CorpCounsel.com columnist), says that the indoor tanning industry has a long road ahead to convince the public that indoor tanning has health benefits—especially with the Skin Cancer Foundation reporting that there are more than 419,000 cases of skin cancer in the U.S. each year linked to tanning beds.

Considering all of the back-and-forth with the research coming from the indoor tanning industry, Haggerty says, “If the science is true, they’ve done a horrible job at letting the public know. If it is not the truth, or half the story or a quarter of the story and they’re trying to spin it, ultimately, something like that usually fails.”

Yet, the industry still has its supporters. Dawn Diaz worked as the general counsel of Planet Beach Franchising Corp. from 2003 to 2009. She has since moved on to lead the legal department of a finance company, but she is still a believer in tanning. When she worked for Planet Beach, the brand was expanding rapidly, but later in her tenure, the salons began to diversify and shift their focus to fitness and other services. Diaz says she is half Hispanic and doesn’t have a problem getting color outdoors, but when she worked for the chain, headquartered in Louisiana, she used tanning beds or booths once a month solely for the Vitamin D exposure. “Laying out in the sun is much more dangerous,” she asserts. “The exposure is controlled, versus the sun, you don’t know how much you’re getting. You don’t really see as many burns in tanning beds.”

Sternberg says that all the tanning industry can do is to continue to “operate within the laws as they stand today” and “try to educate the government and change their stance. Our hope,” he adds, “is that the science will be heard.”