

A Letter Bomb for the Mobile Phone Industry?

The following letter, written by Dr. George Carlo, head of Wireless Technology Research (WTR) to the CEO of American Telephone & Telegraph (AT&T), has serious legal implications for mobile phone manufactures who have claimed that there is no evidence for adverse health effects from mobile phone use. It also should concern employers about "duty of care" where they require their employees to use mobiles in the course of their work, not to mention the millions of mobile phone users who have believed the industry's claims of safety.

WTR, headed by George Carlo, was founded by the U.S. Cellular Telecommunications Industry Association (CTIA) in 1993, to research the possibility of brain tumors, and any other health issues being related to mobile phone use. WTR spent about \$25 million over the five year contract period.

During this time much criticism was leveled at WTR and George Carlo, who appeared to be running a line that "mobile phones are safe" and stalling on doing any meaningful research.

In essence, since 1993, George Carlo was the U.S. telecommunications industry's research head, overseeing research into the possible adverse effects of mobile phone use. The following letter is similar to one sent to 26 companies that contributed funding to the WTR.

The fact that the letter was widely distributed to the industry means that mobile phone manufactures can no longer claim that there is no evidence of adverse health effects from mobile phone use. Carlo has put them on notice. To make that claim now could possibly expose them to litigation in much the same way as what happened to the Tobacco Industry, where it has been shown that industry assurances of no evidence for hazards from smoking was a total fabrication, as their own research clearly found that hazards did exist.

Dr. Carlo may also have been considering the Tobacco issue when he wrote those 26 letters, for with the Tobacco scientists, if they were found to have withheld scientific evidence for health hazards from smoking, they were held to be personally liable for damages.

Could it be that Carlo, at the helm of the US industry's research effort and having access to all the available research, has seen the "handwriting on the wall" and is now moving to distance himself from the possibility of being sued for his earlier assurances that mobiles are safe?

Whatever the reason(s) for George Carlo's change of heart, it would appear that litigation against the manufactures of mobile phones is looming as a major problem for the industry in the near future.

Don Maisch

EMFacts Consultancy – October 19, 1999

WIRELESS TECHNOLOGY RESEARCH LLC

7 October, 1999
Mr. C. Michael Armstrong
Chairman and Chief Executive Officer
AT & T Corporation
32 Avenue of the Americas
New York, New York 100313-2412

Dear Mr. Armstrong:

After much thought, I am writing this letter to you, personally, to ask your assistance in solving what I believe is an emerging and serious problem concerning wireless phones. I write this letter in the interest of the more than 80 million wireless phone users in the United States and the more than 200 million worldwide. But I also write this letter in the interest of your industry, a critical part of our social and economic infrastructure.

Since 1993, I have headed the WTR surveillance and research program funded by the wireless industry. The goal of WTR has always been to identify and solve any problems concerning consumers' health that could arise from the use of these phones. This past February, at the annual convention of the CTIA, I met with the full board of that organization to brief them on some surprising findings from our work. I do not recall if you were there personally, but my understanding is that all segments of the industry were represented.

At that briefing, I explained that the well-conducted scientific studies that WTR was overseeing indicated that the question of wireless phone safety had become confused.

Specifically, I reported to you that:

- * The rate of death from brain cancer among handheld phone users was higher than the rate of brain cancer death among those who used non-handheld phones that were away from their head;
- * The risk of acoustic neuroma, a benign tumor of the auditory nerve that is well in range of the radiation coming from a phone's antenna, was fifty percent higher in people who reported using cell phones for six years or more, moreover, that relationship between the amount of cell phone use and this tumor appeared to follow a dose-response curve;
- * The risk of rare neuro epithelial tumors on the outside of the brain was more than doubled, a statistically significant risk increase, in cell phone users as compared to people who did not use cell phones;
- * There appeared to be some correlation between brain tumors occurring on the right side of the head and the use of the phone on the right side of the head;
- * Laboratory studies looking at the ability of radiation from a phone's antenna to cause

functional genetic damage were definitively positive, and were following a dose-response relationship.

I also indicated that while our overall study of brain cancer occurrence did not show a correlation with cell phone use, the vast majority of the tumors that were studied, were well out of range of the radiation that one would expect from a cell phone's antenna. Because of that distance, the finding of no effect was questionable. Such misclassification of radiation exposure would tend to dilute any real effect that may have been present. In addition, I reported to you that the genetic damage studies we conducted to look at the ability of radiation from the phones to break DNA were negative, but that the positive finding of functional DNA damage could be more important, perhaps indicating a problem that is not dependent on DNA breakage, and that these inconsistencies needed to be clarified. I reported that while none of these findings alone were evidence of a definitive health hazard from wireless phones, the pattern of potential health effects evidenced by different types of studies, from different laboratories, and by different investigators raised serious questions.

Following my presentation, I heard by voice vote of those present, a pledge to "do the right thing in following up these findings" and a commitment of the necessary funds.

When I took on the responsibility of doing this work for you, I pledged five years. I was asked to continue on through the end of a sixth year, and agreed. My tenure is now completed. My presentation to you and the CTIA board in February was not an effort to lengthen my tenure at WTR, nor to lengthen the tenure of WTR itself. I was simply doing my job of letting you know what we found and what needed to be done following from our findings. I made this expressly clear during my presentation to you and in many subsequent conversations with members of your industry and the media.

Today, I sit here extremely frustrated and concerned that appropriate steps have not been taken by the wireless industry to protect consumers during this time of uncertainty about safety. The steps I am referring to specifically followed from the WTR program and have been recommended repeatedly in public and private for and by me and other experts from around the world. As I prepare to move away from the wireless phone issue and into a different public health direction, I am concerned that the wireless industry is missing a valuable opportunity by dealing with these public health concerns through politics, creating illusions that more research over the next several years helps consumers today, and false claims that regulatory compliance means safety. The better choice by the wireless industry would be to implement measured steps aimed at true consumer protection.

Alarming, indications are that some segments of the industry have ignored the scientific findings suggesting potential health effects, have repeatedly and falsely claimed that wireless phones are safe for all consumers including children, and have created an illusion of responsible follow up by calling for and supporting more research. The most important measures of consumer protection are missing: complete

and honest factual information to allow informed judgment by consumers about assumption of risk; the direct tracking and monitoring of what happens to consumers who use wireless phones; and, the monitoring of changes in the technology that could impact health.

I am especially concerned about what appear to be actions by a segment of the industry to conscript the FCC, the FDA and The World Health Organization with them in following a non-effectual course that will likely result in a regulatory and consumer backlash.

As an industry, you will have to deal with the fallout from all of your choices, good and bad, in the long term. But short term, I would like your help in effectuating an important public health intervention today.

The question of wireless phone safety is unclear. Therefore, from a public health perspective, it is critical for consumers to have the information they need to make an informed judgment about how much of this unknown risk they wish to assume in their use of wireless phones. Informing consumers openly and honestly about what is known and not known about health risks is not liability laden – it is evidence that your industry is being responsible, and doing all it can to assure safe use of its products. The current popular backlash we are witnessing in the United States today against the tobacco industry is derived in large part from perceived dishonesty on the part of that industry in not being forthright about health effects. I urge you to help your industry not repeat that mistake.

As we close out the business of the WTR, I would like to openly ask for your help in distributing the summary findings we have compiled of our work. This last action is what always has been anticipated and forecast in the WTR's research agenda. I have asked another organization with which I am affiliated, The Health Risk Management Group (HRMG), to help us with this public health intervention step, and to put together a consumer information package for widespread distribution. Because neither WTR nor HRMG have the means to effectuate this intervention, I am asking you to help us do the right thing.

I would be happy to talk to you personally about this.

Sincerely yours,

George L. Carlo Ph.D., M.S., J.D.

Chairman

Wireless Technology Research LLC

1711 N. Street, NW, Suite 400,

Washington DC 20036-2811

(202) 785 3939 telephone

(202) 785-3940 facsimile

[Signed fax of original letter is available from EMFacts]

<http://www.tassie.net.au/emfacts/mobiles/carlo.html>

Excerpts from an October 14, 2006 letter by Dr. George Carlo to Eileen O'Connor of the EM Radiation Research Trust (UK):

“Overall, we are now seeing more and more reports of symptoms that are consistent with electro-sensitivity. Those symptoms range from sleep and learning disorders to neuromuscular conditions and tumors. Of note is that ... we are now seeing the majority of symptoms being associated with mobile phone masts and other environmental sources of EMR. We believe this may well be a reflection of the ever-increasing ambient levels of EMR in major cities. Our assessment suggests that the background levels that are the result of the exponential increase in wireless technology infrastructure are causing an unprecedented rise in information carrying electromagnetic fields.”

“... we participated in focus group research of U.S. Teens, aged 15 to 18, to explore their views and attitudes about mobile phone health risks. Among the findings: young people know about the EMR health risk controversy, but believe it has been fixed by the government; young people believe the technology is safe because their parents have approved their use of it; and young people won't be moved about the danger until they see scores of friends with brain cancers related to cell phone use. This work suggests an extreme reliance of young people on both government leaders and the family structure to keep them safe as well as a high degree of denial about the problem.”

“Our most recent epidemic curve estimates indicate that for primary brain cancer, in 2005 there were 20,000 new cases directly attributable to mobile phones; by the year 2010, the curve indicates that number will be on the order of 300,000 new cases worldwide.”

“For eye cancer, the curve indicates 10,000 new cases worldwide in 2005 and 100,000 attributable cases by the year 2010.”

“To be sure, there are no “silver bullet” solutions to the problem of EMR related health risks. In fact, nowhere have we identified any one product or intervention that offers, in and of itself, adequate promise of protection. Nonetheless, the commercial landscape is littered with fraudulent claims being promoted by companies as inducements to sell products.”

“One of the biggest barriers to solving this emerging public health problem are the orchestrations of the mobile phone industry to “keep the lid” on the issue.

“Since the publication of the results of the \$28.5 million WTR research program indicating mobile phone health risks, the mobile phone industry has put into place a global program to control the research agenda addressing the question of mobile phones and health effects. The mobile phone industry experience with the WTR – independently conducted research – is widely perceived within the industry to have backfired and they do not want to make the same “mistake” again.

“The mobile phone industry program is sophisticated, and involves controlling the outcome of research by directly and indirectly controlling the funding, as well as controlling the dissemination and interpretation of the completed science. We have clear evidence now that, in many cases, the industry money is, in effect, laundered through such groups as the World Health Organization, the American Cancer Society and regulatory groups such as the U.S. Food and Drug Administration and the Federal Communications Commission. In other cases, industry funds the gathering of “independent scientists” to review the state of the science and then use the opinion as evidence of “no problem”, cited in cell phone package inserts and promotional materials.

“We have strong evidence in hand to show that the key bodies that provide emission standard advice to regulatory agencies, including the IEEE, the ANSI, and ICNRP are strongly influenced by the mobile phone industry. This has now moved to a point where government agency representatives on various committees have abstained from votes that are too obviously industry set-ups.

“The result is a clear dichotomy: results of studies, opinions of review groups and information dissemination tactics are discernibly dependent on where the support funding comes from. It is a classic “follow the money” formula.

“Thankfully, in the past year, scientists have begun to speak out more publicly about the industry “hijacking of the science” in both scientific fora and the general media. It is becoming an accepted fact within science circles that the influence of mobile phone industry money is significant.

“Prompted by some early work by Dr. Henry Lai, we have continued to array the published studies in terms of funding source – i.e. as either independent or industry funded or otherwise influenced. Our data show that mobile phone industry funded/influenced work is six times more likely to find “no problem” than independently funded work. The difference is statistically significant. The industry thus has significantly contaminated the scientific evidence pool, with the clear purpose of making sure that a general “weight of evidence” analysis would always tilt in the favor of their position.”

Dr. George Carlo
Chairman
Science and Public Policy Institute

[See the studies (S) section on this disk for the Dr. George L. Carlo Letter to Eileen O'Connor to review the complete letter in Adobe Reader.]

Excerpted from: <http://www.radiationresearch.org/Eileenconnor-response2.pdf>