

ASA System response to the APPG on Beauty and Wellbeing consultation on UV Safety (2025-2026)

1. Background and introduction

- 1.1.** This submission is provided by the Advertising Standards Authority (ASA), the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) – the ‘ASA System.’
- 1.2.** The ASA system is providing this written submission in response to the APPG on Beauty and Wellbeing consultation on UV Safety (2025-2026). We are responding to question 12 of the consultation and submitting further evidence which is not covered in the other call for evidence questions.
- 1.3.** The ASA is the UK’s independent advertising regulator. We have been administering the non-broadcast Advertising Code (written and maintained by CAP) for over 60 years and the Broadcast Advertising Code (written and maintained by BCAP) for 20, with our remit further extended in 2011 to include companies’ advertising claims on their own websites and in social media spaces under their control.
- 1.4.** We are the UK’s independent frontline regulator of ads by legitimate businesses and other organisations in all media, including online. Our work includes undertaking proactive projects and acting on complaints to tackle misleading, harmful or offensive advertisements. We are committed to evidence-based regulation, and we continually review new evidence to ensure the rules and our application of them remain fit-for-purpose.
- 1.5.** As the UK’s frontline advertising regulator, the ASA brings together different statutory, co-regulatory and self-regulatory enforcement mechanisms so they appear seamless to people and businesses. Our system involves the active participation of a range of legal backstops in the consumer protection landscape. We work closely with a network of partners including the Medicines and Healthcare products Regulatory Agency, Competition and Markets Authority, Information Commissioner’s Office, Ofcom, Trading Standards, the Gambling Commission and the Financial Conduct Authority.
- 1.6.** We call our model of partnering with businesses and other regulators ‘collective ad regulation.’ The ASA’s independence and the buy-in and support we receive through collective ad regulation delivers faster, more flexible, more joined-up and proportionate regulation.
- 1.7.** The UK Advertising Codes include rules reflecting specific legal provisions and rules developed through separate regulatory process, which in combination ensure ads don’t mislead, harm, or seriously offend their audience. The inclusion of the rules in the UK Advertising Codes has enormous benefits for responsible businesses and for consumers, who benefit from the protection the rules afford.

2. The ASA's role and remit in regulating claims about UV safety

- 2.1.** Claims in advertising that refer to UV exposure must comply with the UK Advertising Codes.
- 2.2.** Claims in advertising for medicines, medical devices, treatments, health-related products and beauty products, including sunbeds, tanning products and sun creams must comply with the UK Advertising Codes.

3. Our Rules

- 3.1.** The UK Advertising Codes contain a set of rules which ensure that people and responsible business are protected from harmful and irresponsible advertising.
- 3.2.** We have a dedicated section of the Code on social responsibility. Ads must be prepared with a sense of responsibility to consumers and society (Rule 1.3).
- 3.3.** We have strict rules in place to protect children from potentially harmful ads. Ads for cosmetic interventions, such as using a sunbed, should not be directed at consumers under 18.
- 3.4.** We also have a section of the Code dedicated to misleading advertising.
 - Ads must not materially mislead or be likely to do so (Rule 3.1)
 - Ads must hold documentary evidence to prove claims that consumers are likely to regard as objective and that are capable of objective substantiation (Rule 3.7).
- 3.5.** It is generally accepted that tanned skin from any form of UV exposure is itself a sign of skin damage. The NHS and Cancer Research UK are clear that UV rays emitted from sunbeds increase the risk of developing skin cancer. Subsequently, any ads for sunbed products should tread very carefully to avoid producing ads which are not only misleading, but also irresponsible.
- 3.6.** When advertising sunbed products and UV tanning services, ads should not diminish the risk of skin cancer from sunbeds, make unsubstantiated claims that sunbed use provides the same benefits (Vitamin D) as natural exposure to sunlight, encourage people to use sunbeds as a way to increase Vitamin D levels or make claims about the specific health benefits of using sunbeds such as reducing the risk of depression as it could discourage essential medical treatment.
- 3.7.** When advertising suncreams, advertisers must hold documentary evidence to substantiate any claims about suncream, including a product's SPF, its UVB or star rating, or if it's broad spectrum. This would also apply to products which include SPF, such as a moisturiser, or any other claims, such as if it's water resistant.
- 3.8.** The Advertising Codes allow ads for cosmetics that protect against environmental factors (like the sun) to make claims that refer to, amongst other things, delaying premature ageing.

3.9. Advertisers should also take care not to encourage consumers to undertake irresponsible or potentially harmful behaviour to obtain a tan or diminish the negative health impacts of a sunburn.

4. Proactive monitoring and enforcement

4.1. While we regulate ads wherever they appear, we are focused on further increasing the effectiveness of our regulation of online advertising. Harnessing innovative tech, we proactively monitor online advertising and undertake compliance sweeps to make sure ads are responsible and targeted responsibly.

4.2. Our Active Ad Monitoring System deploys AI in current high-priority advertising areas like gambling, green claims, vaping, cosmetic tourism and prescription-only medicines. It processed 28 million ads in the last year, giving us much greater visibility of ads appearing online.

4.3. In 2025, we opened a proactive project into online ads for sunbeds and related tanning products which make claims that suggest there may be a safe, or safer, way to obtain a tan. Using our Active Ad Monitoring System, our data science team identified 380 ads relating to the promotion or general advertising of sunbeds, which were then reviewed by our Investigations team.

4.4. We identified three main areas where some of those ads risked breaching the Code:

- *Tan safe*: Phrases used in ads for sun bed shops/sun bed home hire such as 'tan safe', 'safely', 'responsible tanning'. The idea of tanning and 'safe' 'safely' 'safety' are conflated in many sunbed ads, possibly giving consumers a false impression of the danger of sunbeds, and implying that there may be safer ways to obtain a tan.
- *Tan accelerators*: Products used prior to UV exposure (in this context, before using a sunbed) claiming that a darker tan can be achieved more quickly when the product is used. There is a potential implication that less time is spent in the sun, meaning the product makes tanning safer.
- *Health claims*: Various claims made regarding the health benefits of sunbed use, including boosting Vitamin D, improving mood, and treating conditions such as Seasonal Affective Disorder, Eczema and Psoriasis.

4.5. Six formal investigations are currently underway into ads raising those issues, and where they proceed to a ruling, they will be published on our website in due course. Whether individual ads breach the CAP Code will depend on the individual facts of the case.

5. Rulings

Sunbeds

5.1. The ASA has previously investigated ads making claims that there is no link between sunbed use and the risk of developing skin cancer. Indigo Sun and The Suntanz Company sought to rely on studies and scientific research but the evidence was not sufficiently robust in demonstrating the lack of any such link. Most importantly, they

ignored official advice from organisations such as NHS and Cancer Research UK that UV rays emitted from sunbeds increases the risk of developing skin cancer, both malignant melanoma and non-melanoma.

- 5.2.** We took action again recently (September 2025) against [Indigo Sun](#) for using a study from the University of Edinburgh to make misleading claims about the health benefits of UV light from sunbeds.
- 5.3.** We have banned ads by [Basetan](#) and [The Tanning Shop](#) which encouraged the use of sunbeds for vitamin D production.
- 5.4.** We found that the available tools on social media to help restrict ads from certain audiences to prevent those under 18s from viewing it were not being used by [Golden Tanning Salon](#), and was in breach of our rules.

Sunburn

- 5.5.** We have also taken action against ads for encouraging irresponsible behaviour. We upheld against a [Virgin Holidays](#) ad for promoting a “TANUARY SALE” as we considered the ads could encourage people to tan their skin without giving sufficient prominence to information about sun safety.

Suncreams

- 5.6.** We published an upheld ruling against [The Boots Company](#) for an ad featuring a serum which we found could condone exposure to the sun without sunscreen and therefore were irresponsible and harmful.

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