

DATE: March 31, 2015

TO: Joint Committee on Energy, Utilities and Technology

FROM: Kevin Callahan
Director, State Government Affairs
TechAmerica

RE: **Oppose LD 883 – An Act to Create the Cellular Telephone Labeling Act**

Senator Woodsome, Representative Dion and members of the Joint Committee on Energy, Utilities and Technology, TechAmerica appreciates the opportunity to share our perspective on LD 883, an act to create the Cellular Telephone Labeling Act.

TechAmerica is the public sector and public policy department of the Computing Technology Industry Association (CompTIA). We represent over 2200 technology firms of all sizes and from all facets of the technology ecosystem that is revolutionizing our economy and our society. Our membership features premier information and communications technology companies, including carriers, handset and chip manufacturers, and software developers.

LD 883 would require cellular telephone manufacturers to place warning labels on the packaging of cell phones that are sold in Maine. Retailers would also be required to provide information warning consumers of the health risks associated with the use of mobile phones. We believe that requiring warning labels on cell phone packaging ignores the body of scientific evidence which does not indicate that a public health risk exists from the use of cell phones; is unwarranted; and would mislead consumers. We must respectfully oppose the bill, and urge the Committee to vote that LD 883 ought not to pass.

By ignoring leading government regulators, scientists, and trusted health organizations which have concluded that there are no known adverse health effects from wireless phones, we believe that LD 883 is misguided. The Food and Drug Administration (FDA) concluded that, “the scientific evidence does not show a danger to any users of cell phones from RF exposure, including children and teenagers.”¹ Additionally, the Federal Communications Commission (FCC) states that, “currently no scientific evidence establishes a causal link between

¹ <http://www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/CelIPhones/ucm116331.htm>.

wireless device use and cancer or other illnesses.”² Furthermore, the World Health Organization states that, “to date, no adverse health effects have been established as being caused by mobile phone use.”³ LD 883 runs counter to the conclusion drawn from numerous experts who say that that the body of reliable, peer-reviewed scientific research to date does not indicate that cell phones pose health hazards.

LD 883 is unnecessary because federal standards already ensure wireless consumer safety, incorporating a 50-fold safety factor designed to provide for safe exposure levels for all segments of the population. The standards set by the FCC were based on recommended guidelines adopted by international standards-setting bodies which are composed of leading experts in the area of the health effects of radio frequency (RF) emissions. Additionally, the FDA, the Environmental Protection Agency, the Occupational and Safety Health Administration, and the National Institute for Occupational Safety and Health have reviewed and endorsed the FCC standards.

No wireless device can be marketed or sold in the United States unless the device has been authorized in accordance with the FCC’s RF regulations. The FCC considers all phones legally sold or marketed in the United States to be safe for consumer use. Thus, to directly communicate to consumers through a warning label on cell phone packaging or pamphlets at the point of sale is unnecessary and misleading. Such warnings would likely create the false impressions that FCC safety standards are insufficient and could also discourage the use of wireless devices.

We are also concerned that the use of state or local product warnings as prescribed by this bill would create an undue burden on manufacturers and would be impossible to implement over cross markets. Moreover, the placement of warning labels on cell phone packaging could be confusing to consumers given the lack of scientific evidence. The resulting confusion threatens to disrupt the force for innovation that the wireless segment has become as it drives new markets and improves productivity across the U.S. economy.

Thank you for the opportunity to present our concerns with LD 883. As stated, this bill ignores the scientific conclusions of impartial experts such as the FDA and FCC; is unnecessary; and would mislead consumers. Again, we strongly urge the Committee to unanimously vote that LD 883 ought not to pass.

² <http://www.fcc.gov/guides/wireless-devices-and-health-concerns>.

³ <http://www.who.int/mediacentre/factsheets/fs193/en/#>.