

Regular Session, 2010

HOUSE CONCURRENT RESOLUTION NO. 105

BY REPRESENTATIVE ELLINGTON

A CONCURRENT RESOLUTION

To oppose measures which would require health-related warning labels on wireless devices and packaging or require disclosure of any health-related information about wireless devices at the point of sale.

WHEREAS, the Federal Communications Commission (FCC) has set limits on public exposure of radiofrequency (RF) energy absorbed by users of wireless devices; and

WHEREAS, these limits are given in terms of a unit referred to as the Specific Absorption Rate (SAR), which is a measure of the amount of RF energy absorbed by the body when using a wireless device; and

WHEREAS, the safety limit set by the FCC for public exposure from wireless devices is a SAR level of 1.6 watts per kilogram (1.6 W/kg); and

WHEREAS, this safety limit is based on guidelines of the American National Standards Institute, Institute of Electrical and Electronics Engineers (IEEE), and the National Council on Radiation Protection and Measurement; and

WHEREAS, the FCC requires wireless device manufacturers to demonstrate compliance with the SAR safety limit before the FCC grants approval for marketing any wireless device in the United States; and

WHEREAS, these demonstrations ensure that devices comply with these objective limits for safe exposure before they are marketed to consumers in the United States; and

WHEREAS, the FCC provides consumers with information on its website at www.fcc.gov/oet/fccid detailing the SAR levels for devices sold in the United States; and

WHEREAS, several federal agencies have reviewed and endorsed the guidelines of the FCC, including the Environmental Protection Agency (EPA), the Food and Drug Administration (FDA), the Occupational Safety and Health Administration (OSHA), and the National Institute for Occupational Safety and Health (NIOSH); and

WHEREAS, the FDA has stated that continuous human exposure to RF fields up to and including one hundred percent of the FCC limit is safe; and

WHEREAS, the FDA states on its website that the weight of scientific evidence has not linked cellular phones with any health problems; and

WHEREAS, the International Commission on Non-Ionizing Radiation Protection (ICNIRP) stated in 2009 that the scientific literature published since the issue of the guidelines in 1998 has provided no evidence of any adverse effects below the basic restrictions; and

WHEREAS, the American Cancer Society has concluded that there is now considerable epidemiologic evidence that shows no consistent association between cellular phone use and overall risk of brain cancer; and

WHEREAS, some organizations and individuals are now urging state and local lawmakers to pass laws to require health-related warning labeling on wireless devices and packaging and to mandate the disclosure of health-related information about wireless devices at the point of sale.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby support sound public policy in the area of health effects and wireless devices based on the weight of scientific research in this area to ensure that consumer confusion is avoided.

BE IT FURTHER RESOLVED that the Legislature of Louisiana opposes all measures that would require health-related warning labeling, including but not limited to specific absorption rate levels, on wireless devices and packaging.

BE IT FURTHER RESOLVED that the Legislature of Louisiana opposes all measures that would mandate disclosure of any health-related information about wireless devices at the point of sale of such devices.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the consumer protection section of the office of the Louisiana attorney general.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE