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Investigations Executive,
Advertising Standards Authority

October 1 2019

Dear xxx,

Complaint Ref: xxx

Thank you for your email of September 23 2019.

The Information Poster is wholly accurate and fully based on the majority scientific evidence. There are no grounds for any complaint against it, as shown in the points below.

1. An Information Poster, not Marketing, and thus outside the ASA's Code and the ASA's capability

(a) The ASA and its Code are concerned with Adverts and 'Marketing Communication'. The Information Poster is not an 'Advert' or a 'Marketing Communication'. There is nothing being advertised or marketed in a marketing sense, since asking a scientific question is neither advertising nor marketing. It is therefore not relevant to the ASA's CAP Code, which defines itself as "The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing".

(b) The ASA has no recognised capability or expertise in the science of bioelectromagnetics.

(c) In addition, the ASA has consistently failed to explain the source of its patently unscientific and minority interpretations of EM evidence when it has ventured into this scientific domain on previous occasions.

It is therefore inappropriate for the ASA to become involved. The unidentified complainants should forward their concerns directly to the groups responsible for the Information Poster and the recognised expert scientists and medical doctors involved with these groups who could then answer them directly.

2. The Information Poster does not mislead (3.1) in any way

(a) Even if the ASA considers that a question about scientific information is a form of advertising and marketing, the Information Poster is totally scientifically based on the latest scientific evidence. In addition the scientific evidence is that adopted by the vast majority of the relevant expert scientists. It therefore cannot mislead in terms of scientific accuracy and the majority scientific viewpoint.

(b) To suggest that 5G has been proved safe would be clearly against the vast majority of the scientific evidence on 2G, 3G and 4G radiation, which is the same as used for current 5G.

(c) In addition, it would be highly misleading to state that 5G is safe. There have been no tests on 5G's safety so far, although existing evidence already proves that its type of radiation is unsafe.

(d) Future 5G systems will probably use millimetre waves. Millimetre waves have been proved to be unsafe in many ways. They are also used as offensive weapons in electronic warfare and even in crowd control where they have not been banned on safety grounds.

(e) It is absurd to claim that the open-ended question on the safety of 5G can be misleading, at least in the normal use of the English language. The Information Poster asks a legitimate safety question: How safe is 5G? This safety question on electro-magnetic energy has been asked since it was discovered that all forms of EM energy can be unsafe. This is why there are safety questions and safety precautions over EM fields, radio frequency (RF) wireless radiation, gamma-rays and x-rays.

The seven-nation REFLEX research study funded by the European Union in 2004 showed that the health effects in the form of genotoxic DNA damage (micronuclei DNA strand breaks) are similar or greater for 24-hour exposure to an ordinary GSM 1800 MHz mobile phone at SAR 1.3 W/kg (i.e. within the UK safety limit of 2.0 W/kg and the FCC's of 1.6 W/kg), compared with 0.5 Gy gamma-rays or exposure to 60 CT scans. The findings of this government-backed study well illustrate that wireless radiation of the type used and planned for 5G is unsafe. This has been proven in many studies. Therefore it is reasonable for this Information Poster to question the degree of safety of 5G.

(f) The unbiased, open-ended question used allows any reader to decide either that the question is irrelevant and stop reading, or that they need more information and continue reading. An open-ended question asked by the vast majority of expert scientists cannot mislead.

(g) As explained below, at no point in the Information Poster was there any possibility of misleading a reader by not representing the majority scientific viewpoint or failing to attribute the sources of the quotations. The Information Poster represents the majority scientific viewpoint and attributes the quotations. It does not mislead in any way.

2.The information Poster does not exaggerate (3.13)

(a) It is absurd to claim that the question - "How safe is 5G?" - is an exaggeration. An open-ended question cannot exaggerate. It can equally be accepted or rejected or ignored by the reader, but the question cannot be an exaggeration since it is simply an unbiased question.

(b) As explained above, all forms of EM radiation can be considered safe or unsafe. This is the reason why international safety groups and safety guidelines exist, such as Bioinitiative 2012, EUROPAEM EMF Guidelines 2016, ICNIRP 1998, IGNIR 2018, Seletun 2010, and USSR 1959. The fact that all these international guidelines have proposed varying values for public safety levels, some 10 million times lower than others, shows that the international scientific community but has been asking the question about safety for over the last six decades and is still doing so.

(c) Your email refers to the World Health Organization's (WHO) online factsheet entitled "Electromagnetic fields and public health: mobile phones".

However

(i) it is not peer-reviewed, whereas the ASA requires peer-reviewed studies as valid evidence,

(ii) it is out of date, since it was published in 2014 and states that it will be replaced by 2016 by the WHO's risk assessment, although this has not yet (September 2019) been published,

(iii) it is factually incorrect in numerous aspects,

(iv) it omits established confirmation of RF as a cause of electrosensitivity (ES) and cancer among many other proven adverse outcomes,

(iv) it confirms the published views by leading world experts in this field that the WHO is 'unscientific', it does not protect health from the established harm of RF wireless radiation and 5G, and that its major conflicts of interest in its support for the wireless industry 'seriously undermine' its credibility, and

(v) it makes no reference to 5G.

All of these points negate the relevance of this WHO factsheet to the complaints.

(d) This WHO factsheet, as a non-peer-reviewed opinion piece, does not give its author, but it was probably approved by the leader of the WHO EMF Project who is a trained electrical engineer, not a medical physician with experience in diagnosing real electrical sensitivity (ES) as expected for assessing the established health risks from EM radiation.

The WHO has shown itself unable to deal scientifically with these issues because

(i) it is dependent on its parent body, the United Nations, with its predominant interests in trade and commercial development rather than health,

(ii) it has been legally subservient in matters of radiation since 1959 to the IAEA whose role is to exploit radiation as much as possible, and,

(iii) indeed, [The EMF Call](#) of 2018 by leading scientists in this area was specifically to address this recognised problem that the WHO is now regarded as 'unscientific' in its approach to the established dangers of RF wireless radiation including 5G and it is failing to provide guidelines which are protective of human health.

(e) Your email also refers to the [UK] Government's reliance on its 'independent expert group in the UK'. This online document is also not peer-reviewed and thus unacceptable to the ASA as evidence. It relies significantly on the invalidated AGNIR 2012 Report, which leading scientists have asserted should have been retracted long ago.

- (i) It was not peer-reviewed and so should not be used as evidence by the ASA.
- (ii) It has been shown to be 'unsafe' in that it ignored up to 80% of studies showing adverse health effects and cherry-picked the few which failed to find an effect.
- (iii) It was a blatant example of conflict of interests, since it depended on contributions and views of the government's own employees and thus was not an independent review.
- (iv) Its committee was composed of people holding a single and invalidated viewpoint based on Schwan's heating mistake of 1953, all part of the minority-viewpoint cartel controlling PHE, AGNIR, SCENIHR, ICNIRP and the WHO EMF Project, all of which support the wireless radiation industry.

(f) The UK government has a very poor record on this issue of the established and proven harm from RF wireless radiation.

- (i) In the 2019 Westminster Hall debate MPs stated that they sought to help their constituents who were injured by the current high levels of EM exposure in the UK. They complained that the UK government refused to acknowledge this issue and instead acted like a 'brick wall' when it came to accepting the science and mitigating RF harm.
- (ii) The complaints to the PHSO by over 80 UK citizens seriously harmed by the failure of the government's Public Health England (PHE) to acknowledge the established science on the dangers of RF wireless radiation began in 2013 but it has still to be resolved. The government wrongly believes it has the right to deny or ignore the majority-viewpoint scientific evidence and therefore PHE does not have to admit or even state, for instance, that EM exposure including RF wireless radiation and 5G is a 2B or 2A human carcinogen according to the WHO's IARC.
- (iii) Denials of harm from the Department of Health and Social Care (DHSC) still refer to the notorious AGNIR 2012 report, even though this has been shown to be unscientific, unsafe, and the product of conflicts of interest, as explained above.
- (iv) The DHSC claims to review studies on health damage from EM exposures, but the DHSC's COMARE also admits that it has its delegated responsibility for this to the unelected private minority-viewpoint group ICNIRP, part of the cartel supporting the wireless industry.
- (v) The DHSC has no means of engaging with the majority-viewpoint scientists in this area. In 2017 it abandoned its AGNIR committee, set up as a front in 1990 to reduce criticism of its unscientific approach. Its COMARE committee, a similar front to cover up the evidence of cancer clusters near reactors, decided in 2019 to abandon its plan to form a subcommittee on non-ionising radiation.

(g) Your email also refers to Nicole Scholz's European Parliament Briefing "Mobile phones and health: Where do we stand?" of March 2019. This is not peer-reviewed and should be rejected as scientific evidence for an ASA review, as with all the other documents listed in your email. It is unscientific in several key ways.

- (i) It upholds SCENIHR 2015, despite this being part of the discredited minority-viewpoint cartel, as explained above.
- (ii) It still holds to the long-invalidated heating hypothesis based on Schwan's 1953

mistake, and thus rejects the European Environment Agency's Recommendation to adopt a Precautionary Approach. This Precautionary Approach would require a moratorium on 5G and more stringent safety guidelines for the general public, including pregnant women, children, the elderly, the sick, people sensitive to EM radiation and people with chronic immune conditions. A Precautionary Approach has legal status in the EU, but this Briefing adopts a contrary and apparently illegal approach.

(iii) It fails to recognise the European Parliament's vote of 2009 by 522 to 16 that governments should reject the WHO ICNIRP's short-term heating guidelines as 'obsolete' and replace them with biological long-term guidelines.

(iv) It fails to recognise the Council of Europe's Parliamentary Assembly vote of 2011 calling on member states to recognise the urgent needs of people sensitised to EM exposures and create 'white zones' appropriate for them (see IGNIR's [EQZ](#)).

(v) The latest [review](#) of surveys estimates that 3.6% of the population (27 million people in Europe) are sensitised to EMFs and RF wireless radiation like 5G, and 1.2% (9 million) are severely affected. The scientifically proved and well established condition of all such people relates to the implementation of the Equality Act 2010 as regards 5G and the Information Poster's question: How safe is 5G?

(vi) The Briefing regards the question "How safe is 5G?" as valid and important. In fact, it is essential to the future existence of human beings and wild-life in Europe, since 5G like other RF radiation has established teratogenic, toxigenic and fertility effects impacting the future of life in Europe, as reflected in the Information Poster.

(h) Your email adopts the minority viewpoint position.

(i) It refers only to non-peer-reviewed invalidated claims by the minority-viewpoint cartel supporting the wireless industry. These comprise some 20-30 individuals, none of whom is a medical physician with experience in diagnosing and treating real sensitivity to RF radiation.

(ii) In contrast, the majority viewpoint, accepting the established proof of ES and cancer as caused by RF wireless radiation and EM fields or their role as a co-carcinogen, is represented by some 240 involved scientists who have signed the [International EMF Scientist Appeal](#). These are thus a majority over the industry cartel of some 240 to 30.

(iii) Similarly some 200 involved scientist have signed the EU [5G Appeal](#) to halt 5G, and the [Stop 5G on Earth and in Space: International Appeal](#) has over 150,000 signatures.

(iv) The Information Poster's question is neutral and follows neither the majority or minority viewpoint, but clearly it is a scientifically valid question to ask how safe 5G is.

(v) The question is also highly pertinent to the future of the human race. Some leading experts predict a rise in autism to 50% of boys within decades if RF continues to grow exponentially, along with continued plummeting fertility and further wildlife loss.

(i) There is not a single peer-reviewed study proving that RF wireless radiation like 5G is safe. Nor can there be, since RF wireless radiation and thus 5G has long been established as harmful.

In contrast:

(i) The majority-viewpoint scientists, accepting non-thermal adverse effects, can refer to thousands of peer-reviewed studies establishing their concerns (see, for instance, [Selected Studies on ES and EHS](#)).

(ii) The WHO's IARC declared EM x-ray and gamma rays as a class 1 human carcinogen

(1999), EM ELF as a class 2B human carcinogen (2001), EM visible blue light at night as a class 2A human carcinogen (2007), and EM RF wireless radiation as a class 2B human carcinogen (2011).

(iii) The IARC now regards the reassessment of RF wireless radiation as a high priority.

(iv) The NTP and Ramazzani studies, according to the majority of scientists, provide 'sufficient animal evidence' which, with known mechanisms like VGCCs and oxidative stress, already meets the requirements of IARC's class 1 and thus requires that RF should be reclassified as a class 1 certain human carcinogen.

(v) This would mean that the issue of 5G safety has already been answered in such a way that governments urgently have to reduce RF exposure to safe levels.

(vi) As noted above, the WHO and UK government are far behind the established science on the dangers of 5G and similar RF wireless radiation. In the UK more authoritative and up-to-date sources of relevant, reliable, majority-viewpoint evidence include information from: [ES-UK](#), [IGNIR](#), [PHIRE](#), [Powerwatch](#), [SSITA](#), [Radiation Research Trust](#), [Wifiinschools](#) etc.

(vii) There are hundreds of groups world-wide with internet sites, most giving much more accurate and up-to-date scientific information than is available from the WHO's outdated and inaccurate opinions, dated 2014 on mobile phones and 2005 on EHS. See e.g. [Links: Electrosensitivity.co](#).

(j) As mentioned above, millimetre waves, planned for 5G, are already in widespread use for military warfare and in some civilian crowd control. This confirms that this type of 5G radiation can cause adverse reactions in the ordinary population and especially those sensitive to it, something which even the wireless industry and the ASA cannot deny. Many people who have been sensitised to RF wireless radiation have to use the same protective netting and materials developed by the military for protecting their own troops from electromagnetic assault. People in the UK today are living in tents or cars in remote areas to escape the harm caused by EMFs and RF wireless radiation like 5G. The numbers of people harmed by EMFs and RF wireless radiation appears to be constantly growing, with contacts to our charity increasing by 10% per year for over a decade.

(k) The legality of 5G and similar RF wireless radiation is under growing scrutiny now that effects such as sensitivity to EM exposure and cancer has been proven in numerous scientific studies and are accepted by the majority-viewpoint scientists.

(i) The unsafe nature of RF wireless radiation such as used in the initial 5G roll-out has been recognised in UK courts since 2012 and sensitivity to it has been diagnosed by some NHS GPs and hospital consultants since 2013.

(ii) The first legal cases against 5G deployment have succeeded in countries like Australia in 2018-19, and many others are planned there and worldwide.

(iii) There is concern that the lack of informed consent in the health testing of the beam-forming features of 5G, means that its deployment contravenes the Nuremberg Code.

(iv) Some countries have banned 5G because of its lack of proven safety, as have some towns in the UK.

(v) Although members of the minority-viewpoint cartel supporting the wireless industry, as explained above, prefer to make generalised assumptions implying the safety of 5G and similar RF wireless radiation, while also calling for more research, most refuse to state that it is safe. Thus the UK government has been very careful to admit uncertainty

by stating that there is no proof that 5G or similar RF wireless radiation is safe, only that they have failed to find 'consistent' or 'convincing' evidence of harm. Both terms are unsatisfactory as not being scientifically explicit and in contradicting the established science which has proved that effects of RF wireless radiation include sensitivity symptoms and cancers. They also admit that environmental radiation levels are likely to increase with the introduction of 5G.

(l) The growing interest in the safety of 5G and similar RF wireless radiation led to two major scientific international conferences in London in September 2019, where experts from America and Europe explained the latest science and research. This would have helped the ASA and their complainants to see where the majority-science viewpoint stands on 5G safety at present.

(m) The UK Government is aware of people for whom 5G is not safe and who are sensitive to RF wireless radiation, since it states that it follows WHO and ICNIRP.

(i) In 2002 ICNIRP stated that governments must protect such people by adopting non-thermal safety guidelines below its own short-term and heating guidelines. The fact that the UK Government has not yet implemented the ICNIRP's requirement in this respect shows that the safety of 5G remains a very big issue among many people in the UK.

(ii) A UK government-sponsored survey found that 4.0% (2,680,000 people in the UK) are sensitive to RF wireless radiation and EM fields, and 1.8% (1,206,000) are severely affected, while another [survey](#) estimated 0.65% (435,000) are denied full access to work or education because of their sensitivity to EMFs and RF wireless radiation, like 5G.

(iii) The UK government rejected making wireless smart meters compulsory partly on health safety grounds on November 29 2011.

(iv) The NHS warns that children under 16 should not use mobile phones except for essential purposes.

(n) Other countries have banned Wifi and mobile phones in schools for safety reasons, such as France, and have launched EM hygienic campaigns, such as Cyprus and Berkeley CA, and yet others have rejected ICNIRP's short-term heating guidelines, such as China, India, the USSR and some European states, covering a third to half the world's population. The safety of 5G is a rapidly growing issue, with the BBC repeating a report over 5G dangers four times on a single day in June 2019 and the UK media reporting recently that thousands in Switzerland demonstrated against 5G dangers.

(o) 5G's established and proven lack of safety, together with the wireless industry's denials and refusal to accept the majority established scientific evidence, is corroborated by the Phonegate scandal, similar to the Dieselgate or Emissionsgate scandal.

(i) This Phonegate scandal concerns the sale of mobile phones with actual radiation emissions exceeding levels reported in their accompanying documentation. This apparent deception means that some mobile phones fail to comply with even ICNIRP's 1998 short-term heating guidelines, let alone international long-term biological guidelines.

(ii) ANFR's testing in France in 2015 found that 90% of mobiles tested exceeded ICNIRP's guidelines when used next to the body. Some models were subsequently withdrawn from sale.

(iii) In the USA testing by the Chicago Tribune in 2019 also found radiation levels

allegedly exceeding FCC guidelines, leading to an investigation by the FCC and class action lawsuits against Apple and Samsung.

(iv) It is not clear why similar models of mobile phones on sale in the UK do not yet seem to have been subjected to investigation and action by trading standards officers or PHE. Nor is it clear why the public has not been warned by trading standards or PHE of the danger that, if they have purchased abroad a mobile implicated in the Phonegate scandal, their mobile may be emitting excessive radiation.

(v) 5G phones will apparently be likely to contravene not only long-term biological safety guidelines but even existing ICNIRP short-term heating guidelines, unless these latter guidelines are relaxed, or attempts made to adapt the phones so that they stop transmitting if the antenna is held too close to the body. This means that it is vital that the radiation levels of 5G mobile phones should be investigated carefully and impartially if users are to be kept safe, as encapsulated by the Information Poster's question: How safe is 5G?

3. Positive reception of the Information Poster

The Information Poster "How safe is 5G?" has been very well received by members of the public around the UK. It has featured in several of our recent information campaigns, including the last one, referred to by the ASA, and the charity has not received a single criticism directly. Our series of Information Posters have been used and applauded around the world as well balanced and scientifically accurate, based on the latest evidence and majority viewpoints. The trustees do not wish to follow the pro-industry cartel in denying the scientific evidence or mislead readers with its minority viewpoint, a process described by the experts in this field as 'unscientific' and 'corruption'.

4. ASA's record on EM: unscientific, biased and subject to conflicts of interests

(a) The ASA has consistently refused to identify the authors of their rejections of the majority-viewpoint science on EM issues. This is unacceptable scientifically.

(b) The ASA prejudged their comments on a previous Information Poster, saying that they would find against it, which they subsequently did, despite remonstrations by their Independent Reviewer. This is unacceptable procedurally.

(c) The ASA is financed by marketing communication advertisers. These include mobile phone companies who may consider that their profits may be affected by the ASA's decisions. This is an unacceptable conflict of interests.

5. More accurate wording: "How unsafe is 5G?" or "5G is unsafe"

Most people, especially the many who reacted very positively to the Information Poster and approved of it, may have expected the question to be put more accurately as: "How unsafe is 5G?" or headed by a statement such as "5G is unsafe". This would fit the established scientific evidence far better. It is also required by the ASA's concern that statements are supported by the majority scientific viewpoint. For the 5G Information Poster it was felt that making the question impartial would be more acceptable to uncommitted readers. Nevertheless we note that the ASA wishes advertisers and market communications to follow the majority scientists and not a minority viewpoint. We may therefore consider for future Information Posters following the majority viewpoint more overtly.

6. Conclusion:

The aim of the trustees of ES-UK is, and has always been, to ensure, that all its Information Posters are 'legal, decent, honest and truthful'. Indeed, the trustees would not accept any which fell below this standard. In addition, its Information Posters are all checked carefully by involved experts to ensure that they are scientifically accurate and reliable. Thus there can be no danger of misleading any reader by providing a solely minority viewpoint or inaccurate information. We are fully convinced that all the majority scientific viewpoint, and even most of the minority-viewpoint, accept that 5G has not been proved safe and that our Information Poster is right to raise this issue.

Yours sincerely,



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