

San Francisco Department of the Environment Regulation 10-02-CPO
Requirement for Cell Phone Service Providers
Cell Phones; Retailers' Duty to Disclose Specific Absorption Rate Values
Ordinance No. 155-10, Adopted July 1, 2010

Regulation Effective Date: August 23, 2010

A. Authorization.

San Francisco Environment Code Chapter 11, Section 1102(a) states: Beginning September 1, 2010, any cell phone service provider that sells its service through a retailer in the City must provide a list of those retail locations to the Department of the Environment in a form determined by the Department. The service provider must update the list annually. The Department shall adopt regulations governing the form and submission of the lists.

B. Policy or Findings.

1. Government agencies and scientific bodies in the European Union (EU) and Israel have recognized the potential harm of long-term exposure to radiation emitted from cell phones and, as a result, have issued warnings about their use, especially their use by children.
2. The United States Federal Communications Commission ("the FCC") has established a maximum allowable Specific Absorption Rate ("SAR") rating for portable wireless devices (cell phones) sold in the United States. The SAR is a value that corresponds to the relative amount of radiofrequency energy absorbed in the head or body of a user of a wireless handset. At the time of adoption of these regulations, the FCC limit for public exposure from cellular telephones is an SAR level of 1.6 watts per kilogram (1.6 W/kg) for spatial peak (local) SAR, such as SAR in the user's head, as averaged over any 1 gram of tissue.
3. The SAR values for different makes and models of cell phones differ widely, but consumers are not able to make informed purchasing decisions because there is no requirement that the retailer provide the applicable SAR values to the consumer at the point when the consumer is deciding between various makes and models.
4. Cell phones are an important communication tool, especially during emergencies, and radiation exposure from cell phones can be reduced by using a speakerphone or a headset, or by sending text messages.

C. Applicability.

This regulation applies to all San Francisco cell phone service providers, defined by the San Francisco Environment Code Chapter 11, Section 1100(c) as "a telecommunications common carrier authorized to offer and provide cellular service for hire to the general public."

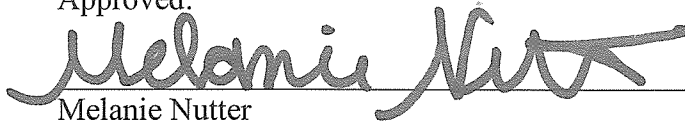
D. Requirements.

By September 1, 2010, and annually thereafter, any cell phone service that sells its service through a retailer in San Francisco must provide a list of those retail locations to the Department of the Environment using the following process:

1. Submit data using the format of the attached spreadsheet.
2. Submit data in an Excel spreadsheet, Microsoft Office 2003.
3. Save data in a format that can be modified by the recipient, i.e. the data may not be in a read-only format.
4. Submit data electronically to: cellphone@sfenvironment.org

The Director of the Department of the Environment hereby adopts these regulations as of the date specified below.

Approved:



Melanie Nutter
Director, Department of the Environment

8/23/2010

Date

