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Brazilian Courts order lower electromagnetic pollution

The Brazilian Judiciary determined to reduce the level of electromagnetic pollution generated by power lines to standard adopted by Swiss law (1.0 microtesla).

Two associations of residents in São Paulo — the largest city of Brazil — proposed the action. The plaintiff has pleaded to not be exposed to electromagnetic fields incompatible with the human health.

The electromagnetic fields generated by power lines that cross these areas is 10 times greater than the level determined by the court. The judgment of the Court of State of São Paulo (Tribunal de Justiça de São Paulo) has determined that the concessionaire of electric power reduces the electromagnetic field generated by power lines that pass through these neighborhoods.

The decision applied the provisions of the Brazilian Federal Constitution — which declare the protection of health and the balanced environment — and the precautionary principle contained in the United Nations Conference on Environment and Development (1992), also known as the Rio Summit, which intended to protect the population against damage to health and the environment.

Judge Renato Nalini, who has several matters published on the protection to the environment, pronounced the majority opinion. It recognized "the great possibility of the electromagnetic field of low frequency to be carcinogenic agent in human beings".

The opinion, which widely examined the international research and the pioneering book on the subject in Brazil, written by Elza Boiteux, Professor of University of São Paulo (Universidade de São Paulo — USP) and Fernando Boiteux, concluded: "obligation of the concessionaire of electric power in reducing the electromagnetic field of the power line to 1.0 μ T (one microtesla)." Martin Blank has participated at the public hearing to explain the risk of electromagnetic fields to human health based on his research about this subject for over thirty years. His last published book about is Overpowered (2014).

This judgment puts the Brazilian Judiciary at the same level of others international courts in defense of the environment and shows the relevance of the research on the risks of electromagnetic fields.

The concessionaire of electric power filed an appeal to the Brazilian Constitutional Court (Supremo Tribunal Federal). The Justice Rapporteur designated a public hearing (took place on March 6th, 7th and 8th, 2013) to consult experts on non-ionizing radiation, public health, consumers and other interested sectors of the society.

The Brazilian Supreme Court has not decided to take the case yet.

[Power lines at sunset](#) image via Shutterstock.

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