

Mr. Roger GENET  
Director General  
ANSES  
14 rue Pierre et Marie Curie  
94701 Maisons-Alfort Cedex

Paris, March 25, 2021

**Subject: Request for information**

Dear Mr. Genet,

By order n°2010-18 of January 7, 2010 creating a national agency in charge of food, environmental and occupational health safety (hereinafter, "ANSES"), ANSES is in charge of food, environmental and occupational health safety, with a view to informing the public authorities in their health policy.

Its mission is to implement: *"an independent and pluralistic scientific expertise" and contribute to [propose] to the competent authorities any measure likely to preserve public health"*.

In this context, the Agency has conducted a work of vigilance and alert on radio frequency waves that has, for the time being, resulted in the development of, among others, two reports dated July 2016 and October 2019. These reports make recommendations to the public authorities on the thresholds of exposure to nearby sources (cell phones, tablets, DECT, connected objects ...), and also to distant sources (relay antennas, wifi ...) of radio frequency waves.

In this context, a note entitled "[Cycle d'échanges sur les indicateurs et valeurs limites d'exposition aux champs électromagnétiques](#)" [Exchange cycle on indicators and limit values for exposure to electromagnetic fields], signed by ANSES and written by Mr. Olivier Merckel, head of the Physical Agents Unit, was sent to us at our previous meeting as members of the "Radiofrequencies and Health" Dialogue Committee.

We believe, however, that the references on which this working document is based are questionable.

ANSES gives a central role to the work of ICNIRP, a so-called "independent" agency, which since 1998 has issued scientific recommendations that have been fully adopted in Europe and in more than a hundred other countries, without ever being questioned by the European public authorities and their health agencies.

There are, however, other protocols to protect human health from exposure to cell phones, such as the one adopted in the United States in 1996 by the Federal Communications Commission (FCC). We quote this one, without considering that it provides the necessary guarantees to protect the health of cell phone users. Thus, a legal action has just been initiated by American organizations in this sense.

Until recently, however, and due to different choices from ICNIRP, a French or European user is three times less protected than an American user from the radio waves of his cell phone. As you cannot ignore, the choice of local absorption rate tests for the head, the body and the limbs are made on 10 g of tissue in Europe (ICNIRP) and 1 g in the USA (FCC).

In fact, it was after your July 2016 report that Dr. Arazi, following several legal actions, forced the National Frequency Agency (ANFR) to publish the reports of SAR monitoring tests conducted by the agency since 2012.

Despite an action before the Council of State, it has not been possible to obtain complete copies of the original versions (i.e. initial and officially published before any modification) of the documents issued between 2012 and 2016 by ANFR, at the origin of some of your recommendations to the French public authorities.

We are almost certain, given the elements at our disposal, that ANFR had the local body SAR levels calculated on the basis of 1 g of tissue. You can easily understand that, if it turns out that these elements were voluntarily concealed from your knowledge and that of the public, this would constitute an inexcusable fault in terms of damage to public health on the part of the agency in charge of spectrum control.

New elements in our possession show that our assertions concerning the overexposure linked to the choice of a SAR measurement on 10 g or 1 g are perfectly supported.

Indeed, the reporters of France Télévision had SAR tests carried out for 1 g and 10 g for the "Complément d'enquête" program broadcast on November 12, 2020. They entrusted the ART-FI company, specialized in SAR measurements, with 11 different cell phones, new and used, from HUAWEI, APPLE, SAMSUNG, XIAOMI, NOKIA. They then sent us these measurements for analysis.

Thus, for example, a new iPhone 8 tested on the rear panel at 2535 MHz:

- at 5 mm for 10 g (1.251 W/kg) and for 1 g (3.226 W/kg)
- at 0 mm for 10 g (3.298 W/kg) and for 1 g (10.168 W/kg)

All measurements show an increase in SAR when tested according to the U.S. standard on 1 g of tissue. Thus, the second-hand iPhone 5 tested at 0 mm reached a SAR of more than 12 W/kg (more than 3 times the authorized limit in Europe and the United States of 4 W/kg).

**Consequently, we ask you :**

- to inform us of the scientific elements that led you to consider as valid only the ICNIRP recommendations and not to take into account the other indicators used by other countries (United States, Russia, etc.)
- to explain to us the means by which you have ensured the validity of the work of ICNIRP which, for the record, only has an annual budget of 150,000 euros on average.
- to send us the scientific information at your disposal (articles, studies, measurements) concerning the local SAR levels of tests on 1 g of tissue and possible comparisons with tests on 10 g. In the same way, we would like to receive the scientific information justifying, according to ANSES, a measurement of body SAR levels for a duration of 6 minutes (ICNIRP) rather than of 30 minutes (FCC).
- to send us your official position, concerning the taking into account of a pseudo safety factor of 50 or more, alleged by ICNIRP (for the whole body SAR) and then by several experts (for the local SAR), some of whom work with ANSES (Joe Wiart, Yves le Dréan, etc.), and even worse, by ANFR on its website, as well as on governmental sites and even in the European Directive of 1999, suggesting that health effects could only be reached at values of 50 x 2 or more, or 100 W/kg for head and trunk SARs and 50 x 4 W/kg or 200 W/kg for the limb SAR.

However, you have constantly reminded us that local SARs should never exceed the 2 and 4 W/kg regulations in France and in Europe.

- to tell us, finally, what you think of the [recent position of the Vice-President of ICNIRP, Eric Van Rongen](#), during a working meeting at the European Parliament and who, replying to Dr. Marc Arazi, wrote: *"anyone who says that a reduction factor of 50 applies to local exposures is clearly misinterpreting the guidelines, although the 1998 guidelines may not have been very clear in this respect; the 2020 guidelines provide clearer information"*.

Finally, we would like to draw your attention to the existence of several conflicts of interest within ICNIRP, as shown in the [report by MEPs Michèle Rivasi and Klaus Buchner](#). We would therefore like to know the position of ANSES with regard to potential conflicts of interest among ICNIRP members.

We would also like to express a similar concern regarding a number of experts chosen by ANSES to conduct studies, first and foremost Mr. Joe Wiard, whose name appears regularly and to whom you have entrusted extremely important recent work concerning the evolution of SAR indicators.

Regarding Mr. Joe Wiard, we would like the ethics committee to re-evaluate the appropriateness of such a choice, knowing that he worked as director of Orange Lab for nearly 20 years (1996-2015) and that his recent and repeated public positions in the media, both misleading and scientifically invalid, make him a perfect example of a pro-industry expert.

You will understand that our action is only aimed at ensuring that the best decisions and recommendations in terms of public health be made by ANSES, especially at a time when an important report on the possible health effects of 5G radio waves is under study. For this, trust and transparency are two keywords.

We are therefore counting on you to provide us with all the information requested, which will guarantee the proper functioning of your agency and of the dialogue committee on which the signatory associations sit.

Sincerely,

**Signatory associations, members of the dialogue committee :**

