

Nogent-sur-Marne, 19 June 2017

Mrs. Agnès Buzyn  
Minister of Solidarity and Health  
14 Avenue Duquesne 75007 Paris

Mr. Nicolas Hulot  
Minister of the Ecological Transition  
246 Bld Saint-Germain 75007 Paris

Subject: Request for intervention concerning the health and safety of users of mobile phones (LRAR)

Dear Madam, Dear Sir,

I would like to draw your attention to the serious failures of both the French and European protection protocols which are supposed to ensure the health and safety of users of mobile phones when they are used in contact with the body.

On 8 July 2016, the National Agency for Food, Environmental and Occupational Health and Safety (ANSES) published a report entitled, "*Exposure to Radiofrequencies and Child Health*".

The establishment of the report was initiated in 2011 at the request, among others, of the Directorate-General for Health and the Directorate-General for Competition, Consumer Affairs and Fraud Prevention.

This report mentions a series of measurements by the National Frequency Agency (ANFR) of the specific absorption rate (SAR) of 95 mobile phones on the French telephony market collected in stores.

As they appear in the report, the SAR measurements show that in placing the mobile phone in near contact with the skin in order to reflect actual use:

- 89% of mobile phones tested exceeded the maximum SAR trunk threshold of 2 W/kg;
- 25% of mobile phones exceeded the maximum SAR limbs threshold of 4 W/kg;
- 25% of mobile phones tested showed a SAR body above 2 W/kg (the manufacturer did not indicate the minimum distance for use of the phone in its notice).

The purpose of this report and in particular, the advice and recommendations of ANSES, was to warn the public authorities of the potential dangers of exceeding the current maximum SAR thresholds of mobile phones tested, particularly those involving children.

The standards in place up to April 2016 recommended measurement protocols of the SAR trunk and limbs "typically up to a distance of 25 mm" from the skin.

It is in this context that I immediately solicited ANFR to ask them to announce the results of the SAR measurements, initially without success, despite the favorable opinion of the Commission for Access to Administrative Documents (CADA) delivered on 17 November 2016.

Convinced of the importance of these test results, I appealed to the Administrative Court of Melun which on 20 April 2017, rejected my action against ANFR, considering that “ANFR, by letter of 19 December 2016, had given an explicit decision of refusal... that the requested measurements would be an obstacle to the execution of an administrative decision...”.

Solicited by ANFR, Marc Dandelot, President of CADA, wrote to the agency on 27 April 2017 to confirm its initial opinion of November 2016 and to reaffirm to ANFR its obligation to announce the SAR measurement results to all persons who had requested them, pursuant to article L124-1 of the Environmental Code.

In this context, contrary to all its previous public declarations, on 1 June 2017, ANFR decided to publish on its Internet site, the compilation of only a part of the SAR test results carried out between 2012 and 2016. In this respect, I am attaching a copy of the Email that I addressed to Gilles Brégant, Director-General of ANFR, on 12 June 2017, asking him to be fully transparent regarding this data that is so important to the health of users. **An additional delay in the transmission and publication of this missing data would without doubt be inexcusable.**

We thus now know that more than a hundred mobile phone models of different manufacturers present a real danger for the consumer, some displaying a SAR trunk at contact exceeding three times the standard value. As you will see, the consumer has been “deceived” by the SAR value displayed by the manufacturers compared to the real SAR value revealed (in recent days) by tests carried out in contact with the skin. Industry must now explain such practices and take the necessary measures with regard to their customers.

Furthermore, thus far, neither ANFR which voluntarily considers these phones to be “compliant”, nor any public agency has launched a national warning to users as one would have done for a car or toaster presenting a danger. It is all the more serious that ANFR, which has a duty to test and ensure the safety of users, has been perfectly aware of the dangers for nearly five years.

**This extremely serious situation cannot and should not continue because if it does, the responsibility of the State will be called into question for failing to take urgent measures to report the dangers and explain simple preventive measures, such as placing the mobile phone at some distance from the body (which is by the way, recommended in all user guides of the manufacturers).**

At the same time, the European protocols authorizing the marketing of mobile phones should be revised. The new European Directive which entered into force on 13 June 2017 (Directive RED 2014/53/UE) appears particularly inappropriate in view of the public health issues at stake. In fact, the American standards defined by the Federal Communications Commission (FCC) and the Canadian standards recommend more constraining measures, namely a lower threshold at 1.6 W/kg and this, for 1 g of tissue, for a use of 30 minutes. Compare this to 2 W/kg for 10 g of tissue and a 6-minute call (Standard EN 50566:2013).

According to American experts including Dr. Devra Lee Davis, the use of 1 compared to 10 g of tissue can result in a three-fold increase in SAR values, that is, for some phones tested by ANFR, values can exceed 21 W/kg without counting time use.

**Faced with what looks like yet another public scandal (“Phonagate”), which in its present form strangely echoes “Dieselgate” in terms of the failure of international testing protocols, I would like to share with you my deepest concern and ask you to act rapidly and responsibly in order to show that we have learned how to best draw**

**lessons from past failures and this, at a time when we are faced with industry groups of currently unprecedented power (Google and Apple, to mention just a few, are no less than the two most important global market capitalizations).**

I wish to inform you that in the next few days, I intend to make this letter public in a press release and am available to answer any questions.

Yours faithfully,

Marc Arazi  
Doctor of Medicine