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To make teeth white, have a dentist on site *FDA gave OK, but state wants a DDS*

BY MATTHEW O'ROURKE REPUBLICAN-AMERICAN

When Catherine Tierney bought Coconuts Tanning Salon in Rocky Hill nearly four years ago, she started searching for ways to expand her business's spa services.

Then she read about a new service growing in popularity: teeth whitening.

So she purchased a U.S. Food and Drug Administration-approved machine that completes teeth whitening in 15 to 20 minutes, and charged \$99 per session.

That was until she received a cease-and-desist letter from the state Department of Public Health.

Tierney's not alone.

Customers heading to local spas and salons looking to leave with a haircut and a brighter smile now may have to settle for only the haircut.

A June ruling by the state Dental Commission now requires most teeth-whitening services offered by some salons and kiosks to be done under the supervision of a dentist.

Tierney said she was surprised, especially since the machine had been approved for use by the federal government.

"To stay in business, I need ways to diversify my services," she said. "This will hurt my numbers at the end of the year, for sure."

Salons across the state frequently advertise the methods as painless, FDA-approved, and cheaper than whitenings provided by a dentist's office, which can cost hundreds of dollars and, because they are cosmetic, usually are not covered by insurance. Some salons offer ultraviolet or LED light services to complete the whitening, while others use whitening strips or chemicals.

Without proper licensing and training, however, those services can lead to tooth damage, sensitive gums or even burns, according to the commission.

While the ruling does not prohibit salons from offering the services, it does require a licensed dentist or hygienist to be on staff to conduct an examination before determining whether clients should receive the services. Without a license, salons could face fines or receive cease-and-desist orders.



Southbury dentist Dr. Jack Zazzaro sits down with his assistant to demonstrate and explain various teeth whitening techniques available to patients in his office.

Erin Covey Republican American

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No license is required, though, for the over-the-counter products available in pharmacies.

"Although any case brought before the commission will be judged based upon the totality of circumstances, as a general rule actual application of a tooth whitening gel to another by another person or an employee of the company constitutes dentistry," the commission wrote in its June 8 decision.

Whitening usually includes a form of bleaching, with either hydrogen peroxide or carbamide peroxide, where over-the-counter products contain 15 percent or less of either chemical. Concentrations used by dentists can be as high as 38 percent, and can cause sensitivity and burns.

The seven-member commission, six of whom are dentists, based its decision on safety concerns raised by residents who wrote letters to the board, said Dr. Jeanne P. Strathearn, the commission's chairman. Part of the danger is that without training, a salon worker may not know how to properly handle tooth molds, which could leak the bleach and cause injury.

"The bottom line is protection of the public," Strathearn said. "Cosmetics are fine and we don't want to prohibit people from doing anything, but we want to be sure they know what they're doing and that it's safe."

Dr. Jack Zazzaro, whose dental practice has been open on Main Street North in Southbury for seven years and previously was in Waterbury for 20 years, filed a complaint with the state about one nearby salon a few years ago after he noticed the business offered whitening services.

Zazzaro said that while the salon provided some work for less than the \$300 to \$700 his office charges, he is concerned that the work could damage a patient's gums or teeth unless an exam is done first.

"It's a problem because this is a gray area," Zazzaro said. "Sure, there's an economic factor there as well, and I don't need someone doing it for half the price (or) half as well as someone with proper training. If you have someone using a standard mold that's not made to fit their teeth, the whitening could make them look even worse."

The decision is one of the latest in several nationwide battles between dentists and whitening clinics. A similar ruling in North Carolina was overturned by a federal judge in July, after the Federal Trade Commission sued the state, arguing that the state's Board of Dental Examiners created a monopoly by allowing only dentists to perform whitening procedures.

Some salons and kiosks, though, have tried to avoid the dentistry label by providing molds and bleaches to customers who then complete the work themselves.

Enzo Garro, who owns Solar Escape in Waterbury, said he isn't worried about the new ruling, likening the products he provides to the same as over-the-counter whitening strips.

"We get occasional customers, but it's not like it's flying off the shelf or anything," Garro said. "It's not that big of a deal."

Jon Davis, a past president of the Connecticut State Dental Association who testified before the commission, said the organization did not ask for the review and added that he had not personally heard of any complaints from members about the kiosks.

However, Davis, who runs a practice in Fairfield, said he agreed with the commission's decision, adding that only a dentist can recognize whether discoloration is caused by decay, cavities or gum diseases.

"If the burning occurs, who are you going to turn to?" Davis said. "Are you going to run back to the tanning salon, or find a dentist?"