

Wireless Justice from Precaution to Prevention

by André Fauteux, Editor/Publisher

La Maison du 21^e siècle magazine www.maisonsaine.ca/english



Insurance Underwriters Refuses to Cover Wireless Industry

By Graham Vanbergen, July 21, 2018 | Original [True Publica](#) article [here](#)

A recent Guardian article entitled "[The inconvenient truth about cancer and mobile phones](#)" stated

'On March 28 this year, the scientific peer review of a landmark United States government study concluded that there is 'clear evidence' that radiation from mobile phones causes cancer . . . For a quarter of a century now, the industry has been orchestrating a global PR campaign aimed at misleading not only journalists but also consumers and policymakers about the actual science concerning mobile phone radiation. Indeed, big wireless has borrowed the very same strategy and tactics big tobacco and big oil pioneered to deceive the public about the risks of smoking and climate change, respectively. And like their tobacco and oil counterparts, wireless industry CEOs lied to the public even after their own scientists privately warned that their products could be dangerous, especially to children.'*

The Guardian appears, at least in this article, to be surprised at being misled. Yet, the Guardian's sister paper, The Observer published an [article in 1999](#) that stated: "**Lloyd's underwriters refuse to insure mobile phone manufacturers against the risk of damage to users' health.**"

That article was unequivocally clear. The insurers had: "*fears mobile phones will be linked to illnesses such as cancer and Alzheimer's disease.*" Twenty years ago, the industry already knew their business models were a risk to the general public, especially because

David **vs Goliath**

Telecoms often control big media

- Comcast (Xfinity wireless) : NBC
- AT&T (Warner Bros, CNN)
- Videotron (TVA in Québec)
- Rogers (Macleans/L'actualité)

Scientists decry Canada's outdated Wi-Fi safety rules

Federal parliamentarians concluded three hearings into Health Canada's safety regulations for cellphones and other wireless devices by asking for a detailed analysis of numerous recent cancer studies that indicate far tougher safety regulations may be warranted.

The studies in question were not acknowledged in the scientific review, *Safety Code 6 (2015) — Rationale*, which exclusively released to CMAJ by Health Canada. The [Safety Code 6](#) guideline, which was released Mar. 13, states that no new biological information pertinent to safety guidelines has emerged since 2009. Further, it states that the large number of recent studies raising safety concerns "suffer from a lack of evidence of causality, biological plausibility and reproducibility and do not provide a credible foundation for making science-based recommendations."

This contention led scientists and safety advocates at the hearings before Parliament's Standing Committee on



baonaf/stock

Scientists and safety advocates say Health Canada new rules do not take into account many new studies on the safety of cellphones and other wireless devices.

Dr. Anthony Miller, a University of Toronto professor emeritus who served as scientific secretary for the IARC panel, says Hardell's new research "reinforces the evidence that radio frequency fields are not just a possible human carcinogen, but a probable human carcinogen."

Hardell's studies, Miller told the committee members, "would be impossible to ignore in regulatory approaches to such a hazard" had Health Canada carefully considered them.

Hardell agrees. After reviewing the Rationale, Hardell described Health Canada's safety guidelines in an interview with *CMAJ* as "a disaster to public health" and based on a scientific analysis "unwilling or not competent to make evaluation of the current literature."

Miller says the Rationale overlooks numerous other important studies as well as Hardell's, including a recent study by Gaëlle Coureau, of Université Bordeaux Segalen, which concluded that it supports "previous findings concerning a possible association between heavy mobile phone use and brain tumours" (*Occup Environ Med* 2014;71: 514–22).

Outdated standards based only on thermal effects

1800 limits MHz Source :

Dutch Ministry of Health, July 2017

Health effects : cellphonetaskforce.org
powerwatch.org.uk

Authority	Electrical field strength (volts per meter)
USA	61
ICNIRP	58
European Union	58
Austria	58
Belgium	29
France	58
Canada	41
Greece	29
India	18
China	12
12 smart meters	8
Poland	7
Russia	7
Mitochondria damaged, memory loss	6
Switzerland	6
Italy	6
1 smart meter (peak emission)	5
Genetic damage, tomatoes	5
Cellular DNA damage, humans	5
DNA damage, 100 m from cell tower	1.9
BioInitiative (2017), Salzburg (1998)	0.6
Headaches, child behavior and concentration	0.4
Council of Europe (2011)	0.6/0.2 long term
15 m from cordless phone	0.16
Median 15 US cities, 1977	0.14
BioInitiative 2012	0.1
Salzburg 3G exterior (2002)	0.06
Salzburg 3G interior (2002)	0.02
Building Biology bedrooms	0.006

France's Abeille Law

Law No. 2015-136 of 9 February 2015, known as the "Abeille" law, relating to sobriety, transparency, information and consultation on exposure to electromagnetic waves reinforces the role of mayors:

- They receive and make publicly available information files transmitted by radio station operators for the implementation or substantial modification of a site;
- They may require a simulation of the exposure to waves emitted by a facility before it is installed;
- They may require an inventory of existing facilities.

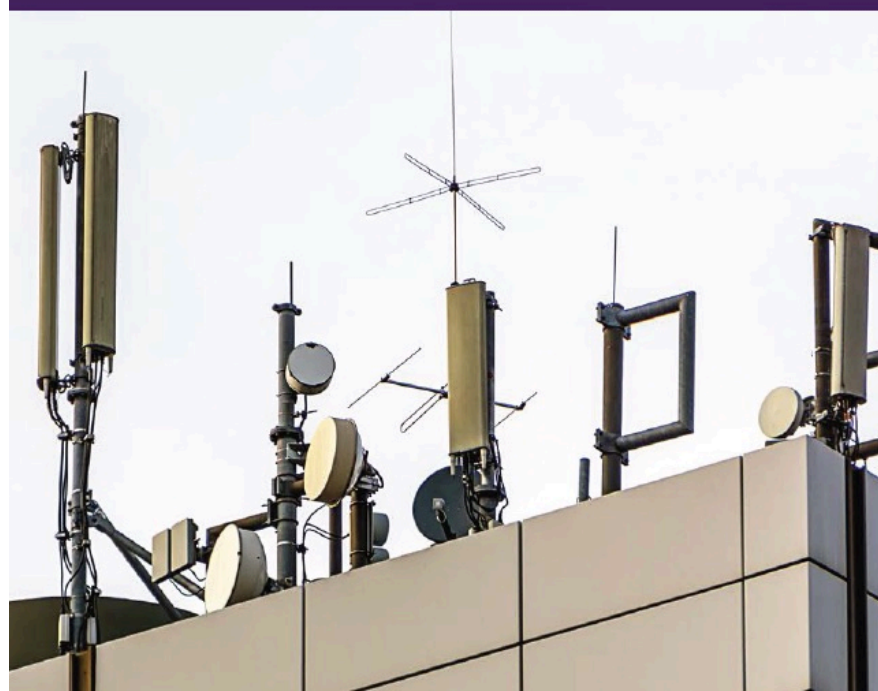
Wireless access to the internet

- Public buildings such as town halls and libraries offering public WiFi access must mention it clearly by means of a pictogram in the entrance.
- The law prohibits WiFi in spaces dedicated to reception, rest and activities of children under 3 years of age.
- In primary school classes where the municipality has installed WiFi, it must be shut off when it is not used for educational activities. For any new installation, the municipality must inform the school council beforehand.
- Local elected representatives will be represented on the national committee of dialogue on the level of public exposure, under the aegis of the ANFR.

Comparison of international policies on *electromagnetic fields*

(power frequency and radiofrequency fields)

Because the EU recommendation is not legally binding, EMF policy in member states can be divided into three different approaches. Details on exposure limits per member state can be found in **Table 1** and a visual overview in **Figure 2**. In the **first group** of member states the EU recommendation has been transposed in binding national legislation or national policy. This means that the basic restrictions and reference levels must be applied. Member states in this group are *Cyprus, Czech Republic, Estonia, Finland, France, Hungary, Ireland, Malta, Portugal, Romania and Spain*. In *Germany and Slovakia* the reference levels have become *de facto* exposure limits. In *France* there is an additional legal obligation to provide information on options for exposure reduction when selling or promoting a mobile phone and to provide citizens with measurement results for the strength of radiofrequency EMF in their homes or in public buildings.



In the **second group** of member states, the national limits based on the EU recommendation or ICNIRP are not binding, there are more lenient limits or there is no regulation. Member states in this group are *Austria, Denmark, Latvia, the Netherlands, Sweden and the United Kingdom*. In some countries, for example the Netherlands and the United Kingdom, telecommunication companies have signed up to a voluntary code to respect the limits in the EU recommendation in places accessible to the public. In the United Kingdom the national planning policy framework for local government also requires that applications for expansion of base stations certify that these limits will not be exceeded.

Slovenia: For frequencies higher than 10 kilohertz, exposure limits for electric and magnetic field strength of 31% of the reference levels in the EU recommendation (10% for power density) apply in 'sensitive areas' such as homes, schools and hospitals. In all other locations the reference levels in the EU recommendation are applied as *de facto* exposure limits that may not be exceeded.

Other countries

Industrialised countries outside the EU also have different ways of limiting exposure of the public to radiofrequency EMF. Seven examples are given below and further details on exposure limits can be found in **Table 1**.

Australia: The mandatory basic restrictions and reference levels in the national radiation protection and radiocommunication standards are identical to those in the EU recommendation.

China: A national standard for protection of the general population under the Environmental Protection Law sets limits for environmental exposure to EMF, but does not apply to wireless communication terminal equipment. The limits are lower than the reference levels in the EU recommendation, but the percentage varies with frequency. At 900 megahertz the limit for electric field strength is 29% of the reference level in the EU recommendation (9% for power density). The standard also cites the precautionary principle and encourages facility and equipment owners to take effective measures to reduce public exposure. The basic restrictions for mobile phones in a separate standard are identical to those in the EU recommendation.

India: A ministerial memorandum amending the Unified Access Service License sets limits on exposure of the general public to EMF from telecommunication base stations. The limit is 33% of the reference levels in the EU recommendation for electric and magnetic field strength and 10 % for power density. Government-approved interministerial committee recommendations set a limit on the specific absorption rate for mobile handsets which is 80% of the basic restriction for local exposure of the head in the EU recommendation.

Japan: The ministerial radiofrequency radiation protection guidelines for human exposure to EMF contain a mandatory basic restriction for mobile phones which is identical to that in the EU recommendation. The guidelines also contain mandatory basic restrictions with reference levels for the strength of EMF from mobile phone base stations, which are almost identical to the reference levels in the EU recommendation.

Russia: General conditions for protection of the population are set in a 1999 framework law. Limits for specific frequency ranges are set in subsequent 'Hygienic-epidemiological requirements'. The exposure limit for power density for EMF with frequencies between 300 megahertz and 300 gigahertz in and around residential buildings and inside public and industrial premises is 2% of the reference level in the EU recommendation. The reason is to prevent biological effects that are not generally seen as a health risk in Western countries. There is no basic restriction in terms of specific absorption rate, but there is a limit on the plain wave power density of mobile phones which is 22% of the reference level in the EU recommendation.

Switzerland: An Ordinance relating to Non-Ionising Radiation is in force since 2000. Mandatory exposure limits identical to the reference levels in the EU recommendation apply in all areas accessible to the public. A stricter, precautionary limit for the electric field strength of approximately 10 % of the reference level in the EU Recommendation applies at so called places of sensitive use (for example apartments, schools, children's playgrounds) near mobile phone antennae, broadcasting and radar installations.

United States: The basic restriction for whole body exposure in federal legislation for radio transmitters is identical to that in the EU recommendation. However, the reference levels are higher because a different model is used to calculate them. At 900 megahertz the difference is 15% and 14% for the electric and magnetic field strength respectively (33% for power density). The reference levels are applied as *de facto* exposure limits for non-portable devices. For portable devices close to the body, the mandatory basic restriction for local exposure of all parts of the body except the extremities is 80% of the basic restriction for head and trunk in the EU recommendation. The basic restriction for the extremities (hands, wrists, ankles, feet, outer ears) is identical to the basic restriction for limbs in the EU recommendation.

In addition to the above legal obligations, in Australia, Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Ireland, India, Italy, Luxemburg, the Netherlands, Spain, Sweden, Russia, Switzerland, the United Kingdom and the United States the government or national scientific organisations have published advice on how to reduce exposure to radiofrequency EMF from mobile phones, such as limiting calling time, using earpieces or speakers, not holding the phone close to the body, avoiding calls in areas with poor reception and texting instead of calling.

Early warnings

- **2007: European Environmental Agency**, Europe's top environmental watchdog, calls for immediate action to reduce exposure to radiation from Wi-Fi, mobile phones and their masts. http://www.nzherald.co.nz/world/news/article.cfm?c_id=2&objectid=10463870
- **2008: International Commission on Electromagnetic Safety** (comprised of scientists from 16 nations): Recommends limiting cell phone use by children, teenagers, pregnant women and the elderly. <http://www.icems.eu/resolution.htm>
- **2008: Paris, France** removes Wi-Fi from four public libraries because of health concerns. http://www.accessmylibrary.com/coms2/summary_0286-35451555_ITM
- **2008: Russian National Committee for Non-Ionizing Radiation Protection** warns that cell phones are unsafe even for short conversations. Children under 16, pregnant women, epileptics, and people with memory loss, sleep disorders and neurological diseases should never use cell phones. http://www.radiationresearch.org/pdfs/rncnirp_children.pdf
- **December, 2010: French Parliament** passes a law prohibiting advertising cell phones to children under 14; prohibits children up to age 14 from using cell phones in pre-schools and public schools; requires cell phones to be labeled with SAR values and a recommendation to use headsets. <http://www.enviroblog.org/2010/12/french-cell-phone-radiation-disclosure-at-point-of-sale.html>
- **May 27, 2011: Council of Europe** passes a resolution recommending wired Internet connections in schools, and the creation of radiation-free zones to protect electrosensitive people. <http://assembly.coe.int/Documents/AdoptedText/ta11/eRES1815.htm>
- **August 30, 2011: The Israeli Ministry of Education** publishes guidelines strictly limiting the use of mobile phones on all school grounds, citing children's and youths' increased risk of malignant tumors and the "passive exposure" experienced by children who do not use phones. <http://norad4u.blogspot.com/2011/09/israeli-ministry-of-education-is-going.html>

1982 – New York Supreme Court Rules on “Microwave or Radiowave Sickness”

The court ruled **Dr. Milton Zaret** provided the board with ample evidence of the existence of the disease which, today, is known as

Electro-hypersensitivity or “EHS.”

The Microwave Debate, Nicholas H. Steneck, pp 221

Source : Retired Canadian Armed Forces Captain Jerry Flynn

2013 – France Recognizes EHS

A woman (Marine Richard) was able to claim a medical disability due to her intolerance of Electromagnetic Fields (Nov. 2013).

<http://apps.fcc.gov/ecfs/document/view?id=7521098548>

Recognition of the Electromagnetic Sensitivity as a Disability Under the ADA

The Architectural and Transportation Barriers Compliance Board (Access Board) is the Federal agency devoted to the accessibility for people with disabilities. The Access Board is responsible for developing and maintaining accessibility guidelines to ensure that newly constructed and altered buildings and facilities covered by the Americans with Disabilities Act and the Architectural Barriers Act are accessible to and usable by people with disabilities. In November 1999, the Access Board issued a proposed rule to revise and update its accessibility guidelines. During the public comment period on the proposed rule, the Access Board received approximately 600 comments from individuals with multiple chemical sensitivities (MCS) and electromagnetic sensitivities (EMS).

The Board has taken the commentary very seriously and acted upon it. As stated in the Background for its Final Rule Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Recreation Facilities that was published in September 2002:

"The Board recognizes that multiple chemical sensitivities and electromagnetic sensitivities may be considered disabilities under the ADA if they so severely impair the neurological, respiratory or other functions of an individual that it substantially limits one or more of the individual's major life activities. The Board plans to closely examine the needs of this population, and undertake activities that address accessibility issues for these individuals".

Following its recognition of electro sensitivity and its declaration of commitment to attend to the needs of the electromagnetic sensitive, the Access Board contracted the National Institute of Building Sciences (NIBS) to examine how to accommodate the needs of the electro sensitive in federally funded buildings. In 2005 the NIBS issued a report.

[View the report here](#)



Nordic

COUNCIL OF MINISTERS

“Electromagnetic intolerance”

“El-allergy”.

Usually general symptoms (tiredness, nausea, memory- and concentration difficulties etc.) related to use of TV/PC/data-screens, electrical transformers or fluorescent lamps. Symptoms disappear in “non-electrical environments”.

The Nordic Adaptation of Classification of Occupationally Related Disorders (Diseases and Symptoms) to ICD-10

(ICD-10: International Statistical Classification of Diseases and Related Health Problems)

2008 – Toronto adopts “Prudent Avoidance” re. Cell Towers

City Council’s new “PA” policy urges telecom companies installing new cell towers in the city to keep radiation levels 100 times below Health Canada’s Safety Code 6.

<http://www.itworldcanada.com/article/torontos-cell-tower-radiation-guideline-to-stay/86625#ixzz2kb5ulnJz>

Sept. 2013

Mumbai, India

Population c20-million
(State of Maharashtra)

Prohibits cell phone towers on schools, colleges, hospitals and juvenile correctional homes and requires existing towers on such buildings to be removed.

[http://www.cellphonetaskforce.org/?
page_id=128#top](http://www.cellphonetaskforce.org/?page_id=128#top)

Taiwan – Policy Recommendations On Cell Phones, Wireless Radiation & Health



2015 – Government Updated their Protection of Children and Youths Welfare and Rights Act to Ban Cell Phones for Young Children.

- Complete ban on children under the age of two from using electronic devices such as iPads, televisions and smartphones.
- Parents can be fined NT\$50,000 (about \$1600 US Dollars)
- The new law also states that parents must ensure that under-18s only use electronic products for a 'reasonable' length of time.
- Daily Mail News Article – [“Taiwan makes it ILLEGAL for parents to let children under two use electronic gadgets... and under-18s must limit use to ‘reasonable’ lengths”](#)
- Teen Safe News Article – [“Fined For NOT Monitoring: Taiwan’s New Parenting Penalty”](#)

US, 6 February 2019:	US Senator Blumenthal definitively establishes that no safety studies have been done on 5G. At least 21 US cities/regions have passed ordinances restricting “small cell” installation, and many are charging “recertification fees” to make it unprofitable for the wireless industry.
USA, 24 March 2019:	Portland Oregon city officials state clear opposition to the installation of 5G networks around the city, supported by the mayor and two commissioners.
Italy , 28 March 2019:	Florence applies the precautionary principle , refusing permissions for 5G and referring to “the ambiguity and the uncertainty of supranational bodies and private bodies (like ICNIRP)”, which “have very different positions from each other, despite the huge evidence of published studies”.
Italy , 28 March 2019:	One Roman district votes against 5G trials , with others expected to follow. Other motions to Stop 5G are expected in the four regional councils, one provincial council and other municipal councils of Italy.
Russia, 28 March 2019:	The Russian Ministry of Defense refuses to transfer frequencies for 5G , which effectively delays any 5G rollout there for several years.
Belgium , 31 March 2019:	The Belgian Environment Minister announces that Brussels is halting its 5G rollout plans , saying, “The people of Brussels are not guinea pigs whose health I can sell at a profit.”
Germany, 4 April 2019:	Germans sign a petition en masse to force the German Bundestag to debate 5G .
Netherlands, 4 April 2019:	Members of Parliament in the Netherlands insist that radiation research must be carried out before any approval of the 5G network .
USA, 5 April 2019:	California Supreme Court Justices unanimously uphold a 2011 San Francisco ordinance requiring telecommunications companies to get permits before placing antennas on city infrastructure.
Switzerland , 9 April 2019:	The Canton of Vaud adopts a resolution calling for a moratorium on 5G antennas until the publication this summer of a report on 5G by the Swiss Federal Office for the Environment.

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USA City Ordinances To Limit And Control Wireless Facilities Small Cells In Rights Of Ways

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★ (<https://www.addtoany.com/share?url=https%3A%2F%2Fehtrust.org%2Fusa-city-ordinances-to-limit-and-control-wireless-facilities-small-cells-in-rights-of-ways%2F&title=USA%20City%20Ordinances%20to%20Limit%20and%20Control%20Wireless%20Facilities%20Small%20Cells%20in%20Rights%20of%20Ways>)

LOCAL GOVERNMENT POLICIES & ORDINANCES TO REGULATE AND CONTROL WIRELESS FACILITIES SMALL CELLS

From coast to coast local governments are taking action to protect their communities from the unfettered deployment of 4G and 5G “small cell” wireless facilities. Several cities are passing ordinances that strictly limit the buildout. Many policymakers ask “What are other cities doing?”

This page is a compilation of top examples of what cities are doing to protect their communities. For each city we provide a short synopsis along with a link to download the ordinance or policy. Scroll down to see the City and policy. Please download and share these examples with your community.

Local ordinances note various purposes such as preserving visual character, protecting environmental resources, and protecting residents against adverse health effects. They take a variety of approaches, such as prohibiting small cells in certain areas, creating application and recertification fees and imposing aesthetic and administrative requirements. Some combine several of these approaches.

Importantly, federal pre-emption has been exaggerated. Local governments do have authority to impose procedural requirements for example. Please consider these two useful documents that came out of the efforts in Montgomery County Maryland by the law office of *Mark C. Del Bianco* and which clarify what localities can and cannot do in terms of procedural requirements for companies.

- 12/ 20/2018 “Summary of Proposed FCC Small Cell Order”: (<https://ehtrust.org/wp-content/uploads/Guide-to-FCC-Small-Cell-Order.pdf>) A critical read on the FCC order.
- 10/2018 Memo: “Federal Law Does Not Prohibit the County from Imposing Stricter Procedural Requirements on Wireless Facilities Than on Other Pole Attachments” (https://ehtrust.org/wp-content/uploads/DelBianco_Conditional.Use_Federal-Law-Does-Not-Prohibit-the-County-from-Imposing-Stricter-Procedural-Requirements-on-Wireless-Facilities-Than-on-Other-Pole-Attachments.pdf)

See more resources on 5G (<https://ehtrust.org/resources-to-take-action-on-us-5g-streamlining-bills/>) – including the research in health effects and impacts to people, trees and wildlife here (<https://ehtrust.org/resources-to-take-action-on-us-5g-streamlining-bills/>). Wireless radiation has harmful biological effects levels far below government limits.

Examples of areas addressed in these ordinances:

LOCATION

- Prohibiting small cell installations in residential areas, certain streets, etc
- Requiring installations to be a certain distance away from residences, schools, hospitals, and/or other installations
- Specifying that installations must be relocated if/when they would interfere with a public project

AESTHETICS / ENVIRONMENT

- Aesthetic, design, and noise requirements such as colocation, camouflage, height and light limits, etc.

ADMINISTRATIVE / LEGAL

- Requiring that residents who will be within a certain distance of an installation be notified
- Instituting automatic time limits for permits
- Requiring annual recertification fees

New Hampshire has a proposed bill that would establish a commission to study the environmental and health effects of 5G technology and Montana has a proposed Joint Resolution of the Senate and House of Representatives urging Congress to amend the 1996 TCA to account for health effects.

New Hampshire Bill 522: An act establishing a commission to study the environmental and health effects of evolving 5G technology (https://trackbill.com/bill/new-hampshire-house-bill-522-establishing-a-commission-to-study-the-environmental-and-health-effects-of-evolving-5g-technology/1630657/?fbclid=IwAR28psMtrFU7mBGMmA8SKxoS0Aikf8LzcQR7e7vO_MiifUzs0N4GfUNcLC4) which asks "Why have 1,000s of peer-reviewed studies, including the recently published U.S. Toxicology Program 16-year \$30 million study, that are showing a wide-range of statistically significant DNA damage, brain and heart tumors, infertility, and so many other ailments, being ignored by the Federal Communication Commission (FCC)?" and "Why are the FCC-sanctioned guidelines for public exposure to wireless radiation based only on the thermal effect on the temperature of the skin and do not account for the non- thermal, non-ionizing, biological effects of wireless radiation?"

Montana Joint Resolution 13 (https://leg.mt.gov/bills/2019/billpdf/HJ0013.pdf?fbclid=IwAR1SPkpWFE99JZWKTMiVJfrw_Iz04LhvO6laVo7iQKZzGN67nfK7w9o88pE)" (https://leg.mt.gov/bills/2019/billpdf/HJ0013.pdf?fbclid=IwAR1SPkpWFE99JZWKTMiVJfrw_Iz04LhvO6laVo7iQKZzGN67nfK7w9o88pE) A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING CONGRESS TO AMEND THE FEDERAL TELECOMMUNICATIONS ACT TO ACCOUNT FOR HEALTH EFFECTS OF SITING SMALL CELL NETWORK EQUIPMENT IN RESIDENTIAL AREAS" (https://leg.mt.gov/bills/2019/billpdf/HJ0013.pdf?fbclid=IwAR1SPkpWFE99JZWKTMiVJfrw_Iz04LhvO6laVo7iQKZzGN67nfK7w9o88pE) which states "the State of Montana has long valued its healthy environment and the well-being of its citizens; and the siting of modern small cell network infrastructure in residential areas can create radiation exposure risks for citizens; and section 704 of the federal Telecommunications Act of 1996 prohibits state and local governments from regulating wireless service provider infrastructure siting on the basis of environmental effects. NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA Congress be urged to amend the federal Telecommunications Act of 1996 to account for the health effects of siting small cell network equipment in residential areas."

CITY RESOLUTIONS

Hallandale Beach Florida Passes 5G Small Cell Tower Resolution: Read press release here. (<https://ehtrust.org/hallandale-beach-florida-passes-5g-small-cell-tower-resolution/>) See the Hallandale Beach Florida Resolution here. (<https://ehtrust.org/wp-content/uploads/Hallandale-Small-Cell-5G-Health-Study-Resolution.pdf>)

Greendale, Wisconsin Resolution No. R2018-20 in November 2018 (<http://www.greendale.org/docs/Resolution%20R2018-20%20-%20Expanded%20Use%20of%20Highway%20ROW%20by%20Cell%20Providers%20AMENDED2.pdf>)

The Board of Trustees of the Village of Greendale (<http://www.greendale.org/>), County of Milwaukee, State of Wisconsin, passed Resolution No. R2018-20 in November 2018 in opposition to the FCC's September 26, 2018 Order because the Order is an unprecedented attack on local control of Greendale's largest asset, the public rights-of-way, for 5G technology; threatens the Village's responsibility to protect the health, safety and welfare of its residents; and threatens the Village of Greendale's designation as a National Historic Landmark.

The Village asked the FCC for changes that maintain a reasonable level of local control. The Resolution was sent to the FCC and State and Federal officials. **Resolution No. R2018-20 Greendale Wisconsin RESOLUTION RELATING TO EXPANDED USE OF PUBLIC RIGHT OF WAY BY WIRELESS PROVIDERS FOR 5G TECHNOLOGY AND OTHER WIRELESS SERVICES, AND ASKING FOR CHANGES THAT MAINTAIN A REASONABLE LEVEL OF LOCAL CONTROL** (<http://www.greendale.org/docs/Resolution%20R2018-20%20-%20Expanded%20Use%20of%20Highway%20ROW%20by%20Cell%20Providers%20AMENDED2.pdf>)

EXAMPLES OF POLICIES & ORDINANCES

Note: These were compiled from EHT research of various sources and a special thank you to Physicians for Safe Technology (<https://mdsafetech.org/cell-tower-and-city-ordinances/>), My Streets My Choice, (<http://mystreetmychoice.com/>) Scientists for Wired Technolo

US Federal legislation

- The Telecommunications Act of 1996 excludes environmental safety and health concerns as reasons to deny local permits for transmitting antennas. In recent years, both states and local governments have been taking steps to further restrict the ability of individuals and local groups to have any input in determining the placement of small cell antennas needed for 5G. – Ron Kostoff

Susan Clark disagrees

Susan Clarke s.1234567@yahoo.com

- Section 704 of the Telecom Act of 1996 & the Question of Health
- All preemption law is *black-letter law* not susceptible to alteration, modification, or interpretation beyond that "black letter". In brief, the actual term in that Section is "environmental effects", not merely "environment". And as you well know, "health" does not appear at all. "Environmental" is defined as what is outside, beyond, or not the human body. Therefore any claim that "environmental effects" includes "health effects" should be thrown out the window as outrageous.



List Of US State Bills Streamlining Wireless Small Cells/DAS/Nodes On Rights Of Way



United States Statewide Bills That Preempt Local Authority For Wireless Facilities

Allowing Wireless Small Cells/DAS/Nodes Microwave Antennas on Rights Of Way Streetlights and Power Poles in Neighborhoods

June 2018 update: Twenty state legislatures—

[Arizona](#), [Colorado](#), [Delaware](#), [Florida](#), [Hawaii](#), [Illinois](#), [Indiana](#), [Iowa](#), [Kansas](#), [Minnesota](#), [Missouri](#), [North Carolina](#), [New Mexico](#), [Ohio](#), [Oklahoma](#), [Rhode Island](#), [Tennessee](#), [Texas](#), [Utah](#), and [Virginia](#)—have enacted small cell legislation that streamlines regulations to facilitate the deployment of 5G small cells.

April 7, 2017

Is Wireless Technology a Public Health Threat?

Massachusetts Leads the Nation with Five Bills to Protect Citizens

Contact: Cece Doucette, 508-881-3878, c2douce@gmail.com

(Ashland, MA) Massachusetts legislators have introduced five bills this session to address public exposure to wireless radiation. Lisa Lavine Nagy, M.D., government liaison for the American Academy of Environmental Medicine, explains, “[Scientific literature](#) has proven that exposure to wireless radiation is responsible for numerous medical symptoms and conditions. A [landmark study](#) by the National Institute for Environmental Health Sciences (NIEHS) has proven that DNA damage as well as brain and heart tumors develop in mice exposed to cell phone radiation. Other studies report [lowered sperm count](#) in men as well as [damage to the fetal brain when a pregnant woman uses the cell phone](#). A leading [autism researcher at Harvard](#) has observed links between wireless radiation exposure and autism.”

The science documenting negative health effects of [smart meters](#) and [Wi-Fi](#) is also emerging. Many people are already experiencing radiation related symptoms in schools, homes, and workplaces. Effects can include insomnia, headaches, fast heartbeat, dysautonomia, anxiety, tinnitus (ringing in the ears), tingling, nausea, skin rashes, cognitive impairment, depression, and behavioral issues. [Non-industry funded scientists](#) indicate children and fetuses are especially vulnerable.

Says Dr. Nagy, “We must apply the [precautionary principle](#) and protect the public from potential harm with safe practices. These practices should be based on new data as well as the health experiences of people worldwide who are using these technologies.

As happened in the case of tobacco, EMFs (electromagnetic fields) are all too slowly being recognized as having negative health impacts. The science on EMFs has existed for decades, and [other countries](#) have already established more protective radiation exposure limits. Many physicians in the United States are seeing patients every day with electrical intolerance induced by overexposure in their environment.

The five Massachusetts bills are the first steps in taking action and educating the public on responsible use of today’s technology:

Maine's Wireless Protection Act



In 2014 [Maine Bill LD 1013](#) "The Wireless Information Act" passed the State Senate and House but then failed to pass the second vote. The Bill would require manufacturer's information on radio-frequency exposure be visible on the outside of the cell phone's product packaging. Learn more about the history and current status of this Bill at [Dr. Moskowitz' Maine's Wireless Protection Act](#).

This Bill has been *years* in the making. Please see below excerpts compiled by Liz Barris of [ThePeoplesInitiative.org](#) where experts and citizens testified in support of the cell phone right to know legislation *in 2010*.

ehtrust

Supreme Court Issues Ruling on Berkeley Cell Phone "Right to Know" Ordinance

The U.S. Supreme Court issued a [ruling](#) in *CTIA v. Berkeley* today. The CTIA had petitioned the Supreme Court to overturn the ruling made by the Ninth Circuit Court of Appeals. The appeals court had ruled against the CTIA's request for a preliminary injunction that would block the city's cell phone "right to know" ordinance pending resolution of the case. The ordinance was adopted in May, 2015 and has been in effect since March, 2016.

Instead of hearing the case, the Supreme Court sent the case back to the appeals court for further consideration. The Supreme Court wants the appeals court to review *CTIA v. Berkeley* in light of a new ruling in another case.

In *NIFLA v. Becerra*, the Supreme Court invalidated a California law that requires "pregnancy crisis centers" to provide information to patients about the availability of abortion services. Since these centers try to stop women from having abortions, they are opposed to providing their patients with such information.

The Supreme Court clarified the limits of their ruling in *NIFLA v. Becerra*. This limitation should help Berkeley defend its ordinance in subsequent legal proceedings:

"... we do not question the legality of health and safety warnings long considered permissible, or purely factual and uncontroversial disclosures about commercial products." (*National Institute of Family and Life Advocates v. Becerra*, Opinion of the Court, pp. 16-17) https://www.supremecourt.gov/opinions/17pdf/16-1140_5368.pdf

Berkeley provided the lower court with empirical evidence that most residents are unaware of the safety information that cell phone manufacturers provide. Yet, the Federal Communications Commission requires manufacturers to disclose the cell phone's minimum body separation distance and recommend to consumers the use of an approved holder that complies with this separation distance.

The city's cell phone "right to know" ordinance requires cell phone retailers either to post a notice or provide consumers with the following safety information:

"To assure safety, the Federal Government requires that cell phones meet radiofrequency (RF) exposure guidelines. If you carry or use your phone in a pants or shirt pocket or tucked into a bra when the phone is ON and connected to a wireless network, you may exceed the federal guidelines for exposure to RF radiation. Refer to the instructions in your phone or user manual for information about how to use your phone safely."

The city requires cell phone retailers to display the above factual notice. The notice does not make any claims about health risks from cell phone use. Since the ordinance has been in effect for more than two years without creating any controversy among consumers or disruption to cell phone retail businesses in the city, it is uncontroversial.

The Berkeley cell phone "right to know" ordinance requires cell phone retailers to provide consumers with "purely factual and uncontroversial disclosures about commercial products." Hence, the ordinance will likely withstand legal challenges from the CTIA and its corporate allies.

[SCOTUSblog](#) has a summary of the issues, chronology of the filings, and links to all briefs submitted to the Supreme Court.

2001
Supreme Court
of Canada
recognizes
municipal
right to ban
pesticides
invoking the
precautionary
principle

114957 Canada Ltée (Spraytech, Société
d'arrosage) and Services des espaces verts
Ltée/Chemlawn *Appellants*

v.

Town of Hudson *Respondent*

and

**Federation of Canadian Municipalities,
Nature-Action Québec Inc. and World
Wildlife Fund Canada, Toronto
Environmental Alliance, Sierra Club of
Canada, Canadian Environmental Law
Association, Parents' Environmental
Network, Healthy Lawns – Healthy People,
Pesticide Action Group Kitchener, Working
Group on the Health Dangers of the Urban
Use of Pesticides, Environmental Action
Barrie, Breast Cancer Prevention Coalition,
Vaughan Environmental Action Committee
and Dr. Merryl Hammond, and Fédération
interdisciplinaire de l'horticulture
ornementale du Québec** *Interveniers*

INDEXED AS: 114957 CANADA LTÉE (SPRAYTECH, SOCIÉTÉ
D'ARROSAGE) *v.* HUDSON (TOWN)

Neutral citation: 2001 SCC 40.

File No.: 26937.

2000: December 7; 2001: June 28.

Present: L'Heureux-Dubé, Gonthier, Iacobucci, Major,
Bastarache, Arbour and LeBel JJ.

ON APPEAL FROM THE COURT OF APPEAL FOR
QUEBEC

Lawsuits

Case 1:18-cv-01209 Document 1 Filed 12/21/18 Page 1 of 54

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SANTA FE ALLIANCE FOR PUBLIC HEALTH
AND SAFETY, ARTHUR FIRSTENBERG, and
MONIKA STEINHOFF,

Plaintiffs,

vs.

No. 18-1209

CITY OF SANTA FE, NEW MEXICO;
HECTOR BALDERAS, Attorney General of New
Mexico; and the UNITED STATES OF AMERICA,

Defendants.

Dr. Magda Havas, PhD.

[Home](#) [Video Presentations -](#) [EMF News -](#) [Historical References -](#) [University Courses](#) [Biography](#) [Contact Dr. Havas](#)

Rogers vs. Chateauguay: Canadian Supreme Court rules that cities cannot block location of cell towers.

June 17, 2016. Yesterday, the Supreme Court of Canada ruled that, since the telecom industry comes under the jurisdiction of the federal government, municipalities have no say in the placement of cell phone towers or antennas. While this simply upholds what has already been happening, it never-the-less comes as a disappointment to those concerned about the health effects of microwave radiation.

Canada top court rules Quebec city cannot block cell tower

<http://ca.reuters.com/article/domesticNews/idCAKCN0Z21UI?sp=true>



Cities have no say on location of cellphone towers: SCC

<http://www.canadianlawyermag.com/legalfeeds/3307/cities-have-no-say-on-location-of-cellphone-towers-scc.html>

Zory's Archives

**The History of the
Health Effects
from RF and
Microwave
Radiation from
the Archives of
Zory Glaser**



Dr. Zory R. Glaser Ph.D., LT, MSC, USNR
Former U.S. Navy Researcher, NIOSH Manager,
Executive Secretary Advisor to the U.S. FDA

[Click here to view the Archives](#)

Châteauguay had imposed a two-year standby notice on the property specifically invoking the risk to the health and well-being of citizens living nearby, which was not accepted by the Court as it affected federal jurisdiction. In fact, it does not mean that the federal government could not invoke that type of motive but not a city, or even a province ...

It's just that it limits much the possibility for the citizen to seize a public authority near him ...

But you're right that the day a court has recognized the problem that policy will follow ... But we must choose our battles because if a court's decision is negative it will be the opposite and set us back for years ...

I often say that when you win in the environmental courts you step forward and when you lose you go back three ...

- Lawyer Michel Bélanger

www.belangeravocats.ca

Class action expert and cofounder, Quebec Center for Environmental Law Center

<https://www.cqde.org/en/>

David versus Goliath: lawyer asks court to approve EMF class action

By Tracey Arial The Suburban May 9, 2018 0



Suburban exclusive: Supreme Court hearing sought in language of signs case

A motion for leave to appeal a challenge to the province's language of commercial signage la...



Lawyer Charles O'Brien is in court this week to ask the Quebec court to approve a class-action lawsuit on behalf of roughly 3% of Quebecers who suffer from the cumulative effects of electromagnetic fields (EMF).

"This is a case about access to justice," said O'Brien. "It would be unrealistic and unaffordable for all of these people to create individual lawsuits against all the parties involved."

Case #500-06-000760-153 began yesterday in room 17.09 at the Montreal Courthouse. It continues today and could last until Friday.

In this case, Mahons and Durand allege that the Attorney Generals of Canada and Quebec, Hydro Quebec, several municipalities, the entire telecommunications industry and many players in the transportation and tourism industries knowingly harmed Canadians through their actions.



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WE NOW QUOTE FROM THE REPORT OF THE EPIDEMIOLOGICAL INVESTIGATION OF THE COURT OF ROME:

"... the excess of risk is dramatically high ... the effect is very large and cannot be attributed to random cases The results obtained are absolutely astounding ... we are not capable of finding a different cause if not that due to radio Vatican ... one cannot avoid thinking that something important has happened for the lives of those people, that can be explained due to other causes other than radio Vatican ... the results have to do with the dislocation in which these people have lived during their lives and these children have lived in their lifetime. â€ . Such high levels of risk are found, in scientific literature, only in epidemiological studies relative to areas that have suffered the effects of an atomic explosion."

Court Allows Expert Testimony Alleging Cell Phones Linked To Brain Tumors

Posted: August 12, 2014



Cell Phones Linked to Brain Tumors. A Washington D.C. superior court judge ruled that five scientific expert witnesses can testify for [consumers suffering from brain tumors](#) allegedly caused or promoted by cell phone radiation.

Judge Frederick H. Weisberg, who is presiding over 13 consolidated lawsuits against the telecom industry, ruled that the experts met the legal standards and can offer testimony related to injury causation and health effects. In December 2013 and January 2014, the court

held evidentiary hearings and reviewed hundreds of exhibits. Judge Weisberg noted that while the court did not decide the issue of whether [cell phones cause brain tumors](#), new scientific studies and information have emerged on the issue.

FRENCH STUDY LINKED CELL PHONE TO TUMOR

Weisberg's order referred to a French study that found support for "a possible association between heavy mobile phone use" and brain tumors. The French researchers used a cancer registry to identify adults with meningiomas or gliomas, two of the most common adult brain tumors. The radio frequency electromagnetic fields that researchers believe can cause cancer cause heat as they penetrate tissue. Holding a cell phone to the ear brings the source of the radiation frequencies close to the brain, and this may be the **link between cell phones and brain tumors**, according to the *Guardian Liberty Voice*. Some critics say the non-ionizing energy emitted by cell phones should not cause damage to chemical bonds or DNA within a human body, but the Environmental Working Group found studies showing that cell phones carried in pants pockets can affect men's sperm quality.

An attorney involved in one of cases said "We now have opinions and testimony from prominent scientific experts that will be admissible and support our clients' claims that cell phone radiation can cause brain tumor in humans." The first of the consolidated cases is Michael Patrick Murray et al. v. Motorola Inc. et al., case no. 2001 CA 008479 B in the Superior Court for the District of Columbia. The defendants in the cases are Motorola Inc., Qualcomm Inc., Nokia Inc., Audiovox Communications Corp., and Samsung Telecomm American LLC.

How
long
will
we
wait
?

