

Friends of Merrymeeting Bay
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Testimony of Ed Friedman, Chair, Friends of Merrymeeting Bay
Before the Joint Committee on Energy, Utilities & Technology

In Support of L.D. 883
An Act to Create the Cellular Telephone Labeling Act
March 31, 2015

Senator Woodsome, Representative Dion and members of the Committee,

Thank you for the opportunity to testify before you today in support of LD 883, with a couple of tweaks. The slight changes clarify and ensure cell phones sold in Maine will have warning labels on them regardless of whether a manufacturer has published anything to this effect but, require manufacturers to pay for at least the minimum warning language specified.

Having been intimately and unfortunately involved with the issue of radiofrequency (RF) radiation proliferation for the last three years through the ongoing PUC smart meter investigation, I have become only too familiar with the hazards of this microwave spectrum and with the years of cover-up by two of the most powerful industries in the world; utilities and telecommunication.

The situation before you is really simple. Probably a good 7,000 published scientific papers during the past 50 years have proven a variety of adverse biological effects including DNA, reproductive, ocular and neurological damage from exposure to low level microwave radiation emitted by cell phones, smart meters, and other WiFi devices. The attachments I emailed your committee clerk for forwarding to you provide many examples of these effects particularly in regard to mobile phones.

Not only is the evidence of harm ample, but no agency serves to protect the public from low level RF exposure. While FCC guidelines from 1996 are commonly cited as regulatory standards, they are technically not only just *guidelines*, but out of date and irrelevant for any protection against low-level RF as emitted by wireless devices. They attempt to protect only from thermal radiation, that which burns. I say attempt because the guidelines are based on model exposures to your basic 200 pound male military recruit and do not account for thermal exposures to sensitive populations like kids, pregnant women, immune-compromised and the sick or elderly. Please note below, language from the EPA, independent scientists, the PUC and the Department of the Interior from 2002-2014 all verifying the FCC guidelines do not protect against non-thermal low-level RF radiation.

So I have given you ample evidence of an increasingly severe and unregulated hazard to Mainers. Every Maine citizen has the constitutional right to “pursue and obtain safety” (*Me. Const. Art. I, §1*) and the legislature is charged with following the judicial maxim *salus populi suprema lex*, meaning safety of the people is the supreme law. *Seavey v. Preble*, 64 Me. 120, 121 (Me. 1874).

As I said early on, the situation is simple. The barn is burning. You can give citizens fair warning or in your inaction or inadequate actions provide as one of my resources suggests, a safety endorsement based on wishful thinking.

Thank you.

Do Current FCC Guidelines Protect Against Harm from Low-Level RF/EMF?

“The FCC's current (radio frequency/microwave) exposure guidelines, as well as those of the Institute of Electrical and Electronics Engineers (IEEE) and the International Commission on Non-ionizing Radiation Protection, are thermally based, and do not apply to chronic, non-thermal exposure situations.....the generalization by many that the guidelines protect human beings from harm by any or all mechanisms is not justified... However, exposures that comply with the FCC's guidelines generally have been presented as “safe” by many of the RF system operators and service providers who must comply with them, even though there is uncertainty about possible risk from nonthermal, intermittent exposures that may continue for years”

Norbert Hankin, Center for Science and Risk Assessment, Radiation Protection Division at EPA Letter to Janet Newton, The EMR Network, July 16, 2002

In the 18 years since the FCC established its guidelines, the safety of RF radiation exposure has continued to be a significant area of scientific study with substantial research developments. The FCC standard does not take into account almost two decades of research. Quite notably, the FCC standard does not consider the growing body of research on potential non-thermal effects of RF radiation. This scientific research led to WHO/IARC reclassifying RF radiation as a possible carcinogen among other notable developments. The WHO/IARC reclassification of RF/EMF includes parts of the electromagnetic spectrum used by smart meters as well as Wi-Fi, radio and TV towers as well as wireless phones. *Hardell Test.* at 16 (citing email from Dr. Baan at IARC dated Aug. 29, 2011).

For this reason, the FCC's safety standard for RF radiation exposure is out of date. The public would benefit if the FCC were to examine whether its current standard is sufficiently protective for thermal and non-thermal effects on the human body in light of both substantial changes in public exposure and more than a decade of scientific examination of the potential consequences of that exposure...

The Complainants note that the FCC does not set a safe peak exposure level. That is an issue the FCC may find appropriate to further examine. Nor does the FCC set a maximum instantaneous peak emissions level other than the power of the device; the FCC views the relevant power levels as the "maximum time-averaged power that takes into account the burst nature of transmission."

Maine PUC Commissioner David Littell in PUC decision on Smart Meter Inquiry Docket # 2011-00262, December 19, 2014

“However, the electromagnetic radiation standards used by the Federal Communications Commission (FCC) continue to be based on thermal heating, a criterion now nearly 30 years out of date and inapplicable today.”

Willie Taylor, Director, Office of Environmental Policy and Compliance, US Department of Interior letter to Mr. Eli Veenendaal, National Telecommunications and Information Administration, U.S. Department of Commerce re. DOI concerns with microwave First Net cell tower network effects on migratory bird life. February 7, 2014

From: Ed Friedman [mailto:edfomb@comcast.net]
Sent: Monday, March 30, 2015 12:18 AM
To: 'Benjamin.Frech@legislature.maine.gov'
Cc: 'Denise Harlow'
Subject: LD 883 Materials

Ben,

On Tuesday I will be testifying before the Committee on LD 883. Please forward the attached on to your committee members in preparation for the hearing. Materials are important and will serve to inform the members if they are reviewed. Obviously too voluminous to print out for all. Brief summaries below.

Thank you,
Ed Friedman, Chair
Friends of Merrymeeting Bay

1. C4ST. This document summarizes key research germane to cell phone labeling published since 2011, when the World Health Organization [WHO] classified radiofrequency [RF] emitted by cell phones, smart meters and other WiFi devices as possibly carcinogenic to humans.
2. EWG Sperm Research Summary. Environmental Working Group provides references to key studies showing effects on sperm from cell phone use/radiation.
3. Mobile phone effects on gene alteration. Discusses important research and notes "Safety Endorsement based on Wishful Thinking."
4. EHHI Yale-based authors provide comprehensive report on cell phone threats, usage & restrictions.
5. 15 Reasons for concern over cell phones from a large international group of top independent scientists working in the RF field.
6. Excellent article in the American Trial Lawyer journal laying bare consistent telecommunication industry cover-up of health hazards associated with RF.
7. Bar graph calculated from smart meter survey showing new severe and moderate symptoms encountered after smart meter installation. While much of the focus on phones is their potential for brain cancer and sperm damage, the symptoms shown are common for those with sensitivities to RF and can be quite destructive of emotional and economic health and well-being.
8. Dr. Mallery-Blythe has put together this excellent summary of electromagnetic-hypersensitivity [EHS]. Text is 7 pages. Comprehensive references are 70 pages.
9. EHS 50%. Two well-known researchers extrapolate from past years data that by 2017, 50% of the population will suffer some EHS symptoms from RF proliferation and exposure.