**Section 795.170 Protective Eyewear**

a) Each consumer shall be provided with protective eyewear before each tanning session, with instructions for its mandatory use.

b) Protective eyewear shall meet or exceed the requirements of 21 CFR 1040.20(c)(4). Tanning facilities shall maintain documentation to verify that protective eyewear meets federal requirements.

c) Protective eyewear shall be properly sanitized before each use, using a sanitizing agent which is registered by the United States Environmental Protection Agency (U.S.E.P.A.) as follows:

1) immersion for at least one (1) minute in a clean solution containing at least two hundred (200) milligrams per liter (parts per million) of available quaternary ammonium compound at a temperature of at least sevety-five degrees Fahrenheit (75° F.); or

2) immersion for at least one (1) minute in a clean solution containing at least fifty (50) milligrams per liter (parts per million) of available chlorine as a hypochlorite and at a temperature of at least seventy-five degrees Fahrenheit (75° F.); or

3) immersion for at least one (1) minute in a clean solution containing at least twelve and one-half (12.5) milligrams per liter (parts per million) of available iodine and at a pH of which the efficacy has been demonstrated to be effective by the manufacturer and at temperature of at least seventy-five degrees Fahrenheit (75° F.); or

4) immersion in a clean solution containing any other chemical sanitizing agent registered by the United States Environmental Protection Agency (U.S.E.P.A.) and specifically manufactured for use with protective eyewear that will provide the equivalent bactericidal effect of a solution containing at least fifty (50) milligrams per liter (parts per million) of available chlorine as hypochlorite at a temperature of at least seventy-five degrees Fahrenheit (75° F.) for one (1) minute.

d) A test kit or other device that accurately measures the concentration of the sanitizing solution in parts per million shall be used to measure the strength of the sanitizing solution at least once each day of tanning facility operation or more frequently as needed to ensure sufficient strength of the sanitizing solution.

e) Exposure of protective eyewear and other tanning equipment to the ultraviolet radiation produced by the tanning equipment itself shall not be considered a sanitizing agent.

f) Each consumer shall wear the protective eyewear as instructed. The operator shall not allow a consumer to use a tanning device if the consumer will not wear compliant protective eyewear.