

# Italian Supreme Court Rules Cell Phones Can Cause Cancer

What are the implications of this ruling for the United States?

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Contrary to the denials of many health agencies in the U.S. and in some other countries, the Italian Supreme Court has recognized a "causal" link between heavy mobile phone use and brain tumor risk in a worker's compensation case.

The Italian courts dismissed research co-financed by the mobile phone industry including the WHO Interphone study due to concerns about conflict of interest.

Instead, the courts relied on independent research conducted by Lennart Hardell and his colleagues in Sweden which showed consistent evidence of increased brain tumor risk associated with long term mobile phone use.

Last year, the Hardell research was heavily relied upon by 31 experts convened by the WHO who classified radiofrequency energy, including cell phone radiation, as "possibly carcinogenic" in humans.

In our review of the cell phone use - tumor risk research published in the *Journal of Clinical Oncology* in 2009, we found that research co-financed by the Telecom industry was unlikely to report evidence of tumor risk and employed poorer quality research methods than independently-funded research. Moreover, in more recently published research, authors of studies co-financed by the industry dismissed as artifactual the evidence of increased brain tumor risk they found in children as well as adults.

In our paper, we raised concerns that conflicts of interest may have affected the conduct of the research and biased the reporting of it. In our rebuttal to three letters to the editor submitted by individuals with industry affiliations or funding, we called on governments to fund cell phone radiation research that is independent of industry in order to avoid even the appearance of a conflict of interest.

Since there are now more than 330 million cell phone subscribers in the U.S., an annual fee of 50 cents on each cell phone would generate sufficient resources to fund high quality, independent research that could promote safer technology development and fund a community education program about safer cell phone use.

Although 12 nations and the European Union have issued precautionary health warnings regarding mobile phone use, the U.S. has been in denial. The Telecom industry has blocked numerous attempts to pass cell phone warning legislation at the Federal, state, and city level. The industry even refused to support a bill in the California legislature by Senator Mark Leno that would simply remind consumers to read the safety information that is currently printed in their cell phone user manuals.

Only one city has been able to overcome intense lobbying by the Telecom industry. San Francisco adopted cell phone "right to know" legislation two years ago, but the Telecom industry (i.e., CTIA-The Wireless Association) blocked implementation of this law by filing a lawsuit claiming that the court-approved fact sheet violates the industry's First Amendment rights. The CTIA also moved its annual conference from San Francisco to punish the city.

The evidence of harm from cell phone radiation has been increasing so it is only a matter of time before lawsuits filed in U.S. courts by cell phone radiation victims will be successful. The Insurance industry will not provide product liability insurance due to concerns that juries will find that the Telecom industry has behaved much like the Tobacco and Asbestos industries. So the Telecom industry could be faced with paying huge damages to individuals and governments.

The Telecom industry could become good corporate citizens, reduce potential product liability and protect consumers' health by allowing the FCC to adopt stronger regulations, by promoting precautionary safety warnings and by encouraging government to support independent research to promote safer wireless technologies.

Otherwise taxpayers may be forced to bail out yet another industry too big to fail.

For more information on the Italian Supreme Court ruling see: <http://www.reuters.com/article/2012/10/19/italy-phones-id...>

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