

**TESTIMONY IN OPPOSITION TO LD 883, AN ACT TO CREATE THE
CELLULAR TELEPHONE LABELING ACT**

Senator Woodsome, Representative Dion and Members of the Energy, Utilities and Technology Committee. My name is Debra Hart and I am a resident of Manchester, Maine. I own Hart Public Policy and I am speaking to you today on behalf of my client, the Retail Association of Maine, in opposition to LD 883.

The Retail Association of Maine has over 400 members statewide and represents retailers of all sizes, and those members employ more than 80,000 Mainers.

This bill is similar to legislation this committee has heard for the past three sessions and which we opposed then and now. LD 883 puts an undue burden on retailers and would make Maine the first state to mandate labels and require retailers to distribute pamphlets when selling a cell phone. We believe there will be a cost to retailers since they will need to apply labels to a product that we do not manufacture or package. It is unclear whether the various cell phone companies intend to change their packaging practices relative to these warnings, and therefore the burden will be put on the retailer to provide this information, and they will have no way to distinguish whether cell phone A is manufactured the same as cell phone B or C. In addition, applying a label to a phone may make it difficult for a consumer to see what they are actually getting by way of the product they are looking for – the label may indeed cover a good part of a package or phone, which in some cases is pretty small.

In closing, this would likely be the only product that stores provide and sell at retail warning customers of health risks, of which they have no direct knowledge of or can easily explain to the consuming public.

For these reasons, we hope you will consider voting this bill ought not to pass.