

**DATE:** May 2, 2013

**TO:** Joint Committee on Energy, Utilities and Technology

**FROM:** Kevin Callahan  
Director, State Government Affairs  
TechAmerica

**RE:** **Oppose LD 1013 – An Act to Create the Children’s Wireless Protection Act**

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On behalf of TechAmerica I am writing to express our opposition to LD 1013, an act to create the Children’s Wireless Protection Act. TechAmerica member companies are committed to protecting the health and wellbeing of all of their customers, especially children and expecting mothers. The private and public sectors share this goal equally. LD 1013 purports to educate the public about radiofrequency, or RF, energy emitted by cell phones and other mobile devices. This proposal is fundamentally misguided and calls for unnecessary measures that will dangerously confuse or mislead consumers. As stated, we oppose the bill, and urge the Committee to vote “ought not to pass.”

While LD 1013 makes claims that the low level of RF energy emitted from wireless devices pose a threat to humans, impartial experts say that the body of scientific evidence does not indicate a public health risk caused by the low level of RF energy emitted by cell phones and mobile devices. The American Cancer Society, have concluded that the complete body of reliable, peer-reviewed scientific research supports no such conclusion.

The bill would be in stark contrast to standards established by the federal government. The Federal Communications Commission (FCC) adopted safety limits for RF energy emissions that all wireless devices must comply with in order to be distributed and sold in the U.S. These mandatory standards incorporate a fifty-fold safety factor endorsed by groups such as the Food and Drug Administration (FDA), U.S. Environmental Protection Agency, and nearly half a dozen others. Though some who support these misguided claims feel warning labels are necessary for public knowledge regarding RF energy, it is far more reasonable and efficient to promote awareness of the existing federal standards and to ensure the public that federal agencies are already actively monitoring RF energy to protect their health based on reliable scientific evidence to date. ...

The labeling requirement is unnecessary and may cause confusion. Based on the expertise and credibility of some of our most valued and respected standard setting

bodies, requiring companies to add confusing warning labels is unnecessary and misleading, particularly when more complete information is already available online. While warning consumers of a known hazard would be a good thing, scare tactics or a rush to judgment in absence of sound scientific data is very troublesome. The warning label proposed in LD 1013 could be confusing and misleading to consumers and could potentially give the false impression that FCC safety standards are insufficient. These labels would take bits and pieces of that information out of context and thus inaccurately display unsubstantiated health risks. They could even discourage the use of wireless devices, even in instances where they could improve public safety or save users’ lives. Such 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.

The use of state or local product warnings would also directly create an undue burden on manufacturers and could be impossible to implement over cross markets. Additionally, labels are impractical – devices are of varying sizes. Both the devices and packaging are shrinking, and the labeling would be unduly burdensome, especially when the science is not conclusive.

For these reasons, TechAmerica strongly encourages the members of the Joint Standing Committee on Energy, Utilities and Technology to vote against LD 1013. Thank you for your thoughtful consideration. If you have any questions, please do not hesitate to contact me at (202) 682-4448 or [kevin.callahan@techamerica.org](mailto:kevin.callahan@techamerica.org) or our advocate in Augusta, Ed Pineau, at (207) 242-7180.