



**RETAIL
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MAINE**
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May 2, 2013

Senator John Cleveland, Chair
Representative Barry Hobbins, Chair
Members of the Energy Utilities and Technology Committee

RE: Testimony in OPPOSITION to LD 1013, An Act to Create the Children's Wireless Protection Act

Dear Senator Cleveland, Representative Hobbins and Members of the Energy, Utilities and Technology Committee:

My name is Curtis Picard and I am the Executive Director of the Retail Association of Maine. I am a resident of Topsham. We have over 400 members statewide and represent retailers of all sizes and our members employ nearly 90,000 Mainers. We are here today to testify in opposition to LD 1013.

This bill is very similar to last session's LD 1014 and the 124th's LD 1706 and our testimony is the same today as it was then. First, we are concerned that LD 1013 puts an undue burden on retailers and would make Maine the first state to mandate labels and require retailers to distribute pamphlets. Although the bill states that there would be no cost to retailers, the fact is that Maine retailers will need to apply the labels themselves as cell phone manufacturers will not change their manufacturing process to comply with Maine. Instead, that task would fall to the employees here in Maine to apply the labels to each individual device.

I am sure that proponents will provide some compelling stories about the effects of radio frequency emissions. I am not a scientist, but do know that any scientific theory needs to be proven through sound science and duplication of the results. The thrust of my testimony is to not dive in to the scientific arguments with the exception of looking at the national agencies responsible for this issue: the Federal Communications Commission (FCC) and the Food and Drug Administration (FDA). Both the FCC and FDA have concluded that there is no proven risk.

The FCC states, "*there is no scientific evidence that proves that wireless telephone usage can lead to cancer or other problems, including headaches, dizziness or memory loss.*"¹ The FDA states, "*the*

¹ <http://www.fcc.gov/cgb/cellular.html>

scientific evidence does not show a danger to any users of cell phones from RF exposure, including children and teenagers.”²

Additionally the FDA site discusses the most recent research from June 2010: *Results of this study did NOT show that cell phones caused brain cancer. In this study, most people had no increased risk of brain cancer from using cell phones. For people with the heaviest use of cell phones (an average of more than ½ hour per day, every day, for over 10 years) the study suggested a slight increase in brain cancer. However, the authors determined that biases and errors prevented any conclusions being drawn from this data. Additional information about Interphone can be found at http://www.iarc.fr/en/media-centre/pr/2010/pdfs/pr200_E.pdf*

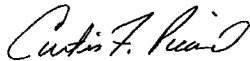
LD 1013 would add another layer of unnecessary regulation to Maine retailers even though the products are in full compliance with FCC regulations.

Once again, the bill is not clear on how it would handle phones purchased online which is a fairly common way to purchase phones these days.

We urge the committee to vote LD 1013 unanimously ought not to pass.

Thank you for your time and attention.

Sincerely,



Curtis Picard, CAE
Executive Director

² <http://www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/CellPhones/ucm116331.htm>