

From: PPSI@aol.com [<mailto:PPSI@aol.com>]
Sent: Monday, May 22, 2017 7:55 PM
To: Nambiar, Madhusoodana
Cc: Henderson, Marsha B; Lurie, Peter; Ventura, Jeff; Taylor, Mary Ellen; jmm@berkeley.edu
Subject: FDA Citizens Petition on Cell Phones, Docket # FDA-2013-P-1374

Peter:

FYI-

**Can you please tell us where our FDA Citizen Petition is
and response is currently at the FDA ? We have not heard back
since the response and we have a new FDA commissioner.
HOW CAN WE GET A HEARING ON THIS ISSUE, NOW THAT
ATATE OF CALIFORNIA HAS WEIGHED IN WITH HAVING
A PUBLIC HEALTH PROBLEM AND ISSUE FOR CONSUMERS ?**

best-

Fred.

**P,s. here is the email and our linkage to FDA, we have been
sending our information to. Please advise.**

**P.S. #2 Steve Woods-are you our contact person to this cell
phone issue for the State of California and CDPH? if
not, please advise-I am attaching our Citizen;s Petition and
response from FDA. If not, can we meet them on our next visit
to Sacramento ?**

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Madhusoodana Nambiar,

Regulations Staff

Office of the Center Director

**Center for Devices and Radiological Health,
U.S. Food and Drug Administration**

Building WO66, 5572

10903 New Hampshire Avenue

Silver Spring, MD 20993

Dear Mr. Nambiar:

**Please add the email below to our FDA Citizens Petition on Cell Phones,
Docket # FDA-2013-P-1374 from UCB Professor Dr. Joel Moskowitz .**

Also, please add this newspaper article to our Petition:

"New records show how state reworked secret cell phone warnings"

link: <http://www.sfchronicle.com/health/article/New-records-show-how-state-reworked-secret-cell-11160254.php>

Also, can you please send copies of all our submissions and additions to the following,

**Steve Woods, Division Chief
Food, Drug and Radiation Safety
California Department of Public Health
1500 Capitol Avenue, MS 7600
Sacramento CA 95814
916-440-7883
fax : 916-440-5421
email : steve.woods@cdph.ca.gov**

Steve is Chief of Radiation and Safety for California, FDA.

Please tell me where our Citizens Petition is on Cell Phone, Docket # FDA-2013-P-1374, are there hearings coming up and when will they be ?

When will this subject come up before the new FDA commissioner ? Please advise.

Fred

Fred Mayer, RPh, MPH, FACA
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From: jmm@berkeley.edu
To: cheemf@lists.healthandenvironment.org
Sent: 5/19/2017 8:57:02 P.M. Pacific Daylight Time
Subj: Breaking News: Calif. Public Health Dept releases secret cell phone warnings

California Department of Public Health Releases Secret Cell Phone Warnings

Joel M. Moskowitz, Ph.D.

School of Public Health

University of California, Berkeley

May 19, 2017

The California Attorney General's Office released 27 versions of a cell phone radiation safety fact sheet prepared by the California Department of Public Health (CDPH) initially in 2009 and revised multiple times through January, 2015. The State has never adopted this fact sheet nor released it to the public due to suppression by "political appointees" according to my sources.

The recommendations in the final version of the fact sheet are sound. CDPH should adopt and disseminate the fact sheet now. The public has a right to know the information that the Department's health professionals have been trying to share with them since 2009. I further recommend that the fact sheet be updated annually consistent with the latest research.

The fact sheet is based upon reviews of the research conducted by the CDPH Division of Environmental and Occupational Disease Control between 2009 and 2014.

The original document reflected a consensus of the Division. The document summarized research on the health effects associated with exposure to cell phone and cordless phone radiation. It provided recommendations to the California Department of General Services, the “business manager” for the State, regarding cell phone purchases in addition to recommendations to state employees and the general public, especially children, about safe use of cell phones and cordless phones to minimize exposure to wireless radiation.

The final version of the fact sheet omits recommendations to the Department of General Services and does not discuss cordless phones.

<SNIP>

The case is Dr. Joel Moskowitz v. California Department of Public Health (#34-2016-80002358).

Additional information is available on my Electromagnetic Radiation Safety web site at <http://bit.ly/CDPHsafer>

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New records show how state reworked secret cell phone warnings

Melody Gutierrez, *San Francisco Chronicle*, published online May 19, 2017

SACRAMENTO — Newly released public records show that California public health officials worked for five years on a set of guidelines to warn the public about the potential dangers of cell phones, revising their work 27 times with updated research before abandoning the efforts without ever making their concerns public until ordered by a judge.

The 27 versions of the guidelines, obtained by The Chronicle, show that California health officials deleted a section that warned state employees with work-issued cell phones about the potential increased risk for brain cancer from use of the devices over time. The [final version](#) of the guidelines was a broad warning to the public about exposure to electromagnetic fields emitted by cell phones. It included a list of best practices to minimize exposure.

Joel Moskowitz, a public health researcher at UC Berkeley who sued the state to force the release of the records, said state officials should never have withheld the warnings from the public. Lawyers for the state had argued in court that release of the warnings could cause unnecessary panic.

“It would have to be purely political to deny distributing this,” Moskowitz said. “Science supports this.”

Sacramento County Superior Court Judge Shelleyanne Chang ordered the state in March to turn over the final version of the guidelines from 2014. This week, as part of the lawsuit, the judge forced California health officials to turn over all the previous versions of the guidelines it had kept secret.

It's unclear what debate went on inside the California public health department over the guidelines — and whether there was any influence from outside the health department.

The Chronicle submitted a public records request to the California Department of Public Health in March asking for emails or documents related to why the cell phone guidelines were never approved to be made public — and to see if there was any outside influence. The department refused to release records, saying those that existed were protected by attorney-client privilege.

The little information that is known about the state's efforts to create and then abandon cell phone guidelines can be gleaned from Moskowitz's lawsuit and the newly released documents.

The first version of the guidelines, from 2009, said recent studies of cell phone and cordless phone usage "suggest that after 10 years of heavy use there is an increased risk of malignant brain cancer and a kind of benign tumor in the inner ear, particularly on the side of the head where these phones are usually placed." The state department reviewing the material, the Division of Environmental and Occupational Disease Control, wrote that following its own "unpublished meta-analysis," it agreed with the conclusions of the studies. Similar language about long-term effects was included in the later versions, but not the part about a consensus of study findings by the division.

The first version also included this language, which was later removed: "Although most cell phone and cordless phone heavy users would not get brain cancer, the number of brain cancer patients coming to hospitals would increase and would represent a significant cost to society in suffering, medical costs and economic costs that one would want to avoid."

Additionally, the first version noted that the lifetime risk of getting brain cancer is low, but that longtime heavy use of cell phones and cordless phones is enough to be of "regulatory concern." That "regulatory concern" was removed in the later versions.

The early document also included the section of state employees, which was deleted. It detailed how state government and its employees could lower the risk of exposure, such as reducing the time workers were required to be on their cell phones, avoiding purchasing cordless phones for office use and ensuring employees have headsets.

The first version also warned: "Do not allow children to use a cell phone, except for emergencies." The final version said "parents may want to limit their child's cell phone use to texting, important calls and emergencies."

"I want to know why this was suppressed," Moskowitz said, referring to information he feels parents should be aware of.

The California Department of Public Health declined an interview request, releasing only written statements.

"The draft cell phone guidelines attempted to characterize the complex science around radio frequency electromagnetic field (EMF) and provide options for people who want to reduce their exposure," the statement read.

The California public health department told The Chronicle in March that it abandoned the guidelines because the federal Centers for Disease Control and Prevention issued national guidance on the same subject in 2014. But, even those national guidelines were the subject of controversy.

CDC's updated guidelines in 2014 read "we recommend caution in cell phone use," but that language was deleted weeks later.

A **New York Times** investigation last year examining more than 500 pages of internal CDC records found the agency's new language had been worked on for three years, but soon after it was published officials grew concerned that it was being mistaken as a policy change. The language was then changed again in 2014 to say "some organizations recommend caution in cell phone use. More research is needed before we know if using cell phones causes health effects."

Moskowitz said he hopes the state will decide to adopt and post the guidelines its own department created.

"It seems to me better late than never to notify the public," Moskowitz said. "The public has a right to this information paid for with their tax dollars."

The statement from the California Department of Public Health said there are no plans to post the guidelines on its website.

Melody Gutierrez is a San Francisco Chronicle staff writer. Email: mgutierrez@sfchronicle.com. Twitter: [@MelodyGutierrez](https://twitter.com/MelodyGutierrez)

Cell phone use guidelines

Increase the distance between you and your cell phone by:

Using the speaker phone.

Sending text messages.

Use a headset and carry your phone away from your body. EMFs from wireless (Bluetooth) and wired headsets are usually weaker than those from a cell phone.

Keep your phone away from your body. A cell phone that is on can emit EMFs even when it is not being used.

Do not sleep with your cell phone near you or carry it in a pocket or directly on your body unless the phone is turned off.

Keep cell phone calls short, even when using a wireless or wired headset.

Take off your headset when you're not on a call. Wireless and wired headsets emit EMFs even when you are not using your phone.

Do not rely on devices that claim to shield or neutralize EMFs from cell phones. These devices have not been shown to reduce exposures.

Source: California Department of Public Health

<http://bit.ly/CDPHsfchron>

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Joel M. Moskowitz, Ph.D., Director
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Electromagnetic Radiation Safety

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