

SB638

TESTIMONY

February 7, 2013

Re: SB 638

I am president of Consumers for Safe Cell Phones, a non-profit, 501C3 corporation organized under the laws of the state of Washington. CSCP's mission is to educate consumers, government, and the general public on the health and safety issues related to the use of cell phones and other wireless consumer devices, and on the regulations at the federal, state, and local level that relate to such health and safety issues.

I am submitting this testimony in support of SB 638.

In May 2011, the World Health Organization issued a press release that stated,

*"The WHO/International Agency for Research on Cancer (IARC) has classified radiofrequency electromagnetic fields as **possibly carcinogenic to humans (Group 2B)**, based on an increased risk for **glioma**, a malignant type of brain cancer¹, associated with wireless phone use."*

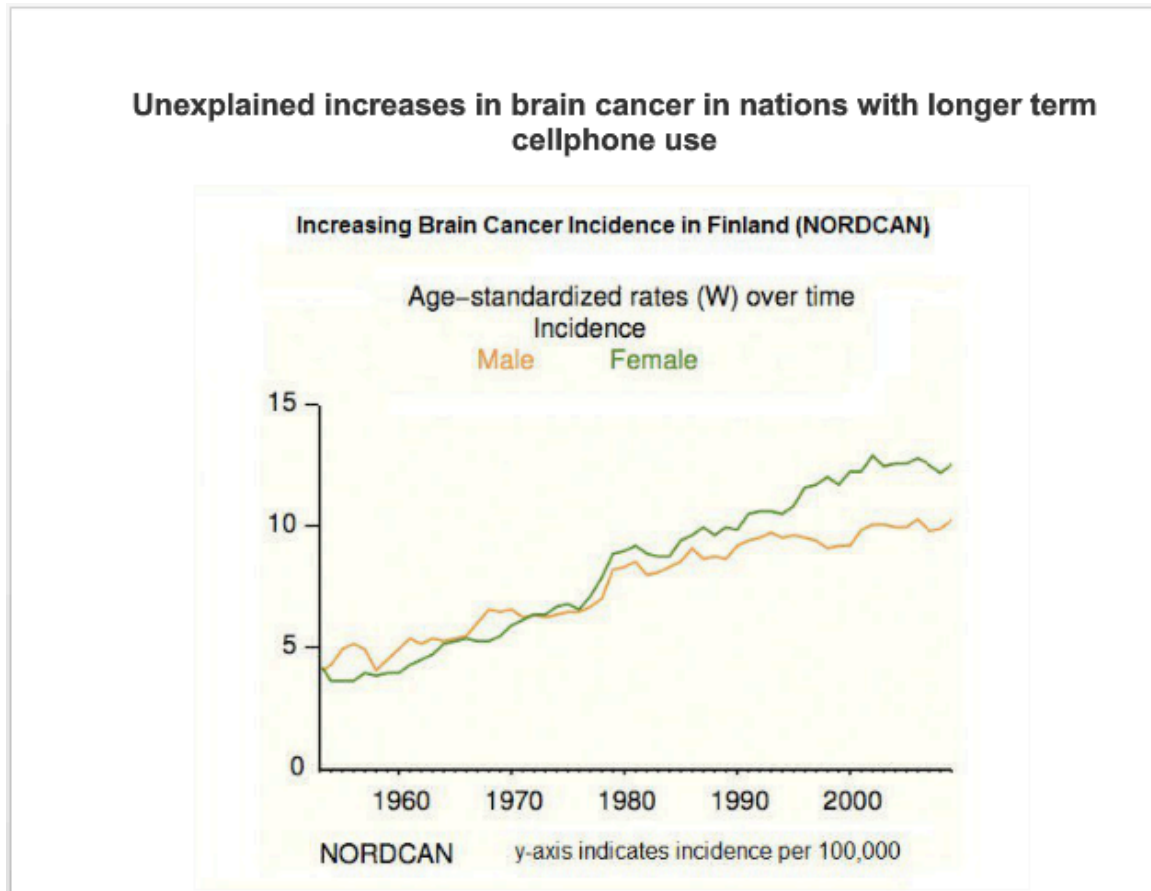
The 2010 U.S. President's Cancer Panel found that there is a possible risk of brain cancer from cell phones. It was concluded that **until more research is conducted, the panel recommended that people reduce their usage by making fewer and shorter calls, using hands-free devices so that the phone is not against the head and refraining from keeping a phone on a belt or in a pocket.**

The industry-funded, multi-national Interphone study which was touted as the final word on the issue of cell phones and the risk for brain cancer did actually find an increased risk for malignant brain tumor (glioma) after 10 years of cell phone use at 30 minutes per day. Yet, the industry has white-washed the finding and reported to media that there was no risk found.

Dr. Hardell, a prominent researcher in the field of cell phone health risks, analyzed data from his long term studies and determined that a young person who begins using a cell phone before the age of 20 has a 5-fold increased risk of developing brain cancer. ("On the association between glioma, wireless phones, heredity and ionising radiation": Michael Carlberg, Lennart Hardell *Department of Oncology, University Hospital, SE-701 85 Örebro, Sweden* Accepted 6 July 2012)

CTIA Wireless Association, the lobbying arm of the cell phone industry, and their scientific "surrogates" have refused to accept the findings of the thousands of published studies showing health risks from the microwave radiation exposure of cell phones. Instead, they denounce the mounting evidence of an association with brain cancer from cell phone exposure by pointing to brain tumor registries around the world - making the unfounded and ridiculous claim that because the rates aren't rising, there is no brain tumor risk. Biologists and epidemiologists understand that brain tumors' latency periods are anywhere from 10-50 years. It has only been in the past 12-15 years that cell phone use has been widespread in the U.S., with children and young people only getting fully on board in the past 10 years.

However, brain tumor rates are indeed rising in countries around the world, including in the U.S. Finland, a country with a longer period of cell phone use by their population compared to that of the U.S., is showing an unexplained increase in brain cancer (see chart below):



A recent study shows that here in the US, brain cancer registries are showing an increase in frontal and temporal lobe tumors, the parts of the brain most affected by cell phone use. (Zada et al, 2012) This study was based upon Los Angeles County Cancer Surveillance Program (LAC), the California Cancer Registry (CCR), and the National Cancer Institute's Surveillance, Epidemiology, and End Results (SEER) program for 1992 to 2006.

Current FCC SAR cell phone compliance testing does not adequately account for absorption into the brains and bodies of children and small adults.

As stated in a recent letter to the FCC by the American Academy of Pediatrics, "***In fact, according to IARC, when used by children, the average RF energy deposition is two times higher in the brain and 10 times higher in the bone marrow of the skull, compared with mobile phone use by adults...it is essential that any new standard for cell phones or other wireless***

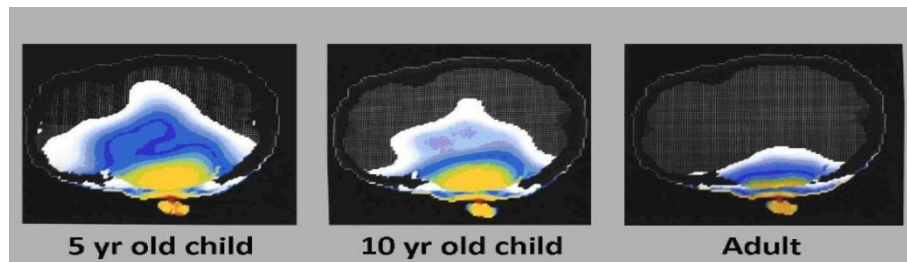
devices be based on protecting the youngest and most vulnerable populations to ensure they are safeguarded throughout their lifetimes.” Dr. Robert Block, President of the American Academy of Pediatrics, (2012)

The July 2012 U.S. Government Accountability Office (GAO) report “Telecommunications: Exposure and Testing Requirements for Mobile Phones Should Be Reassessed” found that:

“By not formally reassessing its current limit, FCC cannot ensure it is using a limit that reflects the latest research on RF energy exposure. FCC has also not reassessed its testing requirements to ensure that they identify the maximum RF energy exposure a user could experience. Some consumers may use mobile phones against the body, which FCC does not currently test, and could result in RF energy exposure higher than the FCC limit.”

Children and Teens’ Brains Are NOT Considered By Industry’s Cell Phone Exposure Testing

The image below demonstrates the increased absorption of cell phone radiation within the brains of children; studies show that those who begin using their cell phones as children develop brain tumors at a faster rate.



With Permission, Prof. Om P. Gandhi

Cell phone radiation affects children’s brains more than adults’ brains

“Children, however, are not little adults and are disproportionately impacted by all environmental exposures, including cell phone radiation. In fact, according to IARC, when used by children, the average RF energy deposition is two times higher in the brain and 10 times higher in the bone marrow of the skull, compared with mobile phone use by adults...it is essential that any new standard for cell phones or other wireless devices be based on protecting the youngest and most vulnerable populations to ensure they are safeguarded throughout their lifetimes.” Dr. Robert Block, President of the American Academy of Pediatrics, (2012)

The published study “Exposure Limits: The underestimation of absorbed cell phone radiation, especially in children,” (Gandhi et al, 2011) notes that the industry-designed process for

evaluating microwave radiation from phones results in children absorbing twice the cellphone radiation to their heads, up to triple in their brain's hippocampus and hypothalamus, greater absorption in their eyes, and as much as 10 times more in their bone marrow when compared to adults.

A major study found an 8 fold increase in brain tumors in 20-29 year olds after only 5 years of cell phone use (Hardell et al, 2004). Children and teens will have a lifetime of exposure; a 2011 Pew Research Study found that **8 out of 10 teens sleep with their phones under their pillows.**

The Fetus of a Pregnant Cell Phone User is At Risk from Exposure

In March of 2012, Yale released a published study called, "Cell phone use in pregnancy may cause behavioral disorders in offspring": Yale University 2012 study, **Scientific Reports 2 : 312** | DOI: 10.1038/srep00312: <http://news.yale.edu/2012/03/15/cell-phone-use-pregnancy-may-cause-behavioral-disorders-offspring>

IF WE DON'T TAKE ACTION NOW TO INFORM CITIZENS ABOUT THE KNOWN FACTS OF POSSIBLE HEALTH RISKS AND ABOUT WAYS THEY CAN SAFELY USE THEIR CELL PHONES, WE COULD BE FACING A PUBLIC HEALTH EPIDEMIC THAT IS UNIMAGINABLE IN TERMS OF FUTURE ECONOMIC AND SOCIETAL COSTS.

Using a Cell Phone Against the Body Exposes the User to Microwave Radiation that Exceeds the FCC Safety Limit

The majority of consumers carry and use their phones directly against their bodies. Yet, as was reported in the 2012 GAO study, the FCC's obsolete cell phone radiation testing standards allow manufacturers to position each cell phone held up to 1" away from the testing body (aka "phantom").

This "oversight" allows phones to pass the exposure test when they would not likely do so if required to be tested directly against the testing body. It also underestimates the exposure being received when phones are used directly against the body. Consumers who use phones against their bodies are therefore exposed to microwave radiation that exceeds the U.S. federal safety limit.

Consumers are not being informed of the current safe separation distance warning due to manufacturers being allowed to deceptively hide the FCC-required information in the fine print of manuals written in technical jargon few consumers understand.

Since manufacturers are not warning consumers against doing so, most people carry and use their cell phones in pants or breast pockets or tucked into waistbands. Studies show reduced

fertility for men who carry and use cell phones in their pockets; breast cancer surgeons are reporting unusual breast tumors in young women who carry their phones in their bras.

The recent GAO report affirmed that carrying or using a cell phone directly against the body results in radiation exposure that may exceed the FCC's safety limits.

Manufacturers Are Deceptively Hiding Consumer Radiation Exposure Warnings

EVERY U.S. cell phone manufacturers engages in the industry-wide practice of deceptively hiding consumer safe distance disclosures in technical language, printed in fine print and located in sections of the user guide where a consumer will rarely see them.

1. **iPhone** warning which appears in the user manual in print barely legible to the naked eye, much smaller than #8 font shown. NOTE: RECENTLY APPLE STOPPED DISTRIBUTING MANUALS WITH THE PHONES AND THE SAFETY WARNING MUST NOW BE DOWNLOADED:

*"iPhone's SAR measurement may exceed the FCC exposure guidelines for body-worn operation if positioned less than 15 mm (5/8th inch) from the body (e.g.; **when carrying iPhone in your pocket**)..... When using iPhone near your body for voice calls or for wireless data transmission over a cellular network, keep iPhone at least 15 mm (5/8th inch) away from the body, and only use carrying cases, belt clips or holsters that do not have metal parts and that maintain at least 15 mm (5/8th inch) separation between iPhone and the body."*

2. "Fine print warning" found in the **BlackBerry Tour** user manual, buried in the back of the pamphlet under compliance information:

"Use hands-free operation if it is available and keep the BlackBerry device at least 0.98 in. (25 mm) from your body (including the abdomen of pregnant women and the lower abdomen of teenagers) when the BlackBerry device is turned on and connected to the wireless network. For more information about carrying your BlackBerry device, see the holster information in the "Additional safety guidelines" section of this document."

Federal regulatory authorities and the industry are NOT taking consumer safety seriously – State legislators MUST take action NOW to protect citizens!

Respectfully submitted,

Cynthia Franklin, President
Consumers for Safe Cell Phones

February 7, 2013

Honorable Josh Green, MD
Chair, Hawaii Senate Committee on Health
Hawaii State Capitol
Room 215
Honolulu, HI 96813

Honorable Glenn Wakai
Chair, Hawaii Senate Committee on Technology and the Arts
Hawaii State Capitol
Room 216
Honolulu, HI 96813

Re: Testimony in Opposition to Senate Bill 638

Dear Chairmen Green and Wakai:

On behalf of CTIA-The Wireless Association®, the trade association for the wireless communications industry, I write in opposition to Senate Bill 638, which would require warning labeling on cell phones. CTIA believes this legislation is unnecessary, inconsistent with the Food and Drug Administration's conclusion that "[t]he scientific evidence does not show a danger to any users of cell phones from RF exposure, including children and teenagers," and conflicts with federal law.

The Federal Communications Commission (FCC), after consultation with the Food and Drug Administration (FDA), the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the National Institute for Occupational Safety and Health (NIOSH), has adopted standards governing radiofrequency (RF) energy from cell phones and determined that all cell phones that comply with those standards are safe for use by the general public. The FCC asserted that its standards represent the "best scientific thought and are sufficient to protect the public health."¹ No wireless device may be offered for sale or lease in the United States unless the cell phone has been authorized in accordance with the FCC's RF regulations. The FCC states that "[a]ny cell phone at or below these SAR levels (that is, any phone legally sold in the U.S.) is a 'safe' phone, as measured by these standards."² In addition, the Federal Radiofrequency Interagency Work Group, composed of representatives from FCC, FDA, EPA, NIOSH, OSHA, and National Telecommunications and Information Administration, continues to monitor the medical literature in this area to ensure the FCC standards remain appropriate.³

Leading national and international health and safety organizations have concluded that there are no known adverse health risks associated with the use of wireless devices. In fact, the FDA concludes

¹ The FCC has explained that its RF testing, certification, and emissions standards "protect the public health with respect to RF radiation from [all] FCC-regulated transmitters," including wireless phones. In re Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, Release No. 96-326, 11 F.C.C.R. 15123, 15184 ¶ 169 (1996) ("FCC First Order").

² See "Cellular Telephone Specific Absorption Rate (SAR)," available at <http://www.fcc.gov/cgb/sar/> (last visited Feb 6, 2013).

³ See Cell Phones, available at: <http://www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/CellPhones/default.htm> (last visited Feb 6, 2013).

that, “[t]he scientific evidence does not show a danger to any users of cell phones from RF exposure, including children and teenagers.”⁴ Additionally, the FCC advises in its consumer fact sheet on the issue of wireless devices and health concerns that, “[s]ome health and safety interest groups have interpreted certain reports to suggest that wireless device use may be linked to cancer and other illnesses, posing potentially greater risks for children than adults. While these assertions have gained increased public attention, currently no scientific evidence establishes a causal link between wireless device use and cancer or other illnesses.”⁵ Moreover, in its June 2011 factsheet on this issue, the World Health Organization advises that, “[a] large number of studies have been performed over the last two decades to assess whether mobile phones pose a potential health risk. To date, no adverse health effects have been established as being caused by mobile phone use.”⁶

The bill’s labeling mandate on cell phones is intended to serve as a consumer product warning. The Maine Legislature considered and rejected a similar proposed warning label bill in 2010. It did so based, in large measure, on testimony provided by then-director of the state Center for Disease Control and Prevention, Dr. Dora Anne Mills. Dr. Mills summarized it best when she advised the Maine Legislature that “to warn against something, there should be a defined risk. Our [Maine CDC and Department of Health and Human Services] reading of the research, including numerous studies and analyses, does not indicate there is a defined cancer risk to warn against.”⁷ Moreover, Dr. Mills explained that issuing warnings based on undefined risks would result in an “over-warned and turned-off public as well as a lack of credibility in the warnings themselves.”⁸ As the Maine CDC found, mandating cell phone labeling is unnecessary and would result in consumers doubting the efficacy of warning labeling generally, thereby lessening the impact of labels on other consumer products where they serve to protect consumers from defined risks and true harm.

Senate Bill 638 is proposed based on what the bill itself calls “*speculation* over the *potential* dangers of human exposure to electromagnetic radiation emitted by cellular telephones.” Senate Bill 638 contradicts the clear message of the federal regulatory agencies that have carefully considered this issue, which is that devices compliant with the federal standards are safe for consumer use. As such it simply does not meet the fundamental purpose of consumer product information: to better inform the consumer about the product. Instead, it constitutes a contradiction to established RF safety levels and, more specifically, challenges the efficacy of the U.S. government’s determinations of the safety of wireless products. Such a result will not benefit consumers.

Finally, any attempt by state governments to regulate cell phone labeling based on alleged safety concerns is preempted by federal law. The federal government’s exclusive jurisdiction over radio communications is predicated on a finding that national regulation is not only appropriate, but it is essential to the operation of a seamless, interstate telecommunications network because radio waves operate without regard to any state lines. In light of the federal government’s primacy over wireless

⁴ See Children and Cell Phones, available at <http://www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/CellPhones/ucm116331.htm> (last visited Feb 6, 2013).

⁵ See Wireless Devices and Health Concerns, available at <http://www.fcc.gov/cgb/consumerfacts/mobilephone.html> (last visited Feb 6, 2013).

⁶ See Electromagnetic fields and public health: mobile phones, available at <http://www.who.int/mediacentre/factsheets/fs193/en/index.html> (last visited Feb 6, 2013).

⁷ Testimony of Dora Anne Mills, M.D., Ph.D., Director, Maine Center for Disease Control and Prevention, in Opposition to Maine LD 1706, Cell Phone Warning Label Legislation, 03/02/2010 at page 1.


⁸ Id at page 4.

communications in general and RF in particular, state government authority to regulate in this area is severely constrained.

After the City of San Francisco adopted a cell phone-related labeling and disclosure ordinance in 2011, CTIA sued the City arguing that the ordinance abridged cell phone retailers First Amendment rights. In September 2012, a three judge panel of U.S. Court of Appeals for the Ninth Circuit ruled in CTIA's favor, finding that the FCC has concluded that cell phones are safe and the ordinance's requirements were misleading. Accordingly, the court permanently enjoined the City from enforcing its ordinance.

In closing, Senate Bill 638 is unnecessary, inconsistent with the FDA's conclusion that "[t]he scientific evidence does not show a danger to any users of cell phones from RF exposure, including children and teenagers," and conflicts with federal law. Accordingly, we respectfully request that your committees refrain from moving Senate Bill 638.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerard Keegan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gerard Keegan
Senior Director, State Legislative Affairs

**SENATE COMMITTEE ON
HEALTH**

and

**SENATE COMMITTEE ON
TECHNOLOGY AND THE ARTS**

February 8, 2013

Senate Bill 638 Relating to Health

Chair Green, Chair Wakai, members of the Senate Committee on Health, and members of the Senate Committee on Technology and the Arts, I am Rick Tsujimura, representing T-Mobile USA, Inc.

T-Mobile joins CTIA-The Wireless Association's opposition to Senate Bill 638, which, if enacted, would require placement of warning labels on cell phones. This proposed requirement would both contradict the position on the safety of cell phones stated by the federal agencies charged with regulating them and improperly require sellers of cell phones to communicate a controversial and misleading message to consumers.

The FDA and FCC have concluded that there are no known adverse health effects from cellular telephones. Indeed, the FCC has determined that all cell phones lawfully sold in the U.S. "are safe for use,"¹ and the FCC "does not endorse the need" for consumers to take "measures to further reduce exposure to RF energy."² The FDA has determined that "[t]he scientific evidence does not show a danger to any users of cell phones from RF exposure, including children and teenagers"³ and that "[t]he weight of scientific evidence has not linked cell phones with any health problems."⁴ Senate Bill 638's proposed warning that cellular telephones emit "electromagnetic radiation, exposure to which may cause brain cancer," flatly contradicts these pronouncements.

T-Mobile endorses the comments made by CTIA-The Wireless Association®, and joins its request that your committees refrain from moving Senate Bill 638.

¹ Brief of the United States and the FCC as Amicus Curiae at 15-16, *Murray v. Motorola*, No. 07-cv-1074, 2008 WL 7825518 (D.C. Apr. 8, 2008).

² FCC, Guide, *Wireless Devices and Health Concerns* (emphasis removed) (<http://www.fcc.gov/guides/wireless-devices-and-health-concerns>).

³ FDA, Radiation-Emitting Products, Children and Cell Phones (updated Mar. 10, 2009) (<http://www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/CellPhones/ucm116331.htm>)

⁴ FDA, Radiation-Emitting Products, Health Issues (updated May 18, 2010) (<http://www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/CellPhones/ucm116282.htm>).

From: [Sandra Herndon](#)
To: [HTHTestimony](#)
Cc: [TECTestimony](#)
Subject: Support of SB638
Date: Thursday, February 07, 2013 10:24:25 AM

Aloha Senators,

I ask you to support SB638, the bill to require labeling of the cellphones. Although I recognize the convenience (and to some extent, the necessity) of cellphones, like many other technological "advances" there are pros and cons. The "pros" are widely promoted by the industry, just as the "cons" are hidden or dismissed. In point of fact, research has proven that much damage to health can be incurred with improper use of cell phones and cordless phone instruments due to the radioactivity. These devices SHOULD be labeled so that we can re-evaluate how to use them.

Mahalo for your support of this bill and the public that entrusts you with decision making on their behalf!

--

Peace & Aloha on behalf of Kauai Rising,
Sandy

VANESSA LOWERY BROWN, MEMBER
190TH LEGISLATIVE DISTRICT

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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URBAN SUSTAINABILITY CAUCUS

February 7, 2013

Joint Public Hearing on Cell Phone Warning Labels
Committee on Health/Committee on Technology and the Arts
State Capitol, Conference Room 229
415 South Beretania Street
Honolulu, HI 96813

Dear Chairmen John Green and Glenn Wakai,

As a member of the Pennsylvania House of Representatives, I made a pledge to not only to represent and protect the rights, freedoms, and interests of the people of the 190th Legislative District; I also resolved to extend my efforts statewide, whenever the need existed and the opportunity presented itself.

One such subject that qualified as both a statewide and national issue was the adverse effect of electromagnetic radiation emissions through the usage of cellular telephones. During a period in history where we have made great bounds and leaps in the medical and scientific fields to both identify the origins of cancer causing agents and to stave off its deleterious effects, I find the notion of our government blatantly ignoring and neglecting to disseminate such information utterly reprehensible.

On April 28, 2011, in an effort to directly address this subject, I introduced House Bill 1408, Printer's Number 1682. Specifically, my measure proposed the requirement of cellular telephone manufacturers to conspicuously place warning labels upon their products for the purpose of informing the public of their harmful and fatal effects. In addition, my bill would have required all stores, retailers and companies in the business of selling cellular telephones for profit, to conspicuously display a vast of array of publications and signage, which would also inform consumers and the public alike of the untold dangers of cellular telephone usage. This measure would have also authorized the Pennsylvania Attorney General to order the recall and replacement of any cellular telephones that did not bear a warning label pursuant to the provisions of this act. Lastly, this legislation would have required the Pennsylvania Attorney General to issue an advisory warning of the deleterious effects of cellular telephone usage to both the general public and on its website.

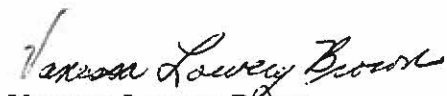
On September 1, 2011, I co-chaired a public hearing held by the Democratic Policy Committee on the subject of cellular telephone warning labels. During this hearing I reiterated my concerns regarding the fact that here we are dealing with a medically and scientifically proven threat, but yet seem to have adopted a passive and indifferent stance in terms of addressing this issue. In addition, there were several individuals from the healthcare and wireless communications industry who provided testimony at this hearing. Specifically, these individuals were Mrs. Ellen Marks, Director of Government & Public Affairs, Environmental Health Trust, Dr. Ronald B. Herberman, Founding Director Emeritus, University of Pittsburgh Cancer Institute, and Gerard Keegan, Director of State Legislative Affairs, CTIA-The Wireless Association.

It was also during this hearing that everyone in attendance was given the much needed opportunity to hear the science and empirical evidence linking cancer to the usage of cellular telephones, especially when it comes to pregnant women and children. This harrowing testimony underscored the fact that this is not only an issue that affects those who use cellular-telephones of their own accord; it also affects those who are unborn and have no such say or decision over the matter. Although my measure failed to gain traction in the Pennsylvania General Assembly last legislative session, I have vowed to continue my fight to make the citizens of my district and the Commonwealth of Pennsylvania a more informed and health-conscious citizenry.

As the groundswell of support for this and similar measures across the country and within Congress becomes more strident, as evidenced by legislation introduced by Congressman Dennis Kucinich this past August (H.R. 6358, known as the Cell Phone Right to Know Act), I have no doubt that this legislative session will prove auspicious for getting this measure adopted and enacted.

On February 7, 2013, I intend to reintroduce former H.B. 1408, P.N. 1682, for the purpose of holding fast to my resolve and on the behalf of the very lives of the citizens of the Commonwealth of Pennsylvania. In closing, I am imploring everyone who currently finds themselves in a position to effectuate substantive change to do so by supporting any and all measures proposing to educate and inform the populace of the dangers of cellular telephone usage.

Sincerely,



Vanessa Lowery Brown
State Representative
190th Legislative District

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB638 on Feb 8, 2013 13:30PM*
Date: Tuesday, February 05, 2013 3:23:07 PM

SB638

Submitted on: 2/5/2013

Testimony for HTH/TEC on Feb 8, 2013 13:30PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: purrycomo@jps.net
Subject: Submitted testimony for SB638 on Feb 8, 2013 13:30PM
Date: Thursday, February 07, 2013 10:34:28 AM

SB638

Submitted on: 2/7/2013

Testimony for HTH/TEC on Feb 8, 2013 13:30PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Ripple	Individual	Support	No

Comments: Exposure to these fields is a looming public health issue. The danger of cancer is long term. studies have shown increased high blood pressure, increased need for diabetic medications, heart problems - tachycardia, sleep disorders, and memory problems to name a few.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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COMMITTEE ON HEALTH

Senator Josh Green, Chair

Senator Rosalyn H. Baker, Vice Chair

COMMITTEE ON TECHNOLOGY AND THE ARTS

Senator Glenn Wakai, Chair

Senator Clarence K. Nishihara, Vice Chair

SUPPORT SB638 -- Hearing Friday, February 8, 2013 1:30PM Conference Room 229

RELATING TO HEALTH.

Requires all cellular telephones, including refurbished and remanufactured cellular telephones, sold or leased by a retailer in the State to bear a label that warns consumers of the potential dangers of electromagnetic radiation emitted by cellular phones.

Dear Health and Technology and the Arts Committees,

Please support SB638, the cell phone warning label. Evidence has accumulated on electromagnetic radiation (EMR) exposure and the FCC SAR exposure guidelines are outdated and should not be considered protective. The FCC is considering a review of the guidelines, something it has not done since 1996. In 2011, the International Agency for Research on Cancer (IARC) with the World Health Organization classified the EMR emitted by cell phones and other wireless devices as a Class 2B carcinogen.

People need to be warned to use caution with these devices because for the most part they do not read their user manuals which state that the phones should not be held to their heads or worn on their bodies. Industry has protected themselves by burying this warning, which may sometimes only be accessed via an online link in the printed manual. (See - <http://ehtrust.org/cell-phone-fine-print-warnings/>) Again, I request your support for SB638.

References:

http://www.iarc.fr/en/media-centre/pr/2011/pdfs/pr208_E.pdf

PRESS RELEASE N° 208 31 May 2011 IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC FIELDS AS POSSIBLY CARCINOGENIC TO HUMANS

American Academy of Pediatrics letter to The Honorable Dennis Kucinich December 12, 2012 in support of HR6358 The Cell Phone Right To Know Act.

<http://www.scribd.com/doc/118348085/AAP-Supports-Child-Cell-Phone-Protection>

Excerpts:

Children are disproportionately affected by environmental exposures, including cell phone radiation. The differences in bone density and the amount of fluid in a child's brain compared to an adult's brain could allow children to absorb greater quantities of RF energy deeper into their brains than adults...

the AAP supports the product labeling requirements in H.R. 6358. These standards will ensure consumers can make informed choices in selecting mobile phone purchases. They will also enable

parents to better understand the potential dangers of RF energy exposure and protect their children...

On July 24, the U.S. Government Accountability Office (GAO) published a report on federal cell phone radiation exposure limits and testing requirements. The GAO noted that the Federal Communications Commission's (FCC) most recent data indicates that the number of estimated mobile phone subscribers has grown from approximately 3.5 million in 1989 to approximately 289 million at the end of 2009. Cell phone use behaviors have also changed during that time. The quantity and duration of cell phone calls has increased, as has the amount of time people use mobile phones, while cell phone and wireless technology has undergone substantial changes. Many more people, especially adolescents and young adults, now use cell phones as their only phone line, and they begin using wireless phones at much younger ages...

Despite these dramatic changes in mobile phone technology and behavior, the FCC has not revisited the standard for cell phone radiation exposure since 1996...

Although wireless devices sold in the United States must ensure that they do not exceed the maximum allowable SAR limit when operating at the device's highest possible power level, concerns have been raised that long-term RF energy exposure at this level affects the brain and other tissues and may be connected to types of brain cancer, including glioma and meningioma. In May 2011, the International Agency for Research on Cancer (IARC), the United Nations' World Health Organization's (WHO) agency promoting international cancer research collaboration, classified RF energy as "possibly carcinogenic to humans."

Mahalo,

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